

Legislative Council

Tuesday, the 4th December, 1979

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 11.00 a.m., and read prayers.

QUESTIONS

Questions were taken at this stage.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. G. C. MacKINNON (South-West—Leader of the House) [11.18 a.m.]: I move—

That the House at its rising adjourn until 11.00 a.m. tomorrow (Wednesday).

Question put and passed.

INDUSTRIAL ARBITRATION BILL

In Committee

Resumed from the 29th November. The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. G. C. MacKinnon (Leader of the House) in charge of the Bill.

Clause 97: Certain strikes and lock-outs prohibited—

The CHAIRMAN: Progress was reported after the clause had been partly considered.

The Hon. R. F. CLAUGHTON: As it is some days since we last sat, I remind members that the clause deals with strikes. It prohibits strikes unless they are approved by a secret ballot of the union members, but there is provision elsewhere that even though a strike has been approved and can become legal, the situation can be changed by a decision of the court.

I am concerned that the comments of various Government members such as the Leader of the House, Mr Knight, and Mr Pike indicate that the clause is not based on a rational examination of what makes the industrial system work harmoniously and peaceably, and the procedures best employed for resolving disputes in the quickest possible time; rather it is based on the political dialectic of the Liberal Party, or of certain groups within it. I can only express my great concern that legislation should be written in this manner, particularly legislation which affects industrial relations and the economic sector of our community.

The Government is writing into legislation provisions which are likely to promote industrial disputes and to cause them to be extended, rather

than provisions designed to lessen the effect of disputes. That is a matter of serious concern in our consideration of the Bill. I voiced that concern in the second reading debate. After listening to the remarks of members opposite to whom I referred, we must be greatly concerned about the intentions of the Government and the trend of legislation in this Parliament. I strongly oppose the clause.

The Hon. R. HETHERINGTON: The other day the Leader of the House dismissed my remarks as a diatribe and said I did not read paragraphs (a) and (b) together. I suggest to him that he read those paragraphs together and then turn to page 12, where he will find that "office" in relation to a union means an office within the union for the filling of which an election is conducted within the union. It says later it does not include the office of any person who is an employee of a union and who does not have a vote. That gets rid of employees.

Let me cite the Australian Railways Union. In that union shop stewards are elected. If a stoppage occurred on site over a safety issue, the shop steward would be present and participating. The Minister said it is not the intention of the Government to outlaw strikes over safety issues. Therefore it would seem to me that the two paragraphs when read together mean that a strike held by the ARU at which a shop steward was present and participating would come within the provisions of this clause.

It would seem to me the Minister should consider recommitting the Bill to redefine "office" in clause 7 to make it perfectly clear that a shop steward is not included in the interpretation. No matter what is the intention of the Government, the words clearly mean that a shop steward, within the ARU at least, would come under the provisions of this clause.

I remarked generally the other day that it is likely that in a dispute members of the committee of management would be consulted. So this is a blanket clause and it is much wider than the Minister indicated the other day. Certainly, if the Government's intention is what the Minister claims it is, an amendment should be introduced before the Bill is passed.

The Hon. G. C. MacKINNON: The Government has no intention of departing from its traditional stand on matters of genuine safety. These are always dealt with separately and we do not adopt a legalistic approach to them, irrespective of the interpretation at law of "strike". Everyone associated with industry is aware that workers can walk off the job whenever

there is a genuine safety problem, and no action is taken other than to have the matter resolved as quickly and as equitably as possible.

The Hon. R. HETHERINGTON: I welcome the Minister's assurance. I still think the Bill should not stand as it is because it enables the very issue to occur in respect of which the Minister said no action would be taken. It is foreseeable that a Government may want to take action. It is a pity the Minister is not prepared to have the clause amended.

Be that as it may, the clause is obnoxious.

Clause put and a division taken with the following result—

Ayes 15

Hon. N. E. Baxter	Hon. O. N. B. Oliver
Hon. G. W. Berry	Hon. W. M. Piesse
Hon. A. A. Lewis	Hon. I. G. Pratt
Hon. G. C. MacKinnon	Hon. J. C. Tozer
Hon. Margaret McAleer	Hon. R. J. L. Williams
Hon. N. McNeill	Hon. W. R. Withers
Hon. I. G. Medcalf	Hon. G. E. Masters
Hon. N. F. Moore	(Teller)

Noes 6

Hon. D. W. Cooley	Hon. R. Hetherington
Hon. D. K. Dans	Hon. F. E. McKenzie
Hon. Lyla Elliott	Hon. R. F. Claughton
	(Teller)

Pairs

Ayes	Noes
Hon. T. Knight	Hon. R. T. Leeson
Hon. D. J. Wordsworth	Hon. R. H. C. Stubbs
Hon. R. G. Pike	Hon. Grace Vaughan

Clause thus passed.

Clauses 98 and 99 put and passed.

Clause 100: Employer not to act to prejudice of member or non-member of union—

The Hon. D. W. COOLEY: About the time of the Hammersley dispute the provision in this clause was reported to be part of the 1977 policy of the Liberal Party. Never at any time in that policy did that party say it would introduce a provision such as this into the industrial scene. It is a provision which will penalise employers or unions if they reach agreement in regard to conditions of employment. That is outrageous. It breaches every principle of industrial relations in that the Government is deliberately interfering with an agreement that might be reached between an employer and a union in regard to the type of people employed in an establishment.

It has been said by members who are not present that the ILO conventions justify a person's choosing to belong or not to belong to a union; but I suggest they do further reading in respect of the ILO conventions. It is stated specifically in the conventions that worker and employer organisations shall have the right to

draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities, and to formulate their programmes. If a union and an employer agree that there be a condition of employment that people shall belong to a particular union within an industry, that is the business of the employer and the union. There should be no Government interference in respect of that.

The ILO conventions also indicate that the public authority should refrain from any interference which would restrict the rights I have mentioned, or indeed the lawful exercise of them. Until this situation developed, it had not been regarded as unlawful for people to belong to unions. It should be a condition of employment that they belong to unions. In many instances, except where extremists are involved, the employer organisations and the individual employers welcome the existence of what is loosely termed a "closed-shop situation", because they are dealing with one group of employees only. It makes for better industrial relations if one or two representatives of the work force go to the employer to state their case. There is nothing outrageous about that.

The compulsion situation has been taken care of. I know I objected to this when the Act provided that a willy-nilly approach should be made to the Industrial Commission to obtain exemption from union membership without justifying that; but in Commissioner Kelly's proposed Act he made provision for this. A person could make application on three bases: on religious grounds; on political grounds; or simply because he did not want to belong to a union. The overriding principle was that the person would be required to pay something which would satisfy his conscience, at least, in respect of his work.

In this morning's paper we read about Western Mining Corporation's attitude to this question. The company said that the people working for it should belong to a union. It has made it clear it will enter into agreements outside the Industrial Commission. It has said it will give benefits to people who belong to unions, and the people who do not belong to unions will be in a disadvantaged position.

I do not think we ought to come to that situation; but people are being driven to it. Unions are going before the commission and saying, "There should be members-only conditions." They are asking for such provisions in awards. This is an indication of the community being split into two. People on the job will be saying, "If I belong to a union, I will get more than you will."

What will happen when Ric New and other extremists say that people who do not belong to unions will receive more than unionists? That is what the position will be.

The Hon. W. R. Withers: You are arguing against yourself.

The Hon. D. W. COOLEY: I am not. Mr Withers should be in this Chamber more often, and he should listen. He should not come in, like some of his colleagues, and pick an argument to suit himself. He should not say I am arguing against myself, because I am not.

The Hon. W. R. Withers: Of course you are.

The Hon. D. W. COOLEY: I am telling Mr Withers some unscrupulous people in this community will give benefits to non-unionists.

The Hon. I. G. Pratt interjected.

The Hon. D. W. COOLEY: Little Sir Echo is starting. He should rise to his feet when I have finished, and then I might be able to understand what he is saying. I ask that he not interrupt me.

There will be complete division in industry if this sort of provision is passed. It will be passed, of course, because we are going through the charade of this Chamber being a House of Review. Not one amendment submitted by us has been agreed to, and not one proposal by the Government has been rejected.

We saw evidence in this morning's paper of what will happen when this sort of provision comes in, and how division in industry will occur in relation to it. Nobody in this Chamber has yet indicated his attitude in relation to the wages for unionists and non-unionists—whether people who do not belong to unions should receive more than unionists in respect of their wages and their conditions, or vice versa. What a terrible situation there will be! I do not think there should be any division.

People are being driven to the position where they will have no choice but to put into agreements clauses which will establish the closed-shop principle. Apparently Western Mining Corporation has seen a loophole, but I suppose that will be closed very quickly. When the Government sees something wrong, it cannot rush in here quickly enough.

The Hon. W. R. Withers: That is what democracy is all about.

The Hon. D. W. COOLEY: What Government members go on with in this Chamber is not democracy. How do they define that as democracy? They come in here blindly, and they follow the dictates of what has taken place in another place.

The Hon. W. R. Withers: What a load of rubbish!

The Hon. D. W. COOLEY: They are rubber stamps. If we were living in a democracy, they would discuss this Bill in a better way, and I would not have to object so much. They come along here and follow the party line. I would not disagree with that if they would come out and say that is what they do; but they do not.

The Hon. W. R. Withers: I am very confused.

The Hon. D. W. COOLEY: They come in here and vote on the party line, and then they go out and say this is a House of Review. How could this be a House of Review if they have made their decisions in the party room? Could one imagine Mr Oliver or Mr Pratt voting for any amendment I submit in respect of industrial matters?

The Hon. D. K. Dans: Or any matter.

The Hon. D. W. COOLEY: Government members are industrial anarchists—

Government members interjected.

The CHAIRMAN: Order! The question is that clause 100 stand as printed. The Hon. D. W. Cooley.

The Hon. D. W. COOLEY: How could one expect people of the calibre of members opposite to vote in favour of amendments put forward in a sensible way by members on this side of the Chamber? Such amendments would be of benefit to unionists, but in the last six years I have never seen members opposite vote in favour of provisions which would benefit the trade union movement as a whole. In fact, members opposite take away the benefits which have been won by the trade unions and this clause is an example of that.

The more mature people who belong to the Liberal Party do not favour the removal of traditional rights from unions. Such rights have enabled trade unions in a position of strength to carry out negotiations with employers. When negotiations are being conducted, both parties should be in a position of strength.

The Hon. N. E. Baxter: What part would you take out of the clause?

The Hon. D. W. COOLEY: I would not include clause 100 in industrial relations legislation. It is not the business of the Government to interfere with agreements reached between employers and unions unless they adversely affect the interests of the State as a whole.

The Hon. N. E. Baxter: Do you believe in the dismissal of employees who do not belong to a union?

The Hon. D. W. COOLEY: Such a provision is not contained in the legislation which has operated from 1912 to 1979. Under that legislation no restrictions are imposed in that regard.

Employees do not have to belong to a union if they do not want to. They may opt out of joining a union if they wish.

The Hon. G. E. Masters: They have to pay though.

The Hon. D. W. COOLEY: Why should not an employee pay? As a result of negotiations and at considerable expense, a union might have won certain conditions. All members of the union will benefit; therefore, it is only right that everyone should contribute accordingly. Everyone has a moral responsibility to pay for the services he receives. People who ask, "Why should we pay to belong to a union?" are not willing to accept their moral responsibility to pay for the benefits they receive from the union.

I do not know how far a person would get in the Liberal Party if he did not pay his contribution. I wonder how many members would receive endorsement as a candidate for election to this place if they did not pay their dues to the Liberal Party. If people receive a service from a union, they should be prepared to pay for it. Recently I submitted valid grounds as to why a union should be able to contribute to the ALP, or any other political party, if it so desires.

Members opposite have not produced a shred of evidence to show this legislation conforms with ILO conventions; in fact, the provisions contained in the Bill are opposed to them.

Members opposite do not care about ILO conventions. If they did, they would not have rejected my amendment to clause 73 of the Bill. Members opposite voted on party lines on that occasion. If, in fact, this was a House of Review, Government members would be prepared to vote in favour of the principles I have submitted; but in fact they are not.

This clause will destroy the good relationship which has been built up between unions and management. There are some excellent unions. Many people depend greatly upon the strength of their unions and they belong to them because they know they will ultimately benefit. Members opposite are trying to fragment the strength of unions under this clause. Therefore, the people to whom I have referred will be disadvantaged.

This clause should not be in the Bill. It is part of an overall plan to destroy the strength of union negotiations. We should retain the situation under which there is a proper agreement between unions

and employers, under which it is a condition of employment that people belong to a union.

In 1971 the biggest stores in Australia said to the Shop Assistants and Warehouse Employees' Industrial Union of Workers, "We will give you an undertaking that from this day on anybody who is employed by our firm will belong to the union. We will also arrange for pay-roll deductions for people who become members of your union. It will be a condition of employment." The people who were employed before 1971 were not required to belong to the union; but employees who joined the firm after that date had to do so. Under this legislation such an agreement will be made null and void.

Such arrangements have been made between employers and unions throughout the State. They will be removed by this provision. However, in a number of cases the Government will not be successful and this is borne out by the statement which appeared in *The West Australian* this morning in regard to the attitude of Western Mining Company.

The Hon. D. K. DANS: I oppose the inclusion of this clause because embodied in it is all the abysmal ignorance which the extreme right wing of the Liberal Party displayed when it pressurised the Government into including these unenforceable conditions in the Bill.

It is a matter of history that the right wing of the Liberal Party in New South Wales has just about brought that party to its knees, and given enough time that element in this State will achieve exactly the same end. It simply is no good the Government trying to intrude into the freely made contracts between employer organisations and organised labour. If members want a further example, I suggest they look at this morning's paper. The matter goes further. The Press report stated that this measure will interfere with the much vaunted right which I have heard thumped away at year in and year out; that is, the right of the employer to hire and fire. This Bill will take away that right.

In respect of this clause we have also heard the word "compulsion". So help me, every day we spend in this Chamber we pass legislation—and I am on record as having said this previously—which compels people to do more and more things without referring those issues back to the people. I will come back to this point later.

I refer to fluoride in our water supplies. I am not opposed to the fluoridation of water supplies, but there are diverse opinions all over the western world as to whether fluoride in water is good or

bad. No-one in this State has an opportunity to opt out.

I will refer quite briefly to some of the "compulsions" embodied in the Constitution of the Commonwealth of Australia. Right throughout the debate on this Bill there has been a great frenzy about compulsion, monopoly, and preference. I said at the outset that this measure certainly was not an Industrial Arbitration Bill; it was an industrial confrontation Bill. It is to satisfy the insane desires of that extreme right-wing element of the Liberal Party. It is unforceable; it cannot work.

Some of the clauses in this Bill will be open to challenge at law. A further example of that was the article which appeared in this morning's Press. I have had an opportunity to speak to some employers and they have said that no-one will interfere with their right to hire and fire, and certainly they would not employ any non-unionists.

Why was the preference clause inserted in awards in this State? I have not heard any member on the other side give me a good explanation of that.

The Hon. D. W. Cooley: They do not know.

The Hon. D. K. DANC: They do not know; so in its anxiety to do something the Government was hopeful that an attack on employees, through this particular clause, would cause some widespread industrial disruption on which it would have an issue to go to the people. The Government went ahead with this compulsion issue despite some very good advice to the contrary. Let us have a look at clause 100.

I do not have a copy of the Constitution with me, but I ask members opposite: why is a preference clause considered to be an industrial matter? If members opposite took the trouble to read the commerce power embodied in the Constitution, or if they or any of their supporters took the trouble to read what industrial power is in the Constitution, perhaps they would find out the truth.

I will refer to Justice Joske, whom no-one can accuse as being a left winger, because he was a former Liberal member in the Federal Parliament. He has an important point in his favour: he has common sense. He has drawn on the experience of this country and the manner in which our industrial tribunals and wages boards have been able to operate over nearly 100 years. By trial and error, the present system has evolved.

Before I deal with Joske, I want to say we have heard a great deal about left-wing militant unions—which used to have another name.

However, none of the punitive clauses of this Bill will do anything to those unions. Their rights, their attitudes, and their positions in industry, under the existing order, will remain untrammelled and unchallenged, and they will continue to remain so.

People in the Liberal Party fell into the trap. Because industrial relations, or human relations, became a byline in the Press—something on which people could hang their hats—people did not take the trouble to find out just how much industrial harmony existed. There is a great deal more industrial harmony than there is industrial disharmony, and it will continue to be that way without the assistance of the punitive clauses of this Bill. At the third reading stage I intend to go a little deeper into that matter.

Compulsory unionism, involving the ousting of employees or persons who are not members of a specific union, is not an industrial matter. It concerns the relationship between employers and employees when awards cannot be granted by Commonwealth arbitration tribunals. The giving of the monopoly of employment to unionists differs from the giving of preference to unionists. The effect of such a monopoly is to exclude non-unionists, and that is what the Government is setting out here. If Mr Masters would listen to me, he would learn something. The giving of preference to unionists is one of the methods by which disputes may be prevented or settled. That provision is contained in the industrial power of the Constitution.

I am referring to industrial power as set out in Joske's book, at page 195. In order to explore the matter a little further, I could refer to the case of Anthony Horden & Sons Ltd. v. Amalgamated Clothing Union, in 1932. The Commonwealth realised really that the giving of preference was part of its constitutional industrial power. In other words, the granting of preference prevented industrial disputation and confrontation. I could go further and refer to another famous case in which the High Court of Australia found that the only people who had a right to organise the waterfront were those associated with the Waterside Workers Federation.

I will not go any further, but Joske's book makes very interesting reading. It seems that those who rushed into this legislation did not have regard for all the advice at their disposal. They had no regard for the Constitution of this country.

What will now happen? Of course the Leader of the House knows that a group of people has said, "If we are fined \$1 000 for refusing employment to a non-unionist, we will pay the

fine willingly, and we will fight it out legally afterwards."

Western Mining Corporation has done better than that—it has its comments on the front page of this morning's newspaper. In old-fashioned language Mr Masters and his tribe have come a "gutser" in what they set out to do. A union monopoly is now being set up; non-unionists will not be able to obtain jobs in some of the more lucrative fields of employment in the State of Western Australia. This is why we had the preference clause; if a non-unionist wished to be employed, he had the option of joining the union or opting out.

Earlier in this debate I gave some examples. Can members here imagine what would happen say, in the mines and metals industry, if an employer quite deliberately gave a job to a non-unionist?

I know some great differences exist between the way the States make industrial laws and the way the Commonwealth makes industrial laws under the Constitution. I do not have to be told that, and I know all about common rules, roping-in awards, and other kinds of agreements. Such situations grew from experience and they have worked well in this country.

This particular Bill has three things going for it. It will successfully exclude the non-unionist, and it makes no provision for him ever to obtain a job in many areas. It sets out to penalise the very moderate unions, and I may as well name them—the Federated Clerks' Union and the Shop Assistants and Warehouse Employees' Union. These unions have had extremely good industrial relations in the past, and their industrial conditions have been arrived at by negotiation.

The Hon. N. E. Baxter: Does this clause say what you said?

The Hon. D. K. DANS: Yes it does. If Mr Baxter were to go out to talk to the people who employ labour, they would tell him exactly the same thing.

The Hon. N. E. Baxter: You are not talking on this clause at all.

The Hon. D. K. DANS: I am talking exactly to this clause. It is one of the key clauses in the Bill.

The Hon. N. E. Baxter: Maybe so, but you are not talking on it.

The Hon. D. K. DANS: I will continue to talk in this vein until you, Mr Chairman, tell me I cannot. If Mr Baxter reads the last line of the first paragraph he will see what I am saying.

The Hon. N. E. Baxter: You are saying an employer will not employ a non-unionist.

The Hon. D. K. DANS: I believe I am talking about something of which I know. I would not challenge Mr Baxter on the subject of the sexing or shearing of sheep. That is his field. The point I am making is that there is a public stance and a private stance, particularly in industrial relations. I am telling members that the whole Bill will not work and this clause is one of the reasons it will not work. Evidently Mr Baxter has not read this morning's paper.

The Hon. N. E. Baxter: Yes I have.

The Hon. D. K. DANS: I suppose that was some left-wing employer organisation or company which decided on that particular course!

The Hon. D. W. Cooley: That was Stanley J. Carter.

The Hon. D. K. DANS: Mr Carter was employed by the Confederation of Western Australia Industry.

I will return to the third item I mentioned. In its anxiety to get rid of preference to unionists, the Government has brought about the very thing Western Mining Corporation has said it will do. Are Government members here thinking that all the judges of the Commonwealth Arbitration and Conciliation Commission, and the Commissioners and the Chief Commissioner of the State Industrial Commission are dunces and do not know what they are talking about?

The Hon. N. E. Baxter: Talk about the clause.

The Hon. D. K. DANS: I am making this speech, and if Mr Baxter has some intelligent reply to make to it, he can make it later. The words to which I referred are—

... or is a person who is not a member of any such union, association, society, or other body.

The implication of those words is quite plain. An employer will be extremely cautious in his relationship with the union and his shop stewards; he will ensure that a non-unionist does not come onto the job. Under the old legislation an employee was given the opportunity to opt out. As Mr Cooley said, this will do nothing to affect the unionists at which the legislation is aimed. I am sure that the Bill was an attempt to cause a great upsurge from the unions while an election is in the offing. The Government has failed because of the abysmal ignorance of the people who prevailed on the Government or the Cabinet to insert these clauses. The people concerned did not do their homework and so the Government is attacking the very people who might have supported it.

I hope Mr Masters will get up in a minute to answer the \$64 question that has already been

asked 50 or 60 times: How will this clause provide for better industrial relations? In fact, we could ask that question of the whole Bill.

I have just outlined the abysmal ignorance of the people who brought pressure to bear on the Government to introduce this legislation. They were not aware of the Constitution of the country, the preference-to-unionists system, and they were not able to recognise the difference between a union monopoly and the promotion of a system that would make it impossible for non-unionists to obtain jobs in some occupations and job situations.

It seems to me that the people who leaned on the Government committees did so for emotional reasons, and not from a common-sense point of view. Certainly they did not realise what the reaction of the employers would be. If this legislation is taken to its conclusion, in many of the heavy industries it will destroy completely the arbitral system. Contractual arrangements will become the order of the day.

Mr Baxter said that we were not talking about clause 100, but already, while this Bill is still before the Parliament, one of the biggest employers of labour in Western Australia is thumbing its nose at the Government and saying that it will continue to make agreements inside or outside the arbitration system. This shows how widely the Government canvassed the legislation before introducing it. Western Mining Corporation told the Government that it has had agreements with the unions since 1969. That is how thoroughly the Government researched this matter; it did not research it at all!

I oppose clause 100. It is one of the most objectionable clauses in the Bill. It will not do any of the things it is supposed to do. I suppose we could not be debating this at a better time, in the light of the article which appears on the front page of this morning's newspaper.

Let me return to the late Lord Citrine; I am sure Mr Williams and Mr Masters know of this very famous person in the British labour movement. He said there could be only two parties in an industrial agreement—just as there are only two parties in a marriage contract. He maintained that once we included a third party—heavy-handed as it may be, in the way of Government interference, and so on—the whole system goes wrong and we are back to square one. Clause 100 will have the effect of promoting disputes, and the Bill will not provide the commission with machinery to resolve them.

What if the major unions and employees opt out of this provision? Are we to have a situation

such as was experienced at Broken Hill, where a strike went on for some two years? Are we to have a situation developing in Western Australia similar to that in the United States, where strikes of 18 months or two years' duration are not uncommon, and where strikes of less than three months are considered to be kids' stuff?

Because of the activities of extreme right-wing people, clause 100 will have the effect of putting industrial relations in this State back 100 years. These people opposite who, in the guise of super-democrats, purportedly protect the workers are laying down penalties to be applied against them. The legislation will not work.

The Hon. N. E. BAXTER: It is quite evident from the speeches of Mr Cooley and Mr Dans that they want a total, closed-shop situation for unions. They have endeavoured to misrepresent the intention of this clause.

The Hon. D. K. Dans: You do not read the newspapers.

The Hon. N. E. BAXTER: Mr Dans thinks he knows all the answers. Can he tell me how many non-unionists are employed by Western Mining Corporation? I do not know.

The Hon. D. K. Dans: How can you expect me to know that?

The Hon. N. E. BAXTER: Under this clause, if Western Mining employs non-unionists it will not be penalised. There is no way the company will be able to sack non-unionists simply because they do not belong to the union. Mr Dans is talking a lot of poppycock, twisting the clause around in an endeavour to convince us it contains something which, in fact, it does not.

The Hon. G. C. MacKinnon: The sad part of it is they do not even listen to you while you are telling them.

The Hon. D. K. Dans: You get up and tell us what it means. That is your job, as Leader of the House.

The Hon. N. E. BAXTER: Clause 100 says nothing about companies not employing non-unionists. It is absolutely ridiculous to make such a suggestion.

The Hon. D. K. Dans: I believe that every word I spoke about clause 100 was correct. The Leader of the House interjected to the effect that the Opposition did not know what it was talking about. Very well, under the Westminster system of debate, it is the role of the Leader of the House to stand and explain to members the purpose of this legislation. He should tell us what clause 100 means and relate his remarks to Western

Mining's action, as reported in this morning's Press.

Under this and other clauses, the Government virtually will prevent non-unionists from getting jobs. This entire shallow, shabby exercise of union-bashing is simply for electoral purposes. The Government certainly has enough people in its party telling it it should not proceed with this legislation because it will not get away with it. However, the Government has persisted and the situation will get worse.

The Hon. G. C. MacKINNON: I thought we had heard the end of the sort of diatribe so common from Mr Dans in this debate. He asks no questions and tries to ram down our throats a great deal of nonsense about matters as extraneous as fluoride, which have no relevance to the issue before the Chair.

The Hon. D. K. Dans: You are talking about compulsion all the time. However, you refuse to answer the debate.

The Hon. G. C. MacKINNON: Mr Chairman, you can hear by the tone of Mr Dans' voice just how desperate he is to—

The Hon. D. K. Dans: Desperate my eye! Get up and say something!

The Hon. G. C. MacKINNON: This is the sort of irrational rubbish which went on when the Arbitration Court, as it was then known, was superseded in 1963. Members opposite said the system would not work. In fact, they said the same things then as they are saying now. Mr Baxter was perfectly correct in what he said, if only Mr Dans had listened.

The Hon. D. K. Dans: What did he say?

The Hon. G. C. MacKINNON: He said that clause 100 ensures that an individual may not be prejudiced by his employer merely on account of his being or not being a union member.

The Hon. D. K. Dans: That is right; that is what I am talking about.

The Hon. G. C. MacKINNON: That is precisely why the unions and some employers do not like it.

The Hon. F. E. McKenzie: I can remember Mr Baxter giving us a wrong interpretation of section 54B of the Police Act.

The Hon. G. C. MacKINNON: Mr McKenzie can remember what he likes. I suppose when the 1963 legislation was before Parliament, he was marching in the streets telling us it would not work. However, when the Australian Labor Party came into power in 1971—apart from establishing a few mediators who were never used—it did not try to alter this legislation.

The Hon. D. K. Dans: What rot!

The Hon. G. C. MacKINNON: Mr Dans has asked me what the clause is about. I have told him, but he still will not believe it. Of course he will not, but at least I have told him.

The Hon. D. K. Dans: That is the kind of thing we have had to bear with from the Leader of the House.

The Hon. G. C. MacKINNON: It is what you deserve. In fact, it is better than you deserve.

The Hon. D. K. Dans: It was a non-answer. What the Leader of the House is saying is that the Opposition deserves only what he cares to dish out. Any kind of tripe is supposed to be acceptable to the Opposition.

The Hon. G. C. MacKINNON: Here we go again.

The Hon. O. N. B. Oliver: It is a charade.

The Hon. G. C. MacKINNON: You asked for an explanation, and I gave it to you.

The Hon. D. K. Dans: I draw the attention of the Leader of the House—once again—to the last three lines of clause 100(1). Surely the most prejudiced, biased person cannot accept the type of answer just given by the Leader of the House on such a key clause. If anyone wants any further explanation, let him read the front page of this morning's newspaper; that is what it is all about. Western Mining Corporation is saying that, irrespective of any penalties which may be forthcoming as a result of this legislation, the benefits of the agreement it has reached with the union will not be enjoyed by non-union members in its employ. Can the Leader of the House or Mr Baxter argue with that? Do they say I am talking a lot of tripe?

The Hon. O. N. B. Oliver: You often say we should not believe everything we read in the newspapers.

The Hon. G. C. MacKINNON: He says it more often than not.

The Hon. D. K. Dans: Let us forget about the newspaper. The Leader of the House knows what some prominent employer groups have told the Government. It is significant that the previous Minister for Labour and Industry never entered this debate; I have searched the *Hansard* record, and found that not once did he open his mouth. I repeat that the import of this morning's newspaper article was that people who are not members of unions will not be employed.

The Hon. N. E. Baxter: You know everything: How many non-unionists are employed by Western Mining?

The Hon. D. K. DANS: I do not know that. Why does Mr Baxter not go and prepare for me a thesis on Einstein's theory of relativity? That is just as relevant as the question he is asking. How in the name of goodness would I know that?

The Hon. O. N. B. Oliver: You say you have researched the Bill. Come out with it.

The Hon. D. K. DANS: In answer to that insane interjection, I have researched the Bill—

The Hon. G. C. MacKinnon: Would you like me to answer that?

The Hon. D. K. DANS: The Leader of the House does not know how many non-unionists are employed by Western Mining.

The Hon. G. C. MacKinnon: Yes, I do.

The Hon. D. K. DANS: If the Leader of the House goes on record as saying he knows how many non-unionists are employed by WMC, he will be misleading the Parliament. Certainly, I would like to hear him come out and say it; however, I think he should be very careful in what he says. Since 1969, they have had agreements stating they will not employ any non-unionists.

The Hon. G. C. MacKinnon: They may have someone sweeping the yard.

The Hon. D. K. DANS: This Bill is so different from the one introduced in 1963. The Government has taken a report from Senior Commissioner Kelly which, in the main, was good, but it then grafted on some warts to satisfy the insane grumbings of its right-wing supporters. The Government will be caught out with quite a number of situations under this clause.

We have a vested interest in bringing about industrial harmony. This Bill will not do that. The reply from the Leader of the House was of no use. I have waited for days for someone opposite to explain how this Bill will bring about industrial peace. Going by this morning's Press headlines, some employers are not too keen on the provisions of this Bill.

The Hon. D. W. COOLEY: I hesitated to rise as I thought a Government member would be prepared to state the Government's case. It would seem Mr Masters was a prime mover of this legislation; but by the silence of all Government members they reveal they cannot prove this legislation will work. I would be prepared to say no more if a Government member would stand to state the Government's case. Government members cannot justify this legislation.

The clause states that an employer shall not dismiss an employee for certain reasons. When has it ever been the Government's prerogative to

tell an employer, "You will not dismiss that man"? When has that ever been done for any reason?

The clause states that an employer shall not dismiss an employee for being a member of a union. How silly an employer would be if he went before an industrial magistrate and said, "I dismissed the man because he was not a member of a union"! One would need a vivid imagination to believe any employer would be so naive or honest as to say something like that. One could conceive such a situation if an agreement had been reached between a union and an employer that everyone working for the firm would either belong to a union or have a certificate of exemption from the Industrial Commission. If that condition of employment were broken it would be quite proper for a person to be dismissed under the terms of the agreement reached between the employer and the union. What right has the Government to say to an employer, "You shall dismiss that employee"?

A part of this clause indicates that a worker cannot be dismissed if he is a member or if he is not a member of a union. What is the position with a man or woman who is not a member of a union, but who wishes to become a member? Can the boss say, "You will not become a member of the union. If you do you will be dismissed"?

The Hon. D. K. Dans: They won't employ them.

The Hon. D. W. COOLEY: Where is that situation covered in the Bill?

The Hon. G. E. Masters: It says where he or she is a member or a non-member.

The Hon. D. W. COOLEY: In this Bill there is no protection given to a person who is dismissed for having applied to join a union. The Government does not want to give this protection. The Government believes the fewer people who belong to unions the better because this weakens the arguing power of unions; it weakens the financial strength of unions; and it weakens the financial strength of the TLC. If affiliation fees are not forthcoming, the unions will be in a weakened position. That is the only conclusion to be reached from a reading of this clause.

No Government member has been able to indicate how this Bill will help industrial relations. This clause will do nothing but severely damage industrial relations. I trust I shall receive an answer to the queries I raised.

The Hon. G. E. MASTERS: Over the last few days we have heard the same arguments time and time again.

The Hon. D. K. Dans: Are we now to get an answer?

The Hon. G. E. MASTERS: The Opposition has made no additional points.

Several members interjected.

The CHAIRMAN: Order! I would like to hear from the Hon. Gordon Masters.

The Hon. G. E. MASTERS: Clause 100 states an employer shall not dismiss an employee who is a member or a non-member of a union. I suggest that if we were to tack on "black, yellow, or white", the Opposition might agree.

We are talking about discrimination. If we, as a party, are firmly committed to the idea of the non-compulsion to join an association, we are entitled to legislate accordingly. Opposition members may talk about preference, but it is just another way of talking about compulsion. I am opposed to people being forced to join any association or group. That is the difference between Government members and members opposite.

The Hon. D. K. Dans: How will it bring about industrial harmony?

The Hon. G. E. MASTERS: Opposition members can put up all the smokescreens they like; we will not deviate from our beliefs. We make that quite clear.

The Hon. D. K. Dans: It was reported in this morning's paper that Western Mining will pay the increase to union members only.

The Hon. G. E. MASTERS: That mining company made its own choice as do many others. However, let me say we believe there should be this freedom of choice. Members of the Opposition can argue all they like, but we, as a party, believe—and we are not necessarily siding with the big enterprises as Mr Cooley said—that there should be freedom of choice. We are looking after the small man. I have been a small employer and know what goes on. People should have the choice to join or not to join. We are suggesting people should not be forced to subscribe to any party.

The Hon. D. K. Dans: So do I.

The Hon. G. E. MASTERS: Why do the unions subscribe to and finance the ALP campaign? Those people are compelled to join an association and subscribe to the ALP. Why should I or anyone else be forced to do that?

We hear continually from opposition members the call for confrontation. They are saying that this legislation will not work and they are making sure that it will not work; they will not allow it.

The Hon. D. K. Dans: Did you not make the decision for Western Mining?

The Hon. G. E. MASTERS: I do not think that at all. I know Stan Carter as well as Mr Dans does and know that that corporation was not happy with this particular clause. I point out we cannot please everyone and we never will. However, we will stick by the principle of freedom of choice which I enunciated previously.

I have no doubt there are some companies in a very viable position or good financial position with a good established market and it would be in their interests, whatever the cost may be, to work to have a stable work force. There could be a time for Western Mining when things will not be so good and it will look to us to break it from the hold of the octopus. We will not relent then. We cannot be bought off by blackmail or pressure. Mr Dans has already spoken about confrontation and the fact that this will not work.

The Hon. D. K. Dans: I have not said that.

The Hon. G. E. MASTERS: Yes the honourable member has.

Several members interjected.

The CHAIRMAN: Order! Mr Masters has the floor.

The Hon. G. E. MASTERS: This legislation before us is an honest endeavour to bring some greater democracy to the industrial scene and I say that very sincerely. I am firmly convinced that compulsion should never occur in any association or any walk of life. We can talk about ILO conventions—

The Hon. D. K. Dans: You do not believe in them.

The Hon. G. E. MASTERS: That is not true. Mr Dans and Mr Cooley are in a dilemma and they are using the examples of the ILO conventions and the United Nations declarations of freedom. Australia has signed two documents which mean the same thing. It is just that one document uses simpler words than the other. Those members are saying that we are not sticking to the ILO conventions. They are using this rather sad argument, but it fools no-one. Members of the work force desire only the freedom to make a choice for themselves.

When we talk about industrial peace, we are talking about choice, democracy, secret ballots, and all those things. They are very important to this party, but obviously they are not important to the Opposition.

The Hon. G. C. MacKINNON: Mr Cooley asked about the penalty when a non-unionist wished to join a union and the employer may

possibly take some action against him. This was discussed on the 22nd November by the Minister with the Trades and Labor Council and it was placed on record in a letter to Mr Latter on the 27th November. In this letter the Minister pointed out there was some degree of substance in what the TLC had said. However, he indicated he did not think it was very much, but that the situation would be observed and if there were any deficiency it would be corrected. According to the Minister the employer's actions could be controlled and watched and something would be done about them if it were necessary.

Sitting suspended from 12.30 to 2.00 p.m.

The Hon. R. HETHERINGTON: It is a pity that Mr Masters, in what sounded superficially like a considered speech, dragged in some nonsensical red herrings such as the suggestion that the Labor Party would make sure certain things would eventuate.

The Hon. G. E. Masters: You read Mr Cooley's and Mr Dans' speeches.

The Hon. R. HETHERINGTON: I am just pointing out some facts. At one stage we heard that the Labor Party is the puppet of the unions, and at another stage we heard that the Labor Party is manipulating the unions. If we stand up here to predict that something will happen, that does not mean we will cause it to happen. Already we find that Mr Dans' predictions are beginning to come about. In many industries the people who do not belong to unions will pay a substantial penalty in that they will not receive the over-award payments. Certainly we on this side do not want the situation of two awards in the one shop—one award for unionists and one for non-unionists. Such a situation would put a monetary penalty on the freedom of choice which might be much greater than the penalty previously existing.

With the present preference clauses, people can opt to be a member or not to be a member of a union. We are predicting that more and more of the larger organisations will decide not to employ non-unionists and so we will find union labour has the monopoly because industry wants it that way. Then we could have a chaotic situation.

I have been sitting in this Chamber throughout the entire debate, and nobody has yet answered Mr Dans' question: How will this Bill improve industrial relations? If we prevent people in industry from making agreements to give preference to union labour, or even if we try to prevent closed shops, we may have worse situations than the one the Government claims it is trying to prevent. This Bill—and this clause in particular—is trying to bring down the mailed fist

on practices that have brought about some degree of industrial peace, but they will do nothing to make industrial peace more likely—indeed, this clause is likely to make industrial peace less likely.

I would be pleased if members opposite did not stand up to make emotional statements that because we are predicting something will happen we are wishing it to happen. This Government has the numbers to push the Bill through this Chamber, and when it becomes an Act, I hope that, despite it, industrial relations improve.

The Hon. R. G. Pike: Or because of it.

The Hon. R. HETHERINGTON: Certainly I have always wanted industrial relations to improve. I do not want bad industrial relations in this State—far from it. However, until the Government stops trying to treat the symptoms and starts trying to treat the diseases of the economy and unemployment, we are likely to have a deterioration in industrial relations and this kind of confrontation is not likely to help.

The Hon. O. N. B. OLIVER: It is quite interesting to listen to Opposition members—

The Hon. D. K. Dans: That is a plus!

The Hon. O. N. B. OLIVER: —because they totally contradict each other. It is unbelievable. I listened to Mr Cooley talking about Bunbury—I think Mr Bunbury appears in one of Charles Dickens' novels.

The Hon. R. Hetherington: Actually it was in *The Importance of Being Earnest* by Oscar Wilde.

The Hon. O. N. B. OLIVER: Mr Cooley asked about the person who was refused employment; he did not ask about the person who was dismissed.

The Hon. D. K. Dans: I did not ask that, either.

The Hon. O. N. B. OLIVER: Mr Cooley told us he had researched the Bill thoroughly, and so did Mr Dans. I would like to refer members to the commencement of subclause (1) of this clause which reads—

(1) An employer shall not dismiss an employee from his employment or injure him in his employment or alter his position to his prejudice—

For the benefit of Mr Cooley, I draw attention to the next part of the subclause which states—

—or refuse to employ him by reason of the fact that the employee is an officer or member of a union or association or of a society or other body that has applied to be registered...

There is the answer for Mr Cooley; it is in the clause. There is no reason for him to ask in what

situation is a person placed who wants to be employed, because it is answered in the Bill.

With regard to Bunbury, as Mr Cooley regularly travels to the south and must pass through Bunbury, I almost regard him as Mr Bunbury. He said not one member has stood up in this Chamber and stated the policy of the Liberal Party; yet I have quoted it commencing on page 4992 of *Hansard*. Mr Cooley says Government members do not want to listen, are not in the Chamber, or have not had the opportunity to examine the legislation, and he says they vote on party lines. That is all gobbledygook. The intentions of the Government are set out categorically in its policy, which I have read out. It is already recorded at page 4992 of *Hansard*, and I do not intend to repeat it—

The Hon. R. Hetherington: Do read it again!

The Hon. O. N. B. OLIVER: —for a member who refers to young hot heads from Bunbury.

The Hon. D. K. Dans: Which Bunbury—Oscar Wilde's or Charles Dickens'?

The Hon. O. N. B. OLIVER: I am absolutely astounded at the comments of the Opposition in respect of clause 100. I could not follow Mr Cooley's comments; I could not work out to which clause he was referring. I would have expected the Opposition to support this clause.

The Hon. R. Hetherington: You would have been wrong.

The Hon. O. N. B. OLIVER: Yes, totally wrong. Therefore, who supports the multi-nationals? We have been told by Mr Dans not to take any notice of newspapers; but when it suits his argument, he quotes from *The West Australian* newspaper, and quotes a multi-national company.

The Hon. D. K. Dans: Western Mining Corporation is not a multi-national company.

The Hon. O. N. B. OLIVER: On the other hand, according to Mr Dans we in the Liberal Party and the Country Party are supposed to be involved in multi-national companies. How does one align those statements? It is an incredible contradiction. Mr Hetherington contradicted his leader, and Mr Dans contradicted Mr Cooley. So just where do we stand on this clause? What a charade it is on the part of members opposite. I have never seen anything like it in my life. One member who said he had researched the Bill did not even know what the words meant. He could not even work out that when a person is refused employment by reason of the fact that he is an officer or member of a union, the employer commits an offence. We have listened to a

charade and a great heap of nonsense. I do not know where is the logic in the argument of the Opposition. I can only say that members opposite have thrown their consciences to the wind.

The Hon. R. Hetherington: That is not true.

The Hon. O. N. B. OLIVER: They have sold their souls.

The Hon. R. Hetherington: That is a lie.

The Hon. O. N. B. OLIVER: Members opposite have sold themselves. If they do not believe in clause 100, they do not believe in anything.

The Hon. D. K. Dans: That is a sweeping statement.

The Hon. R. F. CLAUGHTON: It is obvious that Mr Oliver does very little thinking.

The Hon. R. G. Pike: I can't hear you.

The Hon. R. F. CLAUGHTON: I could not care less, because whether Mr Pike can hear me seems to make no difference to his state of knowledge.

Mr Oliver said that Mr Bunbury was a character in one of Dickens' novels, but Mr Hetherington has told us that Mr Bunbury is a Dickens character. In fact he was also a fictional character in the Oscar Wilde play, *The Importance of Being Earnest*. Members of the Liberal Party may well be earnest in respect of this legislation, but they are every bit as confused as the character in the Oscar Wilde play. In addition, Mr Bunbury was an imaginary sick friend.

The Hon. O. N. B. Oliver: I hope you are not maligning Mr Cooley.

The Hon. R. F. CLAUGHTON: Mr Oliver rises to his feet and pretends to be learned about this Bill, but he is about as learned in respect of the Bill as he is in respect of his literary references. I will be more accurate than he was. Mr Dans has never said one cannot believe what is in the Press. However, he has said that one cannot believe everything that is in the Press.

The Hon. O. N. B. Oliver: When did he say that?

The Hon. R. F. CLAUGHTON: On many occasions. None of us believes everything he reads in the Press. I am sure Mr Oliver does not. There is no question about the facts relating to Western Mining Corporation, which I understand to be a wholesome Australian company, and not one of those multi-nationals to which Mr Oliver appears to take great umbrage.

The Hon. O. N. B. Oliver: Are you a shareholder in Western Mining?

The Hon. R. F. CLAUGHTON: If I were a shareholder in Western Mining Corporation, where would I stand as a shareholder if I discovered the company was making donations to the Liberal Party?

The Hon. G. E. Masters: It would be very easy. You could sell your shares in WMC and buy into Solo.

The Hon. R. F. CLAUGHTON: On the basis of Mr Masters' argument, WMC would say, "We will consult our shareholders, and only those who wish to contribute to the Liberal Party would be expected to pay. The dividend to shareholders who do not support the Liberal Party will be increased by a like amount." Mr Masters justifies it in that sort of way.

The Hon. G. E. Masters: We are talking about choice.

The Hon. R. F. CLAUGHTON: I have not heard any members of the Liberal Party proposing that sort of thing; it would be quite unrealistic, just as it is unrealistic in relation to unions. Organisations must follow what the majority decides; that is the democratic way.

The Hon. O. N. B. Oliver: I think you are talking about the Labor Caucus, are you not?

The Hon. W. R. Withers: The point is you can sell your shares.

The Hon. R. F. CLAUGHTON: Is Mr Withers seriously suggesting that because a payment is made by a company to a political party, shareholders who do not support that party should divest themselves of their interest in that company? Why should they sell their shares if they believe the company is protecting their interests? The same situation applies to unions.

The Hon. W. R. Withers: Not at all.

The Hon. G. E. Masters: You are misleading the Committee. It is a matter of choice.

The Hon. R. F. CLAUGHTON: If a person is a member of a union, and that union is protecting his interests, he should be expected to contribute to that union in order to receive the benefits it provides. That is the way of all organisations. If one is a member of the local bowling club, one does not expect to be able to receive the benefits provided by paying members, while not contributing to the club.

The Hon. G. E. Masters: Yes, but one must apply to join.

The Hon. R. F. CLAUGHTON: And one must apply to join a union.

Several members interjected.

The DEPUTY CHAIRMAN (the Hon. R. J. L. Williams): Order! While some digression is permitted, I feel the honourable member has been diverted from his course by interjections. I ask him to confine his remarks more closely to clause 100.

The Hon. R. F. CLAUGHTON: I am referring to clause 100 and the question of whether persons are able to be dismissed according to their union status. Mr Masters' argument is on shaky grounds, as is his interpretation of the ILO conventions. His contention that the convention granting freedom of people to associate relates to individual union members is deliberately misreading the convention. The provision by the Opposition of one document after another in an endeavour to help members opposite overcome their embarrassment at the position in which they find themselves has not succeeded.

Mr Cooley hypothesised the situation where a person employed by a company applied to become a member of the union and then was dismissed. The Minister assured us should such a situation arise, appropriate account would be taken in the administration of the legislation. It would be better not to include this provision because the system has proved itself over a long period.

I entered the debate because I could not allow Mr Oliver's statements to go unchallenged. I affirm my strong opposition to clause 100.

The Hon. D. W. COOLEY: Mr Masters suggested we should put a block on people becoming members of unions so they would not subscribe to the Trades and Labor Council and other collective organisations associated with the ALP. However, what he does not realise is that this legislation will hit unions like the Federated Clerks' Union, which has never been affiliated with the Labor Party.

The Hon. D. K. Dans: And is never likely to be.

The Hon. D. W. COOLEY: Funds from that organisation, and others like it, have never found their way to the Australian Labor Party. Unions like the Hairdressers' Association of WA, which receive considerable benefit from the preference-to-unionists clause, have never been associated or affiliated with the ALP.

Many unions do not contribute funds to the Australian Labor Party, unions such as the Civil Service Association, the Teachers' Union, and the Police Union.

The principle of the clause is wrong. Its application is faulty and is in line with the entire Bill, which was amended 30 times before it reached us. It has been hastily drafted by a person with anti-union feelings. Perhaps I could pinpoint

one man in another place. Every time one hears him it becomes obvious he is anti-union. I will say no more other than that he is a legal man.

There was a provision in the Act some time ago which allowed for anyone who victimised a unionist to be penalised. How in the name of goodness can we prove victimisation against a unionist? It is beyond comprehension. No employer would go to an industrial court and say he had victimised a unionist, despite the fact that he may have done so. He would not get on the stand and say he had victimised a unionist.

The Hon. O. N. B. Oliver: Are you saying he would perjure himself?

The Hon. D. W. COOLEY: It seems Mr Oliver has so little knowledge of law. I passed only eighth standard, but I know a person does not have to incriminate himself.

The Hon. O. N. B. Oliver: This is something new in the Act.

The DEPUTY CHAIRMAN (the Hon. R. J. L. Williams): Order!

The Hon. D. W. COOLEY: Even a boy in sixth standard would know a person could not be forced to incriminate himself.

Even if a person were dismissed for not joining a union, it would be very difficult to prove. In all awards and agreements there is a contract of service, whether by weekly, daily, or hourly hire; if an employer went to a worker and said his services were no longer required, without the backing of his union, that worker would be in difficulties.

As I said, it would be very hard to prosecute an employer for sacking a worker who is a member of a union. I was at a brewery workers' meeting yesterday and the men indicated that no way in the world would any non-member of the union work in that establishment. This stance will spread right throughout industry.

The Hon. N. E. Baxter: They will have a closed shop.

The Hon. D. W. COOLEY: My word they will. Mr Baxter could go to the Fremantle wharf, the Midland Workshops, Karratha, Dampier, or the Collie mines and just try to get a non-unionist employed!

The legislation—certainly this clause—seems to have been drafted by amateurs, and is intended to damage industrial relations rather than improve them.

Clause put and a division taken with the following result—

Ayes 17

Hon. N. E. Baxter	Hon. I. G. Medcalf
Hon. G. W. Berry	Hon. N. F. Moore
Hon. V. J. Ferry	Hon. O. N. B. Oliver
Hon. A. A. Lewis	Hon. W. M. Piesse
Hon. G. C. MacKinnon	Hon. R. G. Pike
Hon. Margaret McAleer	Hon. I. G. Pratt
Hon. T. McNeil	Hon. J. C. Tozer
Hon. N. McNeill	Hon. W. R. Withers
	Hon. G. E. Masters

(Teller)

Noes 7

Hon. D. W. Cooley	Hon. F. E. McKenzie
Hon. D. K. Dans	Hon. R. H. C. Stubbs
Hon. Lyla Elliott	Hon. R. F. Claughton
Hon. R. Hetherington	

(Teller)

Pairs

Ayes	Noes
Hon. D. J. Wordsworth	Hon. R. T. Leeson
Hon. T. Knight	Hon. Grace Vaughan

Clause thus passed.

Clauses 101 to 113 put and passed.

Clause 114: Prohibition of contracting out—

The Hon. D. W. COOLEY: Subclause (2) refers to a person not being able to recover wages beyond a period of 12 months. In his report Commissioner Kelly said a number of considerations had to be taken into account because some employers quite innocently did not pay workers in accordance with awards or terms and conditions and some admitted under-paying workers. In some cases a difficulty arose because a worker deferred a claim until the actual time of his dismissal.

This subclause will limit the time within which a claim can be made to a period of 12 months from the date when the cause of action arose.

Commissioner Kelly said that in some instances, where the act on the part of the employer was deliberate, the right to claim should go back for a period of six years as is provided, I believe, in Federal awards.

We thought that with the updating of the Act further consideration would have been given to an extension of the period beyond 12 months. We do not take great issue with this point, and we do not intend to make it controversial. In the interests of justice the Government could have gone beyond a period of 12 months to allow people to recover wages when payment of those wages deliberately was avoided.

The Hon. G. C. MacKINNON: The point made by the honourable member is taken, and I appreciate that Commissioner Kelly recommended a period of six years. However, the onus should be a two-way responsibility; the employee should be expected to be aware of his correct rate of wage, just the same as the employer. Incidentally, the recovery of wages

beyond a period of 12 months can be pursued in civil law under the Statute of Limitations which, I understand, states seven years.

Clause put and passed.

Clauses 115 and 116 put and passed.

Clause 117: Continuation—

The Hon. D. W. COOLEY: We cannot agree to this clause while it includes paragraph (g). This provision will deny to a worker award rates which have been granted by the Industrial Commission in respect of workers' compensation. It will also take away any right from the Academic Staffs Association with respect to awards which might have been made while that association was under the jurisdiction of the commission. No doubt, a closer examination would reveal other disadvantages. The paragraph reads—

- (g) subject to paragraph (h), each award, order, or decision which, immediately prior to the proclaimed date, was in force under the repealed Act shall be deemed to have been made under this Act and shall continue in force under and subject to this Act but not in respect of any matter which the Court, the Commission, or an Industrial Magistrate may not include in an award or decision under this Act, and any such matter is deemed to have been deleted from the award, order, or decision;

When this provision is agreed to we can say goodbye to the preference clauses awarded by the commission since 1938. Also we can say goodbye to any other benefit which the workers might have obtained through the commission. We cannot agree to the clause while paragraph (g) is included.

Clause put and a division taken with the following result—

Ayes 17

Hon. N. E. Baxter	Hon. I. G. Medcalf
Hon. G. W. Berry	Hon. N. F. Moore
Hon. V. J. Ferry	Hon. O. N. B. Oliver
Hon. A. A. Lewis	Hon. W. M. Piesse
Hon. G. C. MacKinnon	Hon. R. G. Pike
Hon. Margaret McAleer	Hon. I. G. Pratt
Hon. T. McNeil	Hon. J. C. Tozer
Hon. N. McNeill	Hon. W. R. Withers
	Hon. G. E. Masters

(Teller)

Noes 7

Hon. D. W. Cooley	Hon. F. E. McKenzie
Hon. D. K. Dans	Hon. R. H. C. Stubbs
Hon. Lyla Elliott	Hon. R. F. Cloughton
Hon. R. Hetherington	

(Teller)

Pairs

Ayes	Noes
Hon. D. J. Wordsworth	Hon. Grace Vaughan
Hon. T. Knight	Hon. R. T. Leeson

Clause thus passed.

Clause 118 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

Third Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [2.39 p.m.]: I move—

That the Bill be now read a third time.

THE HON. D. W. COOLEY (North-East Metropolitan) [2.40 p.m.]: We do not think the Bill should be read a third time because of the opposition to it which has been heavily canvassed over the last few weeks. Members are well aware of the reasons we do not consider it should be read a third time.

The third reading stage gives us an opportunity to review the progress of the Bill which will have an effect on a large number of people for a long time. When the Labor Party becomes the Government next year a strong possibility exists that the numbers in this House will not be sufficient for repealing legislation to be successful, despite the fact that this is a House of Review.

It appears that blind prejudice against the trade union movement has obscured the thinking of some members of the Liberal Party. It is obvious from the contributions made by some of the younger members of this House that they have not properly thought out the Bill. They have only superficial knowledge of what goes on in industrial relations. In trying to bring about disadvantages to the trade union movement they have agreed to a Bill which, when it is enacted, will undoubtedly worsen industrial relations in this State instead of improve them, as the aim should be.

We must again make our position patently clear. We believe the proposals of Commissioner Kelly, based on all his experience, should have been adopted in the main. We have stated we did not agree with everything contained in his draft Bill, but when we put the two Bills side by side we can appreciate that, on the one hand, we have an unbiased expert's draft Bill which he believes will to a large extent meet the wishes of all sections of the community. He is unbiased politically and in every other respect. He is a man who has previous knowledge of industrial relations. On the other

hand, his Bill has been emasculated by members of the Liberal Party whose principal desire is to hit at the trade union movement.

Those who are inexperienced in industrial relations and the way of industrial life have brought about a situation which will lead to a great deal of discontent in the industrial field. It is a Bill which does not have the full support of the more rational members in the Liberal Party, as has been indicated by the silence of those members in both this place and another place. Indeed, even the Minister in charge of the Bill in this House had great difficulty on occasions in justifying some of the provisions. He is a man of the world who knows what goes on outside. He has a great deal of experience in these matters and he knows in his heart that some of these provisions will not be easy to apply and will bring about a situation which many responsible people in this State do not want.

What we want in this State more than anything else is good industrial relations so that we can get on with the job which we must do for the advancement of our people and our State.

Just because a very few people in the trade union movement sometimes do not accept the responsibilities associated with what we know as the industrial arbitration system, we have to tear down the whole structure of the union movement. We have to deprive responsible unions of members; that is what we have done by removing the preference clause. We have to break down the strong situation some unions have in connection with the closed-shop system. There is no disgrace in that situation, where union and employer can get together and agree on certain matters, and as long as things are going along well in an industry neither management nor union members are suffering any great disadvantages.

We ensure that trade union rules do not become tyrannical or oppressive. If they do become tyrannical or oppressive, the people applying those rules can be brought into line by the proper authority. There is no indication of people being dragooned or of other injustices alleged by members of the Liberal-National Country Party Government. They have their legislation now. When it is proclaimed they will find all is not a bed of roses when the numbers come up.

It has been stated that the Bill is in line with the policy of the Liberal Party enunciated in 1977. I refuted that statement during the debate and I still refute it. A report appeared in the Press yesterday of the launching of the Liberal Party campaign for the Legislative Assembly seat of

Kalamunda, now held by the Speaker in another place (Mr Thompson), and the Legislative Council seat of West Province, now held by two anti-union members of this House (Mr Masters and Mr Oliver). Mr O'Connor, the Minister for Labour and Industry, who spoke at that meeting, is reported as having defended the Industrial Arbitration Bill. The Press report in *The West Australian* of the 3rd December states—

Mr O'Connor also defended the Industrial Arbitration Bill now before the Legislative Council.

He told a Liberal Party function at Bickley: "It is in line with what you people said—that you want the Government running the country and not militant trade unionists."

The Liberals in Kalamunda want it, and we were told here it was part of the 1977 Liberal Party policy. It is what the Liberals in Kalamunda want. Mr Masters and Mr Oliver are two of the main architects of the Bill, and a third is a legally qualified member in another place who has no knowledge of industrial relations.

This Bill is not in accordance with the 1977 policy of the Liberal Party, as we were told. It was designed in Bunbury this year. That is where all the amendments were drafted. Members of the Liberal Party were in a state of euphoria at that conference because Malcolm Fraser and many other big-wigs were there and they could not contain themselves. So the Bill is not in accordance with the 1977 policy of the Liberal Party at all.

The people of Western Australia did not know what the Liberal Party intended to do with this Bill. They were not told it was intended to remove the preference clauses, abolish the closed-shop system and workers' compensation benefits, and provide that unions could be deregistered in an hour. The Government claims to have been elected on that policy.

The Hon. W. R. Withers: You are giving all the credit to Mr Oliver and Mr Masters. That is not fair. Many of us were involved in it.

The Hon. D. W. COOLEY: There is no credit in bringing in a Bill like this. It is an abhorrent Bill. How can anybody take credit for bringing in legislation which will pull down the working conditions of the people? I will not say what it represents, but it does not represent logical thinking. It represents very illogical thinking on the part of the people who are responsible for it.

We have to ask ourselves: What will the Bill achieve? It will abolish preference clauses; if a union or employer wants to achieve better industrial relations, it will be illegal to do that in

some instances; it will maintain the penal provisions which were not in the original Act in 1912, but were inserted in it at a later time; it will make the deregistration of unions far easier; and it will remove the legal status of unions, something to which the Attorney General would not reply because he is a man of honour and knows very well what is being done by the removal of that status. That is wrong in legal principle and in every other principle; but most of all it is morally wrong.

The Bill also violates ILO conventions to which we have agreed over a long time—conventions which are held dearly by many people in this country, particularly Labor people. We went to the trouble of having some of those conventions ratified during the short term of the Whitlam Government. However, as long as it suits the needs of the Government it will ignore ILO conventions and will breach them, despite the fact that it agreed to their ratification.

The Government has emasculated the Kelly report to the point where it has removed certain industrial coverage for a large number of workers. As I indicated previously, it has reduced benefits to workers in respect of workers' compensation.

The PRESIDENT: Order! I remind the honourable member that while the third reading stage of the Bill does provide for some debate, the debate properly should be confined to reasons that the Bill should or should not be read a third time. It does not permit the revival of arguments previously dealt with during the course of debate on the Bill. If the member has new arguments, they may be raised legitimately during the third reading, but it is certainly out of order to revive arguments dealt with previously. Would the honourable member please proceed.

The Hon. D. W. COOLEY: With respect, Sir, I thought the contrary was the case. I thought new argument could not be admitted, and that it is the role of this place to review what we have done and to state why the Bill should not be read a third time. All I am saying is that if we are going to abolish preference to unionists by this Bill, it should not be read a third time. That is our stand on the Bill. I know members opposite would not agree to that.

The Opposition does not think any good will come from the Bill. In deference to your comments, Sir, so much has been said in the debate that it would be difficult to speak without referring to some of the arguments raised. The Government has failed in its responsibility to the people of the State—I know Mr Dans has said this on numerous occasions—by promoting

confrontation with the unions. That is an act of gross irresponsibility. The Government should not be promoting confrontation, but should be endeavouring to avoid it. It is our view that if the Bill is read a third time and becomes law confrontation will occur between the Government and the unions in respect of its implementation.

I do not think much confrontation will occur in respect of employers because many of them believe certain provisions should not be included in this Bill, particularly those in respect of preference to unionists.

The Government has gone ahead despite the good advice of Commissioner Kelly. The Government said it had knowledge of the Victorian Bill. In recent times I made inquiries the Victorian Department of Labour and Industry and I found that despite what is said in this place, 40 per cent of workers in Victoria are covered by the Victorian Industrial Relations Bill. I understand only 55 per cent of workers in Western Australia are covered by the State Act, and the other 45 per cent are covered by the Federal Act.

The Wages Board established by the Industrial Relations Bill of Victoria may determine Federal matters in some instances where there is agreement between the parties. The whole of that Bill is designed to promote good industrial relations. This State Government said it had knowledge of that Bill, but the difference between that Bill and the Bill before this Chamber is as great as the difference between chalk and cheese. One goes out of its way to consult unions and to improve industrial relations, and the other brings about a situation which will damage industrial relations.

It is regrettable that we will go into the next decade with an Act such as this, and with little prospect of improving the industrial situation. The future holds much for this State, as will be evidenced when certain Bills arrive here from another place. It would be nice if we could go into the 1980s with contented, happy people to give effect to all the good things which will happen to Western Australia in that period with the North-West Shelf, Worsley, and other projects. The influence a bad Industrial Arbitration Act will have over those developments will not be in the best interests of the people.

Reading this Bill a third time would be a mistake and would not be in the interests of the people of Western Australia. On those grounds, we oppose it.

THE HON. O. N. B. OLIVER (West) [2.57 p.m.]: It is a sad moment to hear Mr Cooley put

forward such remarks in respect of this Bill. It is particularly sad to me as a person who has been involved in the union movement. Mr Cooley made various accusations, one of which was that Liberals have no knowledge of the union movement. That "strikes" a note of sadness in me because I have had a long association with the union movement, and I have been a member of unions. I have a great deal of respect for unions and for union members, and for the work force generally, not only in Western Australia, but also throughout Australia.

In my closing remarks to this Bill I would like to draw Mr Cooley's attention to the fact that throughout the debate he has consistently refused and failed to listen to arguments presented by the Government. He has consistently refused even to take into account the contributions of members of the Government. I have been examining industrial legislation and have been connected with it for something like 20 years, as a defendant and plaintiff. I am deeply perturbed to find that is the way in which a previous union official approaches the matter of industrial arbitration and conciliation which is demanded by our society.

In conclusion, I would like to repeat: the Liberal Party policy of 1977 will stand on its platform and give the people what they want. The basis on which the Government went to the people has been clearly enunciated throughout the debate. I would like to draw attention once again to the Liberal Party policy of 1977-80. I state where we stand on this policy. It is a policy on which I stood for election in 1977. It is: "We believe a person must be free to join a union, free not to join, and free to leave."

I support the third reading.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [3.01 p.m.]: I oppose the third reading of this Bill.

Before I make one or two comments, I would like to commend the lead speaker for the Opposition (the Hon. Don Cooley) for the excellent case he put forward on behalf of the people of Western Australia.

The Hon. R. Hetherington: Hear, hear!

The Hon. D. K. DANS: Undoubtedly even the most biased person would have to accept that Mr Cooley researched the Bill thoroughly. His knowledge of the State industrial relations scene was most comprehensive and correct. He went further, and he looked at the situation in other States, and in particular at the very important piece of legislation brought into the Victorian Parliament. Not only should the Opposition be

thanking Mr Cooley for that, but also all in the community should be thanking him.

Undoubtedly the Bill will go through the third reading stage, and it will become law when it is proclaimed. It will be interesting to know when the Bill is proclaimed and when the first incident occurs because, as far as I am concerned, the Bill in its present form will not correct or improve industrial relations in Western Australia. It will not work.

There are two situations. The Bill will go through here on the third reading; and the Government will have another arrow in its quiver by proclaiming the Bill and trying to do what it failed to do when it introduced the Bill.

It was said during the debate here that we, as a Labor Party, were going to ensure that the Bill could not work. I have to refute those assertions, because it is not possible for us to do any such thing. If the Government were really interested in doing something about industrial relations and in providing for a better industrial climate, it would have some regard for history.

History tells us that when one tries to resurrect long-dead punitive provisions in connection with industrial relations, one achieves nothing. All this has been tried before and has failed.

Would it not have been a far better proposition for the Government to come into this place with a Bill based on a very sound knowledge of the report submitted to the Government by Senior Commissioner Kelly? I have been a long-time supporter of uniform industrial laws, and I have spoken on this in this House. I know I do not have the concurrence of the whole of the trade union movement in what I am about to say, but it would have been a good situation for the Government to come in with that kind of legislation and to have made a claim on the Commonwealth, saying, "We need good industrial relations, not only for industrial relations purposes, but also in an endeavour to unify the people of this country." We really need that. The Government would have been saying to the Commonwealth Government, "Let us examine the proposition of having uniform industrial laws."

We have talked about uniform divorce laws, uniform railway gauges, uniform company laws, uniform bankruptcy laws, and uniform everything else; and yet we find in this country of some 14 million people there are over 300 arbitration tribunals and wages boards. If members think about that, they must realise that it is impossible to have a common thread running from one end of the country to the other. Such a proposal would not take away any of the State's rights.

I believe we could have one industrial law, with branches in the various States at present. Weaknesses exist in the doubling up, in the cost to the community, and in the hiving off of one agreement against another. Such things would be dispensed with. That would be a start on the road towards sensible industrial relations because, after all, such an approach has not been tried to this time. Other approaches have been tried, and they have failed; but such a radical proposal has not been tried.

I referred earlier to the Constitution of the Commonwealth of Australia; and I will certainly come back to that. Before I become deeply immersed in the Constitution, let me say that, irrespective of when this Bill is proclaimed and how it will be made to work, it still will not solve one of the major obstacles for most of our main industries. Most industries, and particularly the transport industries, fall within the ambit of Commonwealth awards, and they are subject to Commonwealth law. So, some of the statements made in respect of what may or may not happen have been untrue.

It would have been a good thing if the Government had addressed itself to industrial relations correctly, free of the hysteria created by the Press. Let me be quite frank about it. The complaints about unions are a very big obstacle. Such complaints are made even by people in other unions. It is not unusual to hear a person who may have been on strike last week criticising a person who is on strike this week. Now, how does one get over those problems?

The State Government should have asked itself what makes people stop work, because, after all, in any industrial conflict involving a cessation of work, the person most affected and the person most damaged is the person on the job who stops work.

What is causing some of the problems in industry today? One answer is unemployment and job loss, as distinct from school leavers and others who cannot obtain jobs. There is the steady erosion of jobs in the work force for married women; and we overlook that sometimes. I will not involve myself in the argument about whether married women should work. I have a firm view that people should work if they are able to work and if they want to work. With the erosion of job opportunities for, firstly, the breadwinner in some cases and, secondly, the wife, the living standard in this country drops.

It would not be wrong to say that the living standard of the Australian people has dropped

considerably in the last four years, and that it will drop even more.

Sitting suspended from 3.10 to 4.25 p.m.

The Hon. D. K. DANS: Before the suspension, I was speaking about the fact that the living standards of the Australian people had dropped in the last four years, and were going to drop even more. I would have thought it would be a far better proposition for this Government to address itself to those problems and the ones I have mentioned, including the provision of jobs for the people who have been displaced and for those who have left school or are about to leave school to enter the work force. At the same time, the living standard has dropped because the wives, in many cases, cannot find work or, in a number of cases, have lost their jobs.

Whether we like it or not, this a two-income society; and the economy of the country depends largely on the mass of the people earning their daily bread, and spending their surpluses. That is what we call an economy; and that is the way the money circulates. No good purpose will be served by our having legislation such as this.

Having said those few words about the area to which the Government should have been addressing its thoughts, and the need to provide the right type of industrial harmony, I would like the Government to think about the problems of the people who are losing their job and the problems of those who are yet to obtain a job. The Government should be trying to do something about boosting the opportunities for married women to work.

It seems the Government has gone even further in this legislation, because what it set out to do will not be achieved. For the moment, let us consider the remarks of Mr Masters, who was quite sincere. He used the term "freedom of choice" in relation to the freedom to join a union, and the freedom to opt out of a union. I presume by that he means the freedom to join an employers' organisation or to opt out of an employers' organisation. Of course, they are high-sounding ideals; but in the year of 1979, and in the years ahead, we have to determine for ourselves where freedom ends and licence begins. We have to determine what freedoms we desire for the good of the many.

The point I am making is that in the State of Western Australia we have an arbitration system which has stood since 1912. It has never really given us a great deal of concern. In fact, it has served us very well. Its main strengths, apart from the prevention and settlement of industrial disputes, have been the envy of the world. In fact,

our system is still the envy of the world. I think these positive features have been overlooked.

One of the great strengths of our arbitration system is that it protects the weak in the work force—the small unions. The arbitration system has been the major promoter of unionism. Unions have become registered, and they have lived under its umbrella. On the other side of the coin—and this is not to be discounted—is the protection for the small employer. The arbitration system has protected the small employer from union-cum-big company monopolies. The small employers have learnt to live under that umbrella. In fact, Australia is a country which, since its inception, has lived under a number of protective umbrellas.

It has been said in support of this Bill that we do not believe in free enterprise and private enterprise. They mean two different things. It may have been all right on our founding had we proceeded along the same lines as did the United States of America; but the fact is that we have not proceeded along those lines; and the promotion of an arbitration system in Australia, to do the things it has been doing and will continue to do, is symptomatic of the development of the whole of this country.

We came into being on the eve of the Industrial Revolution. We have never really been a free enterprise country. If anyone wants to discount that, let him have a look at the history of this country, going back to the days of the Rum Rebellion and the New South Wales Corps. He will see that every incident in the development of this country has been brought about by the Government, whether it be in the building of wharves or the building of railways.

The point I am making is that this arbitration system fits into the Australian way of life. When one disturbs the system, not only is one disturbing the situation in respect of unionists, but also one is disturbing the whole apparatus and is upsetting its equilibrium, and that is not a good thing.

The legislation will not do anything to improve the industrial relations scene. If the Government's intention was to cause industrial disruption in order that an election might be held centring around this very emotive issue of who runs Western Australia, it has failed. If the Bill was designed to bring into the community industrial peace and harmony greater than we have at the present time, then, I cannot see it doing that. The many genuine requests made to Government members to tell this side of the House what was intended by the Bill, went unanswered. If it were the intention of the Government under the legislation to give the

absolute right to the individual to join or not to join a union, it has failed in that. In a number of circumstances I believe in the rights of the individual. However, we must always remember that the rights of the individual in this country are subject to the rights of the great mass of people; and that situation is the same in times of peace or war.

The Hon. R. G. Pike: The rights of others.

The Hon. D. K. DANS: I agree with the member; the rights of others. As this system has evolved in this State and in other States, the preference clauses inserted in agreements were designed by people skilled in the orderly management of our industries to do the greatest good for the greatest number. Provision was made for people who do not wish to join unions.

This legislation is of no benefit whatsoever to the well-being of this State. It will not achieve any of the aims which I thought could have been in the Government's mind, but particulars of which members opposite have failed to provide. The Government has certainly overlooked the very important matters which I raised in respect of the Constitution of our country. I should like to quote from page 189 of P. E. Joskes' book *Australian Federal Government* in relation to the industrial power granted under the Constitution as follows—

The trade and commerce power entitles parliament to empower the Governor-General to make regulations with respect to the employment of transport workers in interstate or foreign trade, regulating the engagement, service and discharge of such transport workers, the determination of the persons who should or might be directly concerned in such trade, and the giving of preference to unionists. Regulations may directly control the selection of agents for doing work forming part of interstate and foreign commerce and constitute a law with respect thereto. Thus they may restrict the loading and unloading of interstate and overseas vessels to members of a specified union and to returned sailors and soldiers.

That is written into our Constitution and there can be no argument about it.

This Bill is completely out of step with Commonwealth law. Members have referred to closed shops or union monopolies and I have mentioned two areas of trade union activity that exist under a closed shop by virtue of the Constitution of this country.

I should like to quote further from page 195 of this book in relation to industrial power as follows—

A claim for compulsory unionism, involving the ousting from employment of persons who are not members of a specific union, is not industrial in character since it relates not to the relationship of employers and employees but concerns that of employees and the union, and cannot be granted by a Commonwealth arbitration tribunal. The giving of a monopoly of employment to unionists differs from giving preference to unionists, since the effect of such a monopoly is to exclude non-unionists or members of another union from the particular form of employment. The giving of preference to unionists is one of the methods by which disputes may be prevented or settled and it may be granted even though it has not been the subject of a dispute. A claim by one employer against another employer even though they are in the same line of business cannot create an industrial dispute as there is no industrial relationship between them.

If I wanted to delay debate on this issue I could turn to the section of the Constitution which deals with the commerce power granted to the Commonwealth. While I agree the State has the complete right to make laws for itself, it is always sobering to reflect that the States exist only as a result of the Constitution and in fact some semblance of order has to prevail.

The Government has failed miserably. It should have accepted the report of Senior Commissioner Kelly. No doubt we would have objected to some of the provisions contained in legislation based on his report; but it would have been more acceptable than is the Bill before us. I should like to point out that industrial matters are best dealt with by people who understand them. That has been the situation throughout the history not only of the Commonwealth, but also of the States. If that were not so, there would be no arbitration system. We would be back to the stage of dog eat dog, with the Government making certain regulations similar to those which exist in the United States of America. In that country there is a provision that arbitrators, if applied for, may be called in during a 90-day cooling-off period.

The Hon. O. N. B. Oliver: You were not even interested in listening to the situation in New South Wales.

The Hon. D. K. DANS: The Government missed a heaven-sent opportunity to do something

about industrial relations in this State. Mr Cooley has outlined the fact that we may have objected to some of the matters contained in Commissioner Kelly's report, but we would have found common cause with many of them. Instead, the Government has introduced this legislation and disharmony will result. Effectively it will prevent people who are opposed to joining unions, but who could obtain employment previously, from obtaining a job. In other words, under the existing Act such people are covered by the preference clause. They can opt out of joining a union, pay their fees to a charitable organisation, and continue to work.

The Government has created a situation in which employers will shy away from employing non-unionists. One cannot blame employers for wanting industrial peace on the job. They are paying the wages and have to fulfil the contract by a certain date. They know the situation which has served them best.

In other parts of the world a person is branded when it is known that he is an anti-unionist. People learn of those who do not want to join and whether or not they want to be they are branded with the mark of Cain. Many jobs which carry with them lucrative conditions of employment are available with the big contractors and in industries in which big unions operate.

The Government is misguided and ill-advised to go into this foolhardy exercise. If the Government is after certain unions then it completely has strengthened the position of the unions. The Government has created a union monopoly.

The Hon. O. N. B. Oliver: Why don't you name them?

The Hon. D. K. DANS: I will not, but I will categorise them. The unions in the transport industry are not affected. The unions in the heavy industries are those which employ large numbers of skilled tradesmen. They are covered by a variety of engineering unions. What will happen with this Bill is the same as has happened in many parts of the world. The Government should take heed of this. The Government is setting in motion a union and big business monopoly.

When we look to the American experience we find that the union is joined with the employer and thus the position is quite impenetrable. Some do try to break in, but it is almost impossible. The Government has laid the foundation for something similar.

When we are dealing with industrial relations we are dealing with human relations; that is what it is all about. If one looks around industry in general one finds that where there are good

managers there are very few industrial disputes. It would not be a bad idea for management in Australia in 1979 to get back to the job of managing. A great number of our problems exist because managers have opted out of their responsibilities and are leaving industrial relations to personnel managers who then have to justify their existence.

If one wishes to look further at management one should read the speech which Sir Roderick Carnegie made recently in Australia. He said if there is a great deal of disputation down on the job then don't look at the unions; go down and look at the managers. I would say that Sir Roderick is quite aware of what good industrial relations are all about.

Whichever way we look at this Bill we know there is more worker participation creeping into our lives. I know that in this State we are particularly backward in this area.

At the moment the ACTU, maritime unions, and Hamersley Iron are in the process of entering the shipping business to export some of our iron ore in Australian ships. No-one wishes to prevent Hamersley from entering that business. We encourage them with the operation of the ships at a profitable margin. The trade union movement is not stupid. It will also assist when approached as an equal partner in the affairs of this country.

I will be interested to see the actions which will occur when this Bill is proclaimed. If I am any judge it will not be long before someone will go out to a job and try to cause a problem. The unions are wide awake and I hope they will not be provoked into a phoney situation. They will know very well what I am speaking about. There are groups of people in the industry who are horrified by the implications of this Bill because after all there has not been very much industrial confrontation.

If one asks the members of the mining industry they will say that productivity has increased. Some of the managers have said this to me personally. If the State Government and the Federal Government had kept out of the Hamersley dispute it would have been settled much sooner. I oppose the third reading of the Bill.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.46 p.m.]: I feel I must say a few words in answer to some of the comments which have been made. I am impressed by the fact that the Opposition is in support of 90 per cent of the Bill. I am also surprised that it has made noises as though it opposes 90 per cent of it.

The debate was prolonged and full of vituperation. I cannot find in my heart a way to join with the Leader of the Opposition to praise Mr Cooley. I do say I am impressed that Mr Cooley read the Bill, but he read it with blinkers on and with a biased attitude. I will not say he should have been without bias because he has spent his life and operated in the situation which has tended to make him take the view that unions should be above the law and that there should not be any penal provision for them.

This is the implication throughout Mr Cooley's comments and I find it is not in my heart to support the accolade bestowed on him by Mr Dans.

Over and over again, we have said that the Bill was based on the Kelly report. It was discussed at great length with everyone involved and indeed I thank the Opposition for its constant reiteration of the fact that 90 per cent of the Bill follows religiously Commissioner Kelly's recommendations. I repeat that I am surprised that it made noises as though the Bill were 90 per cent reprehensible and not 90 per cent acceptable.

The Hon. R. Hetherington: Ten per cent is quite reprehensible.

The Hon. G. C. MacKINNON: Ten per cent probably; not more than or less than it would have been if the Bill had been introduced by the ALP had the situation been reversed. Views would have been submitted by many people, not the least of whom would have been Mr Cooley in Caucus, Mr Dans with his waterside interests, and Mr Thompson. They would have all insisted on their points of view being included.

All sorts of things Mr Dans says are quite wrong. For instance, he says the States exist only because of a quirk of the Constitution.

The Hon. D. K. Dans: I did not say that. I said the States exist because of the Constitution.

The Hon. G. C. MacKINNON: I always thought the federation existed because of the votes of the States.

The Hon. D. K. Dans: That is incorrect.

The Hon. R. Hetherington: They exist because of the votes of the colonies.

The Hon. G. C. MacKINNON: This colony was never part of New South Wales, and the federation exists because of us.

The Hon. D. K. Dans: The States exist because of the federation.

The Hon. G. C. MacKINNON: I hate to point out that error in Mr Dans' statement. It leaves aside all the other errors.

The Hon. D. K. Dans: Stay away from that. You know very well how the States exist. We had no States before federation.

The Hon. G. C. MacKINNON: Ever since I was a lad around unionists and unions, I have heard that every other country in the world was very envious of the arbitral system used in Australia.

The Hon. D. K. Dans: I said that a minute ago.

The Hon. G. C. MacKINNON: I notice no other countries have seen fit to adopt it. In the same way, everyone who is interested in the Builders' Registration Act says every other State loves it, but they do not take it up.

The Hon. O. N. B. Oliver: That Act in New South Wales is a total consumer disaster.

The Hon. R. Hetherington: You should get out of those totalitarian habits.

The Hon. G. C. MacKINNON: The same applies to this system. Mr Dans went on about what this Bill or another Act does for industrial harmony.

The Hon. R. Hetherington: It does nothing.

The Hon. G. C. MacKINNON: Mr Hetherington has suddenly seen the light. It does nothing. He is 100 per cent right. No Act of Parliament can solve disputation. It can give only guidelines in order that we might direct and litigate disputation.

The Hon. D. K. Dans: You do not litigate even in an industrial court. You go before an arbitrator.

The Hon. G. C. MacKINNON: After listening to the rubbish I have had to listen to here, it is no wonder one's standards of debate slip a little. We have listened to terrible stuff. Day after day we have listened to the speech Mr Cooley made a couple of weeks ago, and the same goes for what Mr Dans has said. It has become a habit of everybody to use high-sounding phrases for quite the wrong purposes. I was going through a paper and I read this—

As you would that men should do to you,
do you also to them in like manner?

It is beautifully phrased. It is advertising a well-known brand of wine.

The Hon. D. K. Dans: Who is the originator of the phrase?

The Hon. G. C. MacKINNON: When it comes to harmony, whether it be harmony in a business, a football club, or anything else, it is purely and simply a matter of human relations and proper management. I agree with Mr Dans about that. What he overlooks and forgets to mention is that

as much management is needed in union organisation today as in business itself. I can remember the time when the average ALP member was a skilled tradesman. Most of that ilk are now in the Liberal Party. Most of the people who come into this party through the unions do not come from the trade workers in the unions; they come from the organisers in the unions. They come in effect from the people who are actually on the management side of the unions.

The Hon. D. K. Dans: They come into your party?

The Hon. G. C. MacKINNON: Into the ALP. That is what Mr Dans is, and Mr Cooley and Mr Davies.

The Hon. D. K. Dans: Don't you think I ever worked?

The Hon. G. C. MacKINNON: I know Mr Dans worked, but the days of the Chifleys and the Curtins are long gone.

The Hon. D. K. Dans: Curtin was an organiser for the timber workers.

The Hon. G. C. MacKINNON: He was also a working journalist. Chifley was an engine driver. The ALP is chockablock with these sorts of people and most of the really solid men who used to work in the mines or on the waterfront—the member over there who is trying to open his mouth is one who worked on the waterfront and the member alongside him worked in the mines—

The Hon. R. Thompson: Now they have an epidemic of academics.

The Hon. G. C. MacKINNON: Mr Thompson is absolutely right. The ALP knows it and is battling to get out of it, but there is no way it can get out of it. The point remains the demand for sensible management is as great in unions as it is in business, and we are not getting it. It is horrifying to all of us and it must absolutely break the heart of Mr Cooley—who made a number of cracks about Mr Masters being a migrant to this country—to hear night after night on television or radio, when there is any sort of industrial disputation, the accents of the union representatives being interviewed by the reporters. Those people come from Liverpool, Lancashire, and Scotland. God help us!

The Hon. D. K. Dans: Thank you for leaving the Irish out of it.

The Hon. R. Thompson: So did your forefather.

The Hon. G. C. MacKINNON: That is so. I am not a racist and I think some quite nice people came from England.

The Hon. D. K. Dans: There have been some nice Scotsmen, too.

The Hon. R. F. Claughton: How about getting back to the substance of the debate?

The Hon. G. C. MacKINNON: This is as near the substance of the debate as Mr Cooley, Mr Dans, or Mr Claughton ever got. I searched my brains to understand Mr Dans' comment on the Bill. I had to stretch my imagination to its limit. Nobody in the Opposition made any mention whatsoever of the emphasis on conciliation and the way this process is closely linked with the object of preventing and resolving conflict by reason rather than by force, which is the backbone of this legislation.

The Hon. D. K. Dans: I did not mention that.

The Hon. G. C. MacKINNON: It was the main thrust of the Kelly report and it has been fully preserved in the Bill. I am grateful that members of the Opposition pointed out that 90 per cent of the Bill follows the Kelly report, although they went on as though the Bill were 90 per cent against it. The Bill also provides basic essential rights for an individual employee.

The Hon. R. Thompson: Before you sit down—

The Hon. G. C. MacKINNON: I have no intention of sitting down for ages.

The Hon. R. Thompson: I am pleased about that. Can you tell us which section of the union movement will be advantaged or disadvantaged?

The Hon. D. K. Dans: If you can get an answer you must have an illicit arrangement with him. He would not tell us.

The Hon. G. C. MacKINNON: The Bill protects the individual from unfair practices and gives him the right to move before the commission to protect his interests. The union it protects and supports more than any other is the big union which has strong management and very strong executive control. It gives the commission the power to intervene on behalf of its members.

It was not long ago that practically all businesses in this State were owner-operated. One could go down and talk to the person who owned the business; we all knew them.

The Hon. D. K. Dans: That has all changed now.

The Hon. G. C. MacKINNON: Now, they have gone. People who talk about bureaucrats in Government are talking through their hats, because there are as many bureaucrats in private enterprise as there are in Government. I cite the Shell Oil Company as one example. The majority of companies are run by private enterprise bureaucrats. I say that as a person who has total and absolute respect for bureaucrats.

The Hon. W. R. Withers: Public servants yes, but do not call them bureaucrats.

The Hon. G. C. MacKINNON: Mr Withers can call them what he likes. We are dealing with people who are servicing capital. This trend has affected the entire employment and management situations.

The unionists in those days knew their boss. If someone came into the workshop and said to a worker, "The boss is grinding your faces in the dirt", he could reply, "Cut it out! That is my boss over there. He works alongside me, and I go fishing with him every weekend." That is not the situation now.

The Hon. D. K. Dans: Some 90 per cent of our workers are still employed in that way.

The Hon. G. C. MacKINNON: Mr Dans seems to be fond of the figure 90 per cent; he probably is wrong again. However, I do agree that a large percentage of employees still work alongside their bosses. I know that because that is the position in Bunbury. There is very little need for industrial law in such situations, because little industrial disputation occurs. A worker can go along to his boss and say, "My wife is sick. Can I go home and look after her?" or, "The foreman is a bit rough. Can you do something about him?" and the matter is resolved on the spot.

In such situations, we could throw away this Bill. However, the people who cause the difficulties in business today generally do not work in such situations. Very often the workers are dealing with some obscure executive sitting in his office in Perth. Management is remote from the shop floor. This has changed the nature of industrial relations and the needs of industrial law. As Mr Dans said, industrial disputation is a matter of human relations. However, when those relations break down, we need a law. When a number of unions, in, say, the Pilbara, representing the employees of several large companies are in dispute, very often they must negotiate with management situated in the Eastern States. In such instances, we need some sort of industrial legislation, and that legislation must be kept up to date.

We must look more and more to the protection of the individual. One of the things which horrified me about Mr Cooley's remarks was that on the one hand he was very intent on supporting the principles of the ILO conventions, which really were written in an endeavour to protect individuals in countries ruled by overbearing dictatorships, and to try to make some sort of form and order out of chaos, while on the other hand, by his very implications, he had no regard

for individual freedoms and liberties. I found that to be quite sad.

Today, when so many unions can have a grave effect on the public interest, we have a third party which is interested. No longer is there a clear-cut division of the worker and his boss. We now have a multitude of unionists and their rather remote union management, and a multitude of employers, and their rather remote management. However, we also have an amorphous mass, which is the public; frequently, the public are severely affected by the action or inaction of a group of unionists.

For once in Mr Dans' remarks there was a cogent and intelligent comment. He said that sometimes the fellow who yells about union activity was on strike himself the week before. Sometimes "industrial disputation" is nothing more nor less than political activity, with union against union, each chasing the other's members.

The Hon. D. K. Dans: You do not suggest that all industrial disputation is political activity, do you?

The Hon. G. C. MacKINNON: Mr Dans knows jolly well that I did not mean anything of the sort. The Government recognises and supports the important role unions play in our system.

Mr President, both you and I have been members of unions; we are both aware that a Government which tried to do anything else but recognise unions, would get nowhere.

The Hon. D. K. Dans: Has your union been better or worse since you left?

The Hon. G. C. MacKINNON: The secretary of my union spent all his time trying to pinch members from other unions, so that he would receive more pay!

The Hon. R. Thompson: What was your union? I have been listening to you talk about it for 20 years, and I have yet to find out which union it was.

The Hon. G. C. MacKINNON: It is no secret; I would have told Mr Thompson, had he asked me. I belonged to the Coach and Motor Body Builders' Union, the central body of members of which was at Midland.

The Hon. R. Thompson: What did you build?

The Hon. G. C. MacKINNON: Buses.

The Hon. F. E. McKenzie: The union does not exist today. It is part of the AMWSU.

The Hon. G. C. MacKINNON: In the Eastern States, it is quite important in the motor vehicle trade. Here, of course, it has been absorbed by another union. In fact, the trade itself hardly exists today.

The Hon. D. K. Dans: It has been taken over.

The Hon. G. C. MacKINNON: It has moved over into the boat-building field, more than anything else.

The Hon. R. Thompson: I realise by your speech why you are trying to take us back to the days of the sulky.

The Hon. G. C. MacKINNON: We all sprang from the sulky days. Mr Thompson sprang from that crowd which had solid ivory between their ears and heavy shoulders so that they could lump the bags of wheat up the gangplanks. Electricians originally used to walk around with candles, showing people the way. We all have our antecedents.

The Hon. D. K. Dans: Thank God I was a member of a group of seafarers.

The Hon. G. C. MacKINNON: A great deal more could be said to refute the general comments which have been made. I wish to add one further comment: We are replacing an Act put on the Statute book in 1963. When that legislation came forward, everybody on the Labor side screamed, yelled, and objected. According to them it would be the death of arbitration and was the most ruinously destructive legislation ever brought forward. The Labor Party said the unions would never accept it and that it would be a total disaster.

The only person I can remember sitting on the Opposition benches at that time and who is still here is the Hon. R. Thompson. He was as vehement as his colleagues about that legislation. Indeed, if he consults the *Hansard* record he will see that I took a point of order on him when he started talking about Nazis. He realised at once what a fool he had made of himself, and immediately discontinued that line of attack.

The Hon. D. K. Dans: Mr MacKinnon is not one of those who mucks up a good story by sticking to the truth.

The Hon. R. Thompson: When you took a point of order at 6.40 a.m., I was about to sit down. I then spoke for another hour and a half.

The Hon. G. C. MacKINNON: Mr John Thomson was terribly anxious to get the call. He missed it three times. We finally took him over a pile of *Hansards*. He jumped onto the bundle of *Hansards*—which were about one foot high—so that everybody could see him, and he received the call from the Chair and made an excellent speech in favour of the Bill.

The 1963 legislation—which was also a "Kelly Bill"—served this State exceedingly well, despite all the noise the Labor Party made about it. I

suppose it comprised about 70 per cent of Kelly's recommendations, whereas this Bill goes even further, and contains 90 per cent of Kelly's recommendations.

I believe this legislation will serve Western Australia as well as, or better than, the 1963 legislation, which is why I ask with confidence that the House carry the third reading.

Question put and a division taken with the following result—

Ayes 18

Hon. N. E. Baxter	Hon. N. F. Moore
Hon. G. W. Berry	Hon. O. N. B. Oliver
Hon. V. J. Ferry	Hon. W. M. Piesse
Hon. A. A. Lewis	Hon. R. G. Pike
Hon. G. C. MacKinnon	Hon. I. G. Pratt
Hon. Margaret McAleer	Hon. J. C. Tozer
Hon. T. McNeil	Hon. R. J. L. Williams
Hon. N. McNeil	Hon. W. R. Withers
Hon. I. G. Medcalf	Hon. G. E. Masters

(Teller)

Noes 8

Hon. D. W. Cooley	Hon. F. E. McKenzie
Hon. D. K. Dans	Hon. R. H. C. Stubbs
Hon. Lyla Elliott	Hon. R. Thompson
Hon. R. Hetherington	Hon. R. F. Claughton

(Teller)

Pairs

Ayes	Noes
Hon. D. J. Wordsworth	Hon. R. T. Leeson
Hon. T. Knight	Hon. Grace Vaughan

Question thus passed.

Bill read a third time and returned to the Assembly with amendments.

**COUNTRY AREAS WATER SUPPLY
ACT AMENDMENT BILL (No. 3)**

Receipt and First Reading

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

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [5.15 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill is to permit the granting of a degree of relief to ratepayers who, over the past two years, have received large accounts for rates because of very steep increases in the valuations of their properties; furthermore, to enable measures to be taken in the future to eliminate the problem brought about by the Valuer General not being able to revalue all towns throughout the State on a regular and reasonable time scale.

Ideally the Valuer General should, when valuing towns supplied under the Country Areas Water Supply Act, follow a programme which would enable him to review values at least once every five years. With his current commitments and the availability of staff he has not been able to do this and of the 76 towns revalued for the Public Works Department last financial year, 67 were valued more than five years ago and in the case of 23 towns, more than nine years had elapsed since they were last reviewed.

In the light of this information it can be readily understood that there were substantial increases in the ratable values of properties in some towns and with only domestic premises being subjected to a maximum rate many ratepayers were faced with unexpectedly high rate increases.

While the problem is severe and widespread this rating year because of the large number of towns revalued, financial hardship was suffered also by some ratepayers in the 1978-79 rating year. At the time special representations were made pointing out the difficulties experienced by businessmen and others when faced with substantial unbudgeted increases in rates. However, nothing was done to provide relief as it was not realised that this was a problem that would recur and in fact grow.

When the 1978-79 revaluations were applied this financial year, many approaches were made to Ministers and members pointing out that it was inequitable for water rates to increase in some cases by more than 300 per cent in one year. The Government has accepted that as fair argument and accordingly proposes providing relief backdated to the 1st July, 1978.

The solution accepted by the Government is that ratepayers should be given a reasonable period before they are liable to pay full rates after a revaluation has taken place and it is proposed to arrange this by limiting the amount of increase in any one year to a percentage of what was paid in the previous year, thereby granting relief to those ratepayers in towns where values have risen substantially.

Initially a 50 per cent increase over the previous year's rates will be adopted. Applying this to a ratepayer who paid \$200 in 1977-78 and, following revaluation, \$600 in 1978-79, rates for 1978-79 will be reassessed at \$300 and \$450 for 1979-80.

The cost to revenue of the measures in the current year has been calculated to be in the order of \$600 000, although very little cash will be paid out as overpayments in 1978-79 will be off-set

against sums due for rates and water in the current year.

This figure of \$600 000 includes the cost of reductions for the financial year 1978-79, as well as the current year.

To overcome the difficulty which arises when there is a long period between valuations is not easy. Even if Government policy permitted unlimited expansion of the Public Service, recruitment of suitably qualified personnel would still be a problem. For example, in these days of so-called high unemployment I would say that no valuer worth his salt is without work.

The Bill, therefore, provides the facility for updating valuations for the purpose of assessing rates in the years between valuations carried out by the Valuer General. This authority, together with the limitation of increases in rates payable to a percentage of that paid in the previous year, will provide relief to ratepayers subjected to large increases last year, in the current year, and in the future.

There is one other matter covered in the amending Bill which requires explanation. Throughout the area served under the Country Areas Water Supply Act, there are properties being improved or subdivided and it would be unreasonable if these ratepayers were not rated having regard for such developments. Accordingly, the Bill provides that the Minister, in respect of such properties, may determine a percentage increase of the rate which would have been charged in the previous rating year had such developments been in existence for a full 12 months.

Turning to the Bill, the amendment to section 47 obliges the Minister to enter into ratebooks his determination of the ratable value of land.

The amendment to section 54 gives the Minister authority to increase, if he considers necessary, the value of land for rating purposes. It will be noted that this authority may not be used in years when the ratable value has been altered pursuant to a general revaluation under the Valuation of Land Act.

The Bill provides that there is no appeal right against the Minister's determination. Ratepayers will still be able to appeal against valuations assessed by the Valuer General.

Section 65 is amended so that, in lieu of being able to determine a maximum rate for domestic properties only as at present, the Minister may determine a maximum rate for all classes of consumers. This amendment also provides the Minister with the authority already mentioned to set a maximum rate related to a percentage of an

amount that would have been payable if the property had been improved for a full 12 months of the previous financial year. In addition, it provides authority to apply retrospectively a maximum rate from the 1st July, 1978.

I commend the Bill to the House.

THE HON. D. W. COOLEY (North-East Metropolitan) [5.20 p.m.]: The Opposition does not oppose this Bill.

THE HON. N. E. BAXTER (Central) [5.21 p.m.]: I did not think this Bill would receive such a swift passage through the House. I think I made it clear when the Valuation of Land Bill went through this House last year what would happen in respect of valuations. What I said would happen is explained starkly by what the Minister mentioned during his second reading speech with respect to water rates.

In 1978 I indicated that valuations in certain areas would be subject to increases of as much as 400 per cent.

The Hon. R. Thompson: Don't tell me you are reflecting on the coalition of which you have been a member for so many years.

The Hon. N. E. BAXTER: What has happened has been happening for a long time. It was occurring before the Valuation of Land Bill was introduced. There are periods of up to 16 years between valuations made by the Valuer General. Increases rose to as high as 700 per cent in certain cases.

The Hon. R. Thompson: This follows the ineptness of this Government which you have supported for many years.

The Hon. N. E. BAXTER: That is not so. The recommendations made by a committee which investigated these matters were placed in the Bill I have mentioned.

The Hon. R. Thompson: I remember that; but I doubt whether you do.

The Hon. N. E. BAXTER: The remarks I made last year have not been taken notice of; but the chickens will come home to roost. Unfortunately, it is getting to the end of the session, when not a great deal can be done about the revaluations for local authority rating. However, I think the message is starting to get through. Since 1966 I have been saying that things are not right. Mr Thompson's Government did not take any notice of me: his Government ignored the problem.

The Hon. R. Thompson: That is completely untrue, and you know it.

The Hon. N. E. BAXTER: Mr Thompson's Government did nothing about valuations.

The Hon. R. Thompson: I feel sorry for you.

The Hon. N. E. BAXTER: There is no need to feel sorry for me except perhaps for the fact that I have worked so hard over the years to get Governments to take notice of what I have been saying.

I support this measure because it gives relief to people in country towns where valuations have been made which have resulted in huge increases in water rates. People in my province west of Beverley and west and north-west of York have had their valuations go up by as much as 400 per cent. This is reflected in the rates they pay. Some have had their rates go from \$600 to \$1200. They are only small farmers, but they should receive the same consideration as businessmen in getting relief from these large increases in valuations for water.

I impress on the Government the necessity to take action during the recess before Parliament commences at the end of July or early August to do something about the existing situation. This Bill confirms what I said; that is, the Valuer General cannot carry out valuations in a reasonable time. He does not have the staff; the valuers are not available to carry out this work.

Some other method must be adopted. I shall keep hammering at the Valuer General and his staff in the hope that they will see the light. I hope the Valuer General will adopt a different system of valuation whereby it can be done on a more regular basis than at present.

THE HON. J. C. TOZER (North) [5.27 p.m.]: My comments will be brief. Clearly the Bill is designed to remove an anomalous situation which has arisen due to infrequent valuations. We have to accept that, in some measure, these anomalous situations will be removed, although difficulties will always be found with this infrequency of valuation.

I was disappointed the Minister did not explain what appears to be a far more simple remedy which could be adopted; that is, varying the rate in the dollar struck by the country water supply. One would think that would have the desired result. I am sure the Minister will comment on this now he has been invited to do so. He has done so for me, privately, already. He should be able to explain that in rectifying the problem incurred by these new high valuations by reducing the rate, anomalies would be introduced between adjacent towns and shires which have not been revalued at the same time.

To people like Mr Baxter and others who have been closely associated with local authorities, the method I have suggested is the practice

which normally would be followed by such authorities and which, on the face of things, is the logical way to remove the anomalies in the country water supply rating.

However, I accept the Bill for what it is. It is a genuine effort to remove an awkward situation for the country water supply scheme. I support the Bill.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [5.29 p.m.]: The comments of the Hon. Norman Baxter are accepted. It is the wish of the Government to secure additional staff to have revaluations done regularly at five-yearly intervals.

While not making a speech, Mr Thompson interjected on several occasions and asked on one occasion if it were necessary to have constant revaluations. In some areas I wonder about that myself. In some towns one would be hard pushed to understand what had occurred to occasion any change in valuations at all, other than the farms.

The Hon. R. Thompson: They could be worked out on computers, without valuations being made.

The Hon. G. C. MacKINNON: It relates to a question asked by Mr Tozer as to why we did not vary the rate. I must admit that, when we first discussed this matter with Treasury, we tried to find a solution and my initial inclination lay towards varying the rate and the solution I proposed in the first place was that we should accept the valuation and insist that it be done on a five-yearly basis. The rate would be varied so that the year after valuation the rate would be increased and this process would continue every year until the next valuation took place. As a result, the rate would change every year and when a revaluation was due, it would not be necessary to have a massive increase.

The Hon. R. F. Claughton: That sort of suggestion was proposed in the report to which Mr Baxter referred.

The Hon. G. C. MacKINNON: I did not see the report. We carried out some exercises with regard to that proposal, but anomalies appeared in regard to the subject mentioned by Mr Thompson which is that values do not change greatly in some areas. Therefore, the proposal did not work. There were too many anomalies from the ratepayers' point of view and from the point of view of revenue which has to be kept reasonably stable. We abandoned that proposal and tried the exercise we are discussing at the present time which produced fewer anomalies.

The proposal is that we accept the valuation when it is done. The method which is favoured at the moment to increase the rate is that we would

ask the Valuer General to give an indication of the likely movement in values. We would then select a figure which was slightly less than the estimated movement. The aim would be that, if the valuation had increased by 30 per cent at the end of five years, during that period the rates would have been increased by 25 per cent so that the adjustment at the end of the valuation period was minor.

The aim is that the valuations remain realistic throughout the five-year period so that a huge adjustment is not necessary when the revaluation is carried out. A local authority in the area I represent did not adopt a revaluation for 10 years.

The Hon. R. Thompson: That is not a reflection on the department.

The Hon. G. C. MacKINNON: The member is correct. The valuation had been carried out, but it was not adopted by the local authority. When it was adopted, people were horrified to find that their rates had gone sky high. Everybody is aware that Mandurah has grown very quickly recently and in fact I believe it has been the fastest-growing town in Australia over the last few years. The rates in that area increased dramatically. In fact, when a revaluation was carried out, the rates were frightening. As a result, a number of people sold their properties. Therefore, the matter was complicated further.

We are hopeful this solution will resolve the difficulty. One would hope the constant spate of rapidly increasing valuations will even out a little. In other words, inflation might be dampened down. Even if that does not happen, we are hopeful that this provision will have the effect of giving a gradual increase, rather than a sudden large increase for which it is very difficult to make the necessary adjustments. I hope I have answered all the questions raised by members.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

CONSUMER AFFAIRS ACT AMENDMENT BILL

Second Reading: Defeated

Debate resumed from the 14th November.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [5.38 p.m.]: The Hon. Tom McNeil introduced this Bill some time ago and he has pre-empted proposals currently under consideration by the Government to amend the Consumer Affairs Act, not only in respect of section 4, but also in several other areas.

Perhaps I should inform the House that amendments to section 4—that is, to take in contracts of insurance—have been tentatively agreed upon. The amendments would include life assurance, but would exclude workers' compensation and third party insurance.

Those two forms of insurance are appropriately covered by separate legislation which makes provision for tribunals to deal effectively with claims which for obvious reasons are sufficiently complex to cause their separation from the Consumer Affairs Act.

Although the Commissioner for Consumer Affairs does not have the power legally to act in respect of insurance, and Mr Tom McNeil dealt with that, because contracts of insurance are not regarded as contracts of service, the bureau does provide complainants with assistance, as evidenced by the number of insurance complaints in the statistics, shown in the Consumer Affairs Council annual report, tabled in the Parliament on the 13th November, this year.

The Government contemplates amendments to the Act in the near future in regard to insurance, together with other relative matters. It does not support this clause in the Bill at this stage, although it recognises the merit in its intention.

The Hon. R. Thompson: If the Consumer Affairs Bureau received a number of complaints in regard to insurance, could it deal with them?

The Hon. G. C. MacKINNON: No; I thought I made that quite clear. Mr Tom McNeil explained to us that they are not regarded as contracts of service. However, the commissioner provides complainants with assistance in order that they might obtain some sort of relief.

The Hon. R. Thompson: That is pretty hopeless.

The Hon. G. C. MacKINNON: It is not completely hopeless.

The Hon. R. Thompson: Do you expect insurance companies to show compassion?

The Hon. G. C. MacKINNON: I have had some rather good dealings with insurance companies; but perhaps I have been lucky.

An amendment is proposed to section 18 of the principal Act and the Standing Committee of Attorneys General for some considerable time has been discussing the possibility of developing uniform national laws on credit transactions, travel securities, and sales of goods and services to consumers.

This emanated from a report by the Molomby committee of the Law Council of Australia on fair consumer credit laws in Australia. It was tabled in the Victorian Parliament in 1972. It is obvious it has been around for a while.

At its meeting in April, 1978, the standing committee agreed to Bills being drafted by the Victorian Parliamentary Counsel on instructions from the standing committee and designed to reflect policies arrived at on a consensus basis.

Three Bills—the Credit Bill, the Chattels Securities Bill, and the Goods (Sales and Leases) Bill—were introduced into the Victorian Parliament in May, 1978, and also circulated to the States for public comment. They were not to be regarded as the final documents to form the basis of model uniform legislation. Subsequently they lapsed and are still in the process of finalisation.

Developments in the drafting saw an attempt to get away from registration for the vast majority of contracts involving amounts of less than \$15 000. The idea was that a person buying on credit something worth less than that amount should get good title immediately, with the vendor or provider of credit insuring to cover possible loss by non-completion of the contract. The possibility of a way being found to use modern computer technology to overcome problems of the existing registration system and the whole heap of new problems contemplated was also under consideration.

With the introduction of that modern technology, the situation gets more and more complicated. However, the idea was to give immediate and simple title for a big majority of purchases, covering any possible loss by insurance.

These are the reasons that the Government has been reluctant to alter, at present, the figure of \$5 000 in section 18 of the Consumer Affairs Act which provides for the Commissioner for Consumer Affairs to institute or defend legal proceedings on behalf of a consumer when the amount claimed or involved does not exceed that figure. If it is not done prematurely, there is more

merit in endeavouring to achieve a uniform figure which all States may be prepared to accept as a base for consumer transactions.

By an amendment made in July, 1977, the Trade Practices Act adopted a figure of \$15 000 as the limit of a consumer transaction for acquiring goods and services as a consumer.

The Bill presented by the member has obvious merit, but I must ask the House not to support the two amendments in their present form on the understanding that more comprehensive legislation is currently under consideration by the Government. I trust the member will see the wisdom of that and agree with it.

I oppose the Bill.

THE HON. TOM McNEIL (Upper West) [5.45 p.m.]: The words of the Leader of the House have given me some comfort. I must admit that some weeks ago he advised me that the Government would not support my Bill.

I prepared reams of instances to illustrate that insurance companies have not fulfilled their commitments. However, I do not intend to bore the House by referring to them. It is sufficient to say that the insurance industry is one in which a man can get a job overnight. Unless the insurance company which employs a person is prepared to spend some time and money on training him, he can cause a great deal of damage.

Insurance company representatives tend to tell one, either over the telephone or by word of mouth in the street, that one is covered for X number of dollars in certain circumstances. However, it is not until such time as something happens that one suddenly finds out from reading the very fine print that one is not covered. Sometimes one finds that certain conditions are not even printed.

I have had an experience myself, and I hasten to assure the House that was not my reason for introducing this private member's Bill. I am taking the insurance company to court. If I win the case, it will cost me \$300, and if I lose the case it will cost me \$1 000. I suppose there would be some merit in my sitting back and not doing anything, but I feel I should take the case further.

I suggest to all those people who have a boat insured with a supposedly reputable company to read very carefully the fine print on the policy and, perhaps, observe the lack of fine print in some instances. In many cases there is no mention of the time within which repairs covered by insurance are to be carried out.

Many companies hide behind excuses. They say they are looking at the claim, the assessor is not

in, or a decision will be made as soon as they can get someone to do the repairs. In my own case it has taken 12 months as of next week. I still do not have my boat back in the water, and there is no suggestion that it will be back in the water soon. I have merely mentioned my own case in passing.

Insurance companies are not slow to ask for premiums to be paid. Unless a person goes through the policy and examines the fine print he is likely to have his fingers burnt. Anyone is able to walk down St. George's Terrace and see the many multi-million-dollar skyscrapers built with money provided by policy holders.

Insurance companies are able to set their own rates. They insure a person for a certain sum of money and state that the premium is such-and-such, and if the person concerned does not like it he will not be insured. The situation is, virtually, that the policy holders provide the funds for the insurance companies to spend, and then they are left holding the baby.

I appreciate that the Government is to look at consumer affairs, with particular regard to insurance. It is obvious my Bill will not pass, but I am hopeful that all is not lost. I have a small consolation in knowing that the Government, perhaps early in the New Year, will do something about this anomalous situation.

Question put and negatived.

Bill defeated.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Consideration of Tabled Paper

Debate resumed from the 15th November.

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.49 p.m.]: I am afraid the Minister has caught me on the hop. I was prepared to go ahead with the other Bills on the notice paper, and I do not have with me my papers concerning the Estimates.

The Hon. G. C. MacKinnon: I am sorry. I thought Mr Hetherington was to speak.

The Hon. R. F. CLAUGHTON: There are a number of matters I wish to raise. Some of them relate to my province and, perhaps, I will deal with those first. The first two matters I will mention concern the Main Roads Department and its actions when bringing about changes in the road system. Apparently, the department has very little concern for the people directly affected by changes.

My first complaint concerns a small number of homes at the corner of Liege Street and Pearson Street, in Woodlands. Pearson Street was

widened, which brought the road much closer to the homes, and Liege Street is now an important connecting link between Scarborough Beach Road and the city for traffic moving north and south to and from the northern beach suburbs.

Three properties on the intersection of Liege Street and Pearson Street were faced with a very difficult situation. There are traffic lights at the intersection, but in order to allow the traffic to flow more easily the Main Roads Department installed a slip road. The intention of the department was well justified because the traffic was able to flow continuously and at some speed.

It can be imagined that the residents of the three homes affected had a very hazardous time trying to get in and out of their properties at that busy intersection. A number of businesses refused to deliver to them because of the hazard which was created.

I am aware that this same design has been implemented at a number of other locations throughout the metropolitan area, and it has achieved much the same effect. When the Main Roads Department was first approached it was quite unyielding.

Quorum

The Hon. N. E. Baxter called attention to the state of the House.

Bells rung and a quorum formed.

Debate Resumed

The Hon. R. F. CLAUGHTON: A hazardous situation was created for the people living in the three houses at the intersection. They had a great deal of trouble entering and leaving their properties, and a number of businesses refused to deliver goods to the homes. Minor accidents became a regular feature, and front gardens and letter boxes were demolished. Life became quite unpleasant for the occupants of those homes. Also, it became very difficult for them to sell their properties.

Apparently, two of the homes have "For Sale" signs on them. They have been there for some time and, naturally, nobody is interested in purchasing those homes. Who would willingly place himself in that sort of situation, particularly with the housing market as it is with many properties more attractively placed?

It seems there is no compensation available to those people. They have no legal claim on the Main Roads Department for the injury caused to them. That is quite wrong. I do not understand why individuals should bear an undue burden which benefits the rest of the community. Of course, we all accept that road changes become necessary to cope with alterations to the traffic flow. However, any financial burden should be

borne by the whole community, and individuals or families should not be asked to bear a degree of inconvenience which can only be termed unreasonable.

After considerable pressure, and constant visits to the Main Roads Department to insist that something better be done, we have achieved a change to the intersection design. It is unfortunate that these people had to suffer for so long before we were able to gain even that small measure of change to the road design.

There is an obligation on the Main Roads Department to take more account of how its changes will affect individuals to ensure that they are not placed in a position of facing a greater burden than the rest of the community. Their lives should not be made intolerable.

Perhaps it would have been more reasonable for the Main Roads Department to acquire those properties at the market rate, in order to allow the residents to relocate themselves in similar circumstances elsewhere. That would have resolved their particular problem. The Main Roads Department could then have accepted a price for the properties which would take into account the much changed situation and the resultant much lower valuation.

Sitting suspended from 5.59 to 7.30 p.m.

The Hon. R. F. CLAUGHTON: Prior to the tea suspension I was speaking about problems created by the design policies of the Main Roads Department.

A second and equally serious example is at the intersection of McDonald Street and the Mitchell Freeway in Osborne Park. A gentleman had been operating a small boat-building business for some years before the freeway was constructed in the area. At the time he purchased the property, the land was some four blocks from the proposed Mitchell Freeway. At that time he had good reason to believe the freeway would create no difficulties for his business.

However, subsequent to that purchase, there was a realignment of the freeway which involved the Main Roads Department in the resumption of portion of his land. He found he was right on top of all the traffic which moved along that very busy section of road.

He is another person who has become caught up with the problem of slipways. The lights at the intersection control the traffic reasonably well. However, in order to ensure a continual flow of traffic off the freeway, a sliproad has been constructed on the front alignment of his block. As I said, the Main Roads Department resumed

portion of his property on which to construct that sliproad.

So, instead of being well placed, with adequate parking facilities in front of his factory, with no problems of access, for the last three years or so Mr Wells has been in a most invidious position. A number of firms which supported him and provided him with work, including several Government departments, no longer patronise his business because they have such great difficulty in moving into and out of his premises.

As I said, it is a small boat-building business which requires people who want to use his services to bring their trailers loaded with their boats. They experience the greatest of difficulty and face tremendous risks to their safety in order to manoeuvre themselves on and off his property.

Members who use the northern freeway, and slip off at McDonald Street might just give Mr Wells a kind thought as they turn off. I know the Hon. Margaret McAleer is aware of the location of his business. It is impossible, particularly in peak periods, to leave his site safely.

When the Main Roads Department resumed part of his land and paid him compensation, it suggested he purchase some other property in the vicinity, which he set about trying to do. However, he found the prices being asked were such that he could not relocate himself at the same standard at which he was already established without going into debt to an extent he felt he could not manage. So, it is not a question of the Main Roads Department not fulfilling its legal obligations in regard to compensation, or of the owner not bothering to look at the possibility of relocation.

If Mr Wells cannot afford to relocate his business, what is he expected to do? He decided the only thing he could do was to remain, and make the best of it. However, I understand it was subsequent to that decision that the Main Roads Department decided to build a sliproad. Ever since that time, because suppliers refuse to deliver to him, he has been forced to pick up his requirements from their various premises. While he is away, he cannot be carrying out work at his factory. So, he loses two ways on that score.

In addition, he has lost the business of many good customers who held him in high regard, and consistently patronised his business. So, he is losing money from that point of view. He is unable to provide any sort of parking facility; so, although he is facing a busy street, it is not possible for him to gain any of the passing traffic, which often is extremely lucrative.

Behind Mr Wells' premises is a local authority reserve. He approached the authority, which replied, "We did not create the problem. Why should we be penalised because of an action of the Main Roads Department?" However, it should be pointed out the local authority gave approval for Mr Wells' factory to be extended, believing there would be no problems. It was only when Mr Wells himself questioned the local authority on the matter that it found there had been a redesign of the freeway. So, there appears to have been a lack of communication at that level.

Currently, Mr Wells is negotiating with the local authority on the purchase of part of the reserve land behind his premises. It seems there is no way to ensure the survival of his business unless the authority is prepared to take that action in his support.

I understand the business alongside Mr Wells is also affected, but to a lesser degree. By using the reserve behind their premises, they may be able to gain some access to the rear of their properties. However, although that might appear to be a reasonable solution, it presents difficulties when one tries to work out a design for that access. The local authority cannot simply hand the land across.

Meanwhile, the Main Roads Department refuses to accept any sort of legal responsibility for its actions.

To me, they are two blatant cases of the Main Roads Department being high-handed in its actions. Its prime concern seems to be that road designs are the best it can provide. However, that policy should be tempered with consideration for the individuals of the community.

This Government, which claims its concern for individuals, somehow loses sight of that philosophy when it comes to putting it into practice, because in both these cases, the people involved have received absolutely no assistance from the Government. It has been by only the greatest persistence that any sort of progress has been made. These cases have been going on for at least a couple of years. In fact, Mr Wells' case has been going on for even longer than that, because his problems commenced long before I ever heard of them.

When I was first consulted on the matter, it looked as though there was no way in the world these people would ever achieve any sort of justice. They were almost resigned to watching their businesses go slowly down the drain. The current solutions being put to these people will cost them a considerable amount of money—if, in

fact, a solution is arrived at which suits all parties.

I hope if these people feel the need to approach the Government for low-interest loans to assist them, the Treasury will look kindly at their applications. These people are not interested in creating a new business; any money loaned to them will be for the purpose of enabling them to survive. Mr Wells has put a great part of his life into this business and I think he deserves the support of the Government—especially a Government which pretends it is interested in small businessmen. Mr Wells is a genuine small businessman, and he looks to the Government for support.

In addition to the problems created by the intersection of McDonald Street and the freeway, other difficulties are caused at the intersection of Frobisher Road and McDonald Street. A difficult problem is created when traffic slips off the freeway at Mr Wells' corner and tries to get around that intersection to head northward. There appears to be bad design at this point of the freeway.

I again make a strong plea to the Government to ensure funds are provided for the extension of the freeway. If the project can be constructed to the next stage, many of the traffic problems being experienced in McDonald, Hector, and Cedric Streets will disappear.

We know very well that the cut back in funds for roads for this freeway is as a result of the much-vaunted new federalism policy which has thrown responsibility back onto the State. But that does not cure the problems of the people there.

At one stage the City of Stirling was considering the proposition that rather than continue to spend funds on subsidiary roads which are being clogged with traffic as a result of the changes to the freeway, those funds should be concentrated on extending the freeway by agreement with the Government. Perhaps we should neglect some of the local roads at this point in order to put more money into the freeway so that a decent road link is provided by a continuation of the freeway.

Certainly the Shire of Wanneroo has been consistent in its representations to the Government, stressing the need for the freeway link to be carried through to Wanneroo. I have raised this matter previously. The Hon. Lyla Elliott asked a question relating to this matter quite recently following receipt of a letter dated the 12th October, from the Shire of Wanneroo which referred to a rapid transport system serving

the northern suburbs. Her question was as follows—

In view of the rapidly expanding population in the Shire of Wanneroo, and the national campaign directed at private motorists to conserve fuel, will the Government introduce a rapid transit system to the northern suburbs as soon as possible?

The reply was—

MTT services to Wanneroo are carefully monitored and extra services provided as the demand grows.

There is insufficient patronage at the present time to warrant rapid transit to Wanneroo.

However, when the Beach Road transfer terminal is completed in 1980-81, rapid transit to and from the city will be provided to this point. Extension to Joondalup subregional centre will take place as demand dictates.

That is really begging the question. The only way by which a rapid transport system can be provided is by the completion of the freeway to the northern suburbs so we have a road pavement which will be able to cope with that sort of service. If it is envisaged that those bus services would go on the existing roads—such as Wanneroo Road and Marmion Avenue—it shows the Government has not got itself together in looking at transport needs for the northern suburbs.

If the Government has not received complaints about the service it must really have its head in the sand. It is a really inadequate service. If local members in the northern suburbs were doing their work they would be backing the Shire of Wanneroo in its urging of the Government to provide funds at the earliest possible time to extend the freeway northwards.

The Hon. N. E. Baxter: I lived there for 2 years and I did not see any great problems.

The Hon. R. F. CLAUGHTON: I have heard that sort of statement before. If one is completely provided for and has a good income to support a good-quality car and pay the costs of all that means, obviously one will not have a great problem. However, if one is a person with a low income—this applies particularly to young people and the aged who are the ones really feeling the pinch and who are the greatest users of the public transport service—one gets a much different picture. I have heard one of Mr Baxter's colleagues state she has not heard any complaints from the staff of Parliament House. It is a

question of how close one gets to what is actually happening.

Another traffic problem in my area involves the intersection of Sackville Terrace and Huntress Road in Innaloo. Again, because of changing traffic patterns, there has been a build-up of traffic at this point. I asked a question as to whether or not it is proposed to establish lights at this intersection and the reply I received was, "Not at this stage. Priorities are revised annually and at this stage this intersection is not a high priority." When I asked what was the incidence of traffic accidents over a 12-month period, I was told there had been six reported accidents. Of course, reported accidents do not tell the full story.

There is a vacant house on the corner of the intersection which tells the story. The disturbance to the occupiers of the house from the continual squeal of brakes and bang of cars colliding was considerable. If a person is in bed at night at such a location that person is tense all the time waiting for the next bang to occur. A person cannot live a decent sort of life in that location. Again, if the Government really went out and spoke to the people there, it would find the accident history was far more disturbing than those six reported accidents over the last 12 months. I do not know how many accidents we need to have before it would be regarded as serious enough to warrant traffic lights. I do not know how many people have to be killed before the intersection is regarded as warranting a set of traffic lights.

There is another intersection in my area where a car went off the road and demolished the front wall of a house in which the owner of the house usually sat while watching TV of an evening. Fortunately, she was not sitting there at that particular time. She was told the next time there was an accident the Government might consider doing something for her. Members can imagine the tremendous comfort the lady received from that sort of response! These problems are not created by her; she has absolutely no control over them. It is a State rental home. Perhaps the SHC would consider the solution would be to move her from the house and move other people in and in this way share the problem around!

I would like the Government to inquire further into the problems relating to this particular intersection. It should obtain the views of the people who live on and around the intersection to ascertain whether or not there is a need for action to be taken, a greater need than is shown by the cold, hard, recorded statistics. We all know many more accidents occur than those which are recorded.

My next comments relate to Herdsman Lake. I have already debated this matter during the year. Recently referring to the lake the Minister for Mines made a statement which appeared in *The West Australian* of the 26th November. Among other things he claimed that the objections to what is happening at Herdsman Lake in his opinion were politically motivated. In a question to the Minister I asked him what was the basis of the statement attributed to him that opposition to mining on the lake was politically inspired. The Minister replied, "The situation described in answer to question 4 and the Minister for Mines' observation based on fairly long experience." That is the basis on which the Minister made his charge.

For a considerable time I have been concerned with what has been happening at Herdsman Lake. At one stage I complained insufficient people were taking an interest in the progress of events there. My feelings improved when I found some people who were concerned with what was happening had joined together and called themselves "Herdsman Habitat". They meet regularly one Monday night each month. Because I have other commitments it has not been possible for me to attend every meeting. The Tree Society also involved itself.

Some of the questions I have asked have been at the request of a person who was the Secretary of the Tree Society (Barbara Churchward). I am informed that quite recently, because she had been approaching me—quite obviously I was the only person in Parliament who had shown any interest—to ask questions to obtain information about what was happening at Herdsman Lake, pressure had been exerted from Liberal Party supporters to prevent her asking further questions. She was put in such a position she felt she had to resign from her post as secretary.

This is an example of political action. People are concerned about what has happened there, but this political pressure is applied to put a cork on the bottle of anyone who wants to express concern about what is taking place in the community.

I cannot understand those who say that if the lady came to me because she is concerned and interested in what is happening in Herdsman Lake, that makes her a Labor supporter. It does not make the whole objection Labor Party motivated.

It is a twisted attitude of the Government if that is the way it judges groups in the community. I would have no idea of which way Mrs Churchward votes. I have never spoken to her on

party political matters or for that matter to anyone else in the Habitat group. I have never questioned their politics.

I did see the president of the group in the company of one of the Liberal members, so am I to presume because he came to Parliament with a Liberal member, that he is a Liberal Party supporter? Is it guilt by association? That is the criterion which appears to be applied by the Minister. It seems to be a general tactic of the Government that if anyone, group or whatever, expresses any sort of concern about what is taking place in the community then it must be politically motivated because that person or group is objecting to something the Government is doing.

The Hon. G. E. Masters: You know that is not true.

The Hon. R. F. CLAUGHTON: It is a sorry state of affairs and I hope it is not the case. However, we have one case here which is known to me personally. The person concerned gives much of her time to research into the matter.

The Hon. J. C. Tozer: It would be helpful to know if Herdsman Lake is in your electorate. It does not matter, but it would be interesting to know.

The Hon. R. F. CLAUGHTON: If it does not matter then why ask the question? Does the honourable member want 100 per cent, 90 per cent, or 50 per cent of the lake to be in my electorate? Am I to take no notice of anything that happens outside my border?

The Hon. J. C. Tozer: I asked a very simple question.

The Hon. R. F. CLAUGHTON: To make it as correct as I can, up to 1968 when I was first elected the whole of Herdsman Lake was in my electorate. In fact, the whole boundary used to run along Grantham Street. Since then, almost 95 per cent of Herdsman Lake has been removed from my electorate. That does not mean that because it has gone outside my electorate I should drop the subject and no longer take any interest in it.

The Hon. R. Hetherington: It is a matter of great interest to us all.

The Hon. R. F. CLAUGHTON: Of course I would welcome it very much if members who represent the area were as concerned about it as I am myself.

The Hon. J. C. Tozer: I am sure they are.

The Hon. R. F. CLAUGHTON: They have not evidenced that concern by their actions in this Parliament. I know that Dr Dadour has attended at least one public meeting which

was held at Churchlands College of Advanced Education. I do not think that college is in his electorate. However, he went there despite that fact and showed some interest. I do not know whether we should question his motives.

The Hon. D. K. Dans: They would be very shady.

The Hon. G. E. Masters: You do not mean that.

The Hon. R. F. CLAUGHTON: I do not wish to speak any further on this matter because I have spoken about it at some length previously. I just wished to make public what has happened in relation to a Secretary of the Tree Society.

We want some sort of action when the motives of people are questioned. The Minister for Cultural Affairs is not a bad hand at that himself. One issue which came under his ambit as Minister for Cultural Affairs was the finding that affected the Western Australian Opera Company and its former conductor (Mr Alan Abbott). I asked the Minister a number of questions about what actually took place and perhaps I should just read these so that members are aware of the background. On the 30th October I asked the Minister the following question on notice—

In reference to the Review of Opera and Music Theatre report of the Western Australian Arts Council, will the Minister advise—

- (1) (a) Which recommendations of the report were accepted by the Opera Co.; and
- (b) which recommendations are still the subject of discussion?
- (2) Is it a fact that the Opera Co. is not able to renew the contract of the conductor, Mr Alan Abbott, as it has no funds for this purpose?

To which he replied—

- (1) (a) The recent Review of Opera and Music Theatre in Western Australia has been accepted by the WA Arts Council as the basis on which it will recommend funding of opera and music theatre in Western Australia.

The WA Opera Company has received a copy of the report, and several conclusions and recommendations contained in the report have been discussed in meetings between the board of the company and the council, and some further meetings on the future development of the WA Opera are schedule.

- (b) Those recommendations contained in the report on opera and music theatre still under discussion by the WA Arts Council relate to the recommending of policies regarding future music development and funding arrangements.

- (2) The Minister advises that this is not so, and that Mr Abbott's contract with the WA Opera Company was under discussion before the recent Arts Council report was released.

That is quite true of course, but it is not all the story. On the 7th November I asked the following question—

Further to my question 286 of the 30th October, 1979, regarding Mr Abbott's contract with the WA Opera Co., can the Minister confirm that the Opera Co. Board had agreed to renew Mr Abbott's contract and had written to his agent in June seeking to open negotiations for this purpose?

The Minister's answer was "No". I was asking the Minister whether he could confirm the matter and he said he could not confirm it, but he did not say why. He did not say that the information I was seeking was not correct; the Minister could not deny the truth of the information.

I would like to read copies of correspondence that would be of interest to members who are concerned about this issue. The first is dated the 18th June and I just say that the contract for Mr Abbott was to be reviewed about May so that a decision could be made with regard to a further term for him. It would then give him time to seek a position elsewhere if he were not appointed for a further term. The letter is from the Western Australian Opera Company Inc. to Ms Jennifer Eddy, the agent for Mr Abbott. The letter reads—

re: Alan Abbott

The Board of this Company has authorised me to open negotiations for a further contract for Alan's services in 1980.

It will therefore be appreciated if you will advise your thoughts in this regard and whether you have made any moves in relation to contracting Alan out in 1981 as suggested in my letter, dated 10th May, 1979.

My grapevine tells me that he is ultimately interested in finishing his career back at the B.B.C. and if this is the case the move will no doubt have to be made in the next year or so.

Alan is currently on leave in Singapore and intends taking the balance of his mid-contract leave with his annual leave at the end of this year.

The letter was signed by Vincent Warrener, the general manager of the Opera Company. This was on the 18th June when quite clearly the Opera Company decided that it wished to renew Mr Abbott's contract. In the meantime of course we had the report on the review of the WA Arts Council into opera and music theatre in this State. A letter dated the 7th August, 1979, from the Western Australian Opera Company Inc. to Mr Alan Abbott reads as follows—

I refer to the discussion at this office today between yourself, the Chairman and myself, in which you were informed that the Board of this Company had resolved not to offer you a contract for 1980.

You will appreciate that this decision was reached in the light of the findings and recommendations of the enquiry instituted by The W.A. Arts Council into Opera and Music Theatre in this State. It is understood that the report of the Working Party will be adopted by the W.A. Arts Council at a meeting to-morrow, but the Board wished you to be informed of the situation at the earliest possible moment.

I confirm that the Board will do everything possible to assist you in making the most advantageous alternative arrangements for your future.

The Minister has been less than honest, despite his remarks on an ABC morning talk-back programme about that time, when he expressed high regard for Mr Abbott and voiced concern that Mr Abbott may not be staying in Western Australia. If Mr P. V. Jones, as Minister, was not aware of what was taking place then he certainly deserves to be removed from the position he holds.

My information is that the Opera Company board was told that if Mr Abbott's contract were renewed funds would not be made available to enable it to pay him in the ensuing year. If that is the case—and I have no reason to doubt that my

information is accurate—we have the WA Arts Council apparently giving a direction and interfering in the artistic management of one of the performing arts companies. That is quite an untenable position. I do not think any of those on the council could pretend to be more expert or more knowledgeable about the needs of opera in this State than the board of the Opera Company itself, and certainly anyone who has seen the recent performance of *Madame Butterfly*, for example, will have been very impressed and delighted with what the company has produced in association with Mr Abbott.

At this stage no-one is making any move to have Mr Abbott reinstated, because that point has been passed. Great concern was expressed among his friends that what had been done to him in fact prejudiced his opportunity to gain employment elsewhere at a level which his abilities deserve. For us, the matter of greatest concern was the manner in which he was removed from the Opera Company. I hope the trend is not developing that we have influence and pressure brought to bear in a way which is not open to the public, with the Minister being quite reluctant to give information, or correct information, and a nasty taste being left all round from what has taken place.

In my view, the Minister for Cultural Affairs is a most incompetent Minister. I have asked a number of questions about his operations in the cultural field. One which received a good deal of publicity in recent weeks related to the Academy of Performing Arts at the Mt. Lawley College. Only the other day the Premier opened it with some fanfare. Again I asked the Minister for some information about the academy. If it were such a grand proposal, I would think he would be eager to give full information about what was taking place.

I was concerned about what was happening in regard to music education in this State. For a long time we have lacked a college of executant music studies. It had been proposed to establish one at WAIT, but when the Fraser Government cut funds, of course that was the end of that proposal. On the 18th September I asked a question as follows—

- (1) Is the Minister aware that the Canberra School of Music is established as a separate institution having earlier this year an enrolment of 457 students and a staff of 48—7 part time?

The reply to that part of the question was—

- (1) Yes, but I am not aware of the details of enrolments.

Part (3) of the question was—

- (3) Will he also press the Australian Government to assist by the granting of funds for this purpose?

The Minister replied—

- (3) When the academy moves into courses at the advanced education level Commonwealth funds will be sought in the normal way.

From that answer I would have thought the Government intended to place those facilities at Mt. Lawley. Any reasonable person would have gained that impression.

On the 28th November I asked the following question—

In reference to the proposed WA academy of performing arts—

- (1) How many places will be provided for students in—
 - (a) music;
 - (b) drama; and
 - (c) dancing?
- (2) (a) Is it proposed to introduce other theatre related courses; and
(b) if so, what are they?
- (3) In the appointment of a principal for the academy, will emphasis be placed on experience in the performing arts or on tertiary level administrative experience?

The Minister replied—

- (1) to (3) The development of the academy of performing arts will be in accordance with the recommendations of the WA Post-Secondary Education Commission report, a copy of which is provided for the member herewith.

The speed at which developments occur will be influenced by the availability of funds.

When we consider that the Premier, no less, has been out to Mt. Lawley to declare the academy open, we would think at least it would be known that next year there would be X number of students, for drama, music, and dancing. I would have thought that was basic information when the academy was being declared open, but it has not been given.

The 1978 report of the Western Australian Post-Secondary Education Commission entitled *Education for the Performing Arts—a Review of Post Secondary Needs in Western Australia* tells us nothing about it. In fact it does not tell us there is music at Mt. Lawley. It tells us there is music at Churchlands and one would gather

Churchlands was the favoured place. But could that be gathered from my questions of the 18th September and the 28th November? One would have thought a couple of months was sufficient to decide that question at least. The Premier was dragged away from his important functions to declare open the Academy of Performing Arts at Mt. Lawley. Things are rather serious in this State—members of the Government are running around like headless chooks—and one would have thought they would devote their time to something important. However, we cannot be given any information.

The Hon. R. Hetherington: It was announced yesterday that they were about to advertise for a principal.

The Hon. R. F. CLAUGHTON: On the 4th December we cannot be told it is projected there will be X number of places open for students in these categories. As Mr Hetherington has told us, yesterday it was announced that the department was about to advertise for a principal. When I asked my question on the 28th November the Minister could not tell us in which chief area of expertise the principal was to be sought—whether music, drama, dancing, or whatever. The Minister and the department had not made up their minds at that point, yet they are about to advertise for a principal. Very woolly thinking is involved and the report the Minister handed me will not help anyone to decide what are the Government's intentions.

I would like a good deal of thought to be given to this proposal. The Government said the Academy of Performing Arts was unique in Australia, and I suggest there is good reason that it is unique. It is probably unique in the world, with good reason. But with the current Minister, what else can we expect?

I could quote a number of other questions I have asked the Minister. I would hate to go through all the questions I had to ask to find out who was being employed at the Art Gallery. Why could not the Minister, in response to the first question, give a list of everyone employed there? It could not be done. I had to ask again and again to obtain a full list. It defies reason or sense to ascertain why that should happen.

Today I asked a question which I thought was fairly simple. The question was phoned through to the Minister's office about noon yesterday. Part (1) of the question was—

- (1) What is the enrolment at Scarborough High School for the 1979 school year?

What a difficult question to answer! Almost 24 hours later, just after 11.00 a.m. today, that

information was not available. Part (2) of the question was—

- (2) In what year was a general renovation and maintenance of the school buildings last undertaken?

I could not get the answer to that in that time. Part (3) of the question was—

- (3) Is a general renovation and maintenance of the school listed for the current financial year?

Surely the Government has a list of what it intends to do in the current financial year, and it is just a matter of looking down the list and saying, "Yes", or "No", but we could not get that information in 24 hours. Part (4) of the question was—

- (4) If so, when is it expected this work will commence?

An approximate answer—"January, February, or March"—would have been sufficient. I did not expect to be told to the day, and I do not know that I will get such an answer. But if the work has been approved, I would think it would be programmed and it would be known approximately when it would start. Part (5) of the question was—

- (5) Will the work be undertaken by private contract?

I could have answered myself, "It has not been decided yet" or "No, it will be done by the Public Works Department." I do not think that sort of answer would tax anyone in the Education Department very strenuously. What has happened to the department under this Minister? Why can we not get these answers?

The Hon. R. Hetherington: It is falling apart.

The Hon. R. F. CLAUGHTON: It has the worst reputation of all departments when it comes to obtaining answers. Part (6) of the question was—

- (6) What is the estimated cost of the work?

I understand it is about \$500 000. If I can obtain that information, why can the Minister not provide it to us? He has given a shocking performance.

The State Film Centre which was established by the Education Department used to distribute its stock to the schools on request through its courier system. It was a service to the schools. When the film centre was transferred to the State Library, the Education Department apparently found it an excuse to no longer provide the service. There was a question about who was to pay the cost of it. I would have thought it was a

service to schools. If the films were going to schools to be used in the educational programme of schools, it was quite clearly an educational responsibility.

What are the staff at a school expected to do? Are they supposed to hire somebody to run the film out to the school? I might say in some cases that is what the staff do when it is not too unreasonable; the teachers are dedicated and want to do the best for the kids. I certainly do not think it is reasonable for the Minister to expect that to happen. A courier service presently travels to each of the schools. All that is necessary is for a request to be made to the State Film Library for the films to be sent to the despatch office of the Education Department, and then they could be sent out to the schools just as correspondence is.

It does not seem to me to be a heavy financial burden for the Education Department, even less so when one considers this service was performed by it for a number of years. However, because the film stock has been moved across to the State Library, the Minister is denying financial responsibility for the service and saying it should be funded by the State Library. While he is doing that, he is denying this educational asset to schools. It is only when teachers go out of their way and make personal arrangements that they are able to use the film stock. That is a shocking indictment of the Minister, and it is a matter which I hope he will reconsider. If a departmental officer is being obdurate, surely the Minister is able to give some direction to ensure that the service is reinstituted.

Although a member has already spoken on this matter I, too, would like to put in a plug for the Royal Life Saving Society of Australia. I attended the annual general meeting of the society, and I heard of its problems which are mentioned in its annual report. I am sure a copy of the report has been sent to the Minister.

The society unquestionably carries out a tremendous job for the community, and it receives very little publicity to enable it to gain wider public support by way of donations. If members have had contact with schools and spoken to teaching staff about the swimming abilities of children these days, they would be a little disturbed, as I am. Since a change was made to the system relating to school swimming classes about two years ago, the ability of children to swim sufficiently well to save themselves has dropped dramatically.

I would suggest to the Minister for Education that this is one area into which he could inquire

usefully; because I think he, like myself, would be most disturbed at what has happened.

The Royal Life Saving Society of Australia is the recipient of a small grant from the Government. I think it receives a grant of \$10 000 in the present Budget, and it looks somewhat enviously at the Surf Life Saving Association which, because of its wider contact with the public and the degree of glamour which goes with it, is able to gather support by way of donations from private companies and local authorities, as well as from the State. Although the Surf Life Saving Association still has problems in obtaining funds to provide all its needs, it is much better off than the Royal Life Saving Society.

The Royal Life Saving Society made a request for an increase in its grant. It has provided members with a copy of a letter sent to Mr J. O'Dwyer of the State Treasury Department, dated the 13th September. On the second page of the letter, the society pointed out its needs, and I quote as follows—

The Society's present needs in this area are:

10 Resusci-Anne Mk 2 Manikins	
\$628.30;	\$6 283
10 Resusci-Baby Manikins	
\$238.96;	\$2 390
20 Head Section Models	
\$41.00;	\$ 820

These facilities would enable ten (10) of the Society's major country areas to be served by a basic teaching unit comprising: a Resusci-Anne Mk 2 Manikin, a Resusci-Baby Manikin, and a Head Section Model. The remainder of the Head Section Models would be made available for use by the Society's personnel in other country and metropolitan centres.

Your assistance in this area is sought to enable the many voluntary officers of the Society to continue to give effective practical instruction in all areas of the State—from Wyndham to Albany, and from Perth to Kalgoorlie.

I would support that approach of the society to the Treasury. The amount of money involved is not great. A further \$10 000 would provide the equipment nominated in the letter and enable the society to instruct a considerably increased number of people throughout the State in life preservation methods. An amount of \$10 000 spent on this would have a rippling effect by spreading out into the community, and it would return to the community value many times greater than the amount of money itself. If

anything warrants support from the Government, or even the good office of the Government to assist in making approaches to, perhaps, a sympathetic business organisation, this is it. I would hope the Government takes up that matter.

We know that amount has not been approved in the current Budget, but the matter is well worthy of a second look. The members of the society know as well as I do that matters can arise and, suddenly, out of this marvellous balanced Budget an amount of \$10 000, \$20 000, or \$30 000 can be produced from somewhere and made available to an organisation or a cause without affecting the scales. I do not knock that when worthy projects are assisted. I suggest the Royal Life Saving Society is well worthy of Government assistance.

The last matter to which I wish to refer on this occasion concerns the Avicultural Society of Western Australia. It relates to an item which appeared in the *Western Australian Avicultural Magazine*, 1979, at page 167. I quote as follows—

FULL CIRCLE

Re-printed from "AMERICAN CAGE-BIRD MAGAZINE"

'It's hard to believe but, in June (78) the Department of Fisheries & Wildlife in Perth, Australia, announced open season on Greater Sulphur-Crested Cockatoos! The notice which was reprinted in the December, 1978 Magazine of the Parrot Society, (U.K.) notes that the large flocks are a potential threat to agriculture. I wish they would export a few thousand of those threats to the United States.'

(Current price U.S. about \$1 000 each. Hey, Australia, need any money?)

I was rather incredulous about that. I asked a question and I found in fact that is what has happened; the birds have been declared vermin and there is an open season on them. The Minister gave a joking laugh across the Chamber, in which I joined because I simply could not believe it was so. However, the answer indicated that is what has happened.

The greater sulphur-crested cockatoo is not a Western Australian bird, but a pet that has been released and has increased in numbers. I sent the answer back to the Avicultural Society and asked it to advise me further on the matter. The society replied on the 6th October, as follows—

Firstly on behalf of our Society I would like to thank you for taking an interest in our native birdlife.

The Eastern States variety of the Sulphur Crested Cockatoo is a caged pet escapee

which has established itself in the Perth Metropolitan area and has become a source of concern to government departments and societies such as ours. This is mainly because of the threat it poses to our local White Tailed Black Cockatoo and agricultural crops.

The open season which has been declared by the Agriculture Protection Board on this beautiful bird allows for it to be destroyed or captured by means approved by the APB.

Our Society believes that there is too much emphasis on destroying the bird and not enough on capturing it and possibly offering it to qualified aviculturists, this surely must be a more humane alternative than the outright destruction of this magnificent Cockatoo.

That is a matter about which we should be concerned because it does not seem reasonable that the birds should be allowed to be shot. Literally tens of thousands of people elsewhere in the world are prepared to pay astronomical prices for these birds, and we have people smuggling them out of Australia. I would have thought the department concerned would say, "If you want to do something about this and you have a market overseas, we are declaring these birds vermin so we will give you a permit to export as many as you can catch in Western Australia." That to me would seem a reasonable way in which to approach the matter, not just to declare the birds vermin. I have heard Mr MacKinnon talk about kangaroos, and the change in the laws which has resulted in kangaroos not being able to be harvested.

Surely Mr MacKinnon could see the value in having procedures to allow the sulphur-crested cockatoo to be captured and exported as pets for the people who need them as friends, which would provide a financial return for the State.

The Hon. G. C. MacKinnon: If you went through the records, you would find I started recommending that in 1965, and I have been doing it with monotonous regularity ever since.

The Hon. R. F. CLAUGHTON: Dealing with sulphur-crested cockatoos?

The Hon. G. C. MacKinnon: With all our fauna—making it legal, because you could finance the State on it. It is being done in an inhuman way. I recommended that it be done in a licensed way.

The Hon. R. F. CLAUGHTON: There was one occasion when the Leader of the House replied that the bird had been declared vermin.

The Hon. G. C. MacKinnon: They argued you cannot do it because it makes it too easy for the smugglers to get all the stuff out. That is their argument.

The Hon. R. F. CLAUGHTON: I can understand those objections. However, if there are persons licensed to do it, and malpractice occurs, those people would not obtain licences.

The Hon. G. C. MacKinnon: I agree with you. I am saying that is their argument. As a matter of fact, there was one of your fellows in South Australia who was trying to do it; and a bit of skulduggery went on in South Australia.

The Hon. R. F. CLAUGHTON: We all know that the smuggling of birds is going on. We are not saying the surveillance on that should not continue. However, people should be licensed to capture this particular bird. I am not asking for a licence to catch all birds; but this bird is one in relation to which a licence system could be of benefit.

The Hon. G. C. MacKinnon: I insisted it be looked at, and it was looked at; but that is the major argument.

The Hon. R. F. CLAUGHTON: If the Leader of the House insists again, that would satisfy me on this occasion.

The Hon. G. C. MacKinnon: Okay.

THE HON. R. HETHERINGTON (East Metropolitan) [8.47 p.m.]: Mr President, you and members of the House will be happy to learn that, after teetering on the edge of this speech for some weeks, I have come in without some of my files, so I will have to speak, to a large part, from memory. Some of what I say may not be strictly accurate as far as figures are concerned; but I will do my best.

I have heard a lot of eulogies about the Government's having balanced its Budget. I raise the question I raised last year. Just briefly, I think it is worth noting because some of my colleagues in another place discovered what I discovered last year—that in fact there was a Suspense Account which obtains its funds from short-term investments by the Government. The result is that our balanced Budget, so-called, is a balanced Consolidated Revenue Fund; but it has been balanced this year and last year by funds being transferred from the Suspense Account to the Consolidated Revenue Fund. Last year there was \$33.4 million in the Suspense Account; and this year there was \$44.6 million.

Of that sum in the Suspense Account, the Government will use \$25 million on capital works. Part of it—and I have forgotten the exact

amount—the Government will use to balance the Budget. It seems to me that if we are talking about “balance”, either the money in the Suspense Account is revenue, in which case we had a surplus; or it is not revenue, in which case we had a deficit. This playing around with the Suspense Account is something that does not appeal to me in relation to the way our State finances are run. I think we should do something rather better than this.

When Mr Moore was making a very carefully thought-out speech, he suggested that we should look at the fact that employment in Western Australia had risen consistently. What he did not look at was the fact that last year this was not so. When he was speaking Mr Dans said that in some ways Western Australia had been a lucky State. He was taken to task by another speaker for this. The other speaker said it was all through the carefully planned work of the present Government. Of course, it was a bit of both.

When the Hawke Government was in office it had plans to export minerals, and it could not obtain export licences from the Federal Liberal Government at the time. The Hawke Government went out of office; and, lo and behold, the export licences became available. From then on the State rose in a time of prosperity and boom. I think we have to take cognisance of the fact that this period is now possibly over.

We cannot argue that we can just produce our way into perpetual prosperity. I have said this before. I said it in my maiden speech, and I will continue to say it. We are not planning. We cannot just say, “Let’s take our coats off and get stuck into it, and all will be well.” It depends on the markets.

One of the things the Opposition was arguing when we were debating the Industrial Arbitration Bill was that the iron ore companies did not want industrial trouble, and therefore they will not be very happy with that Bill when it is proclaimed. They are afraid of industrial trouble. They may, indeed, be prepared to pay fines to make sure they do not have industrial trouble which would interfere with their productivity and exports. This is something that is quite important.

One of the things we should take note of is that last year Western Australia’s percentage of unemployment was the highest in Australia; and for the first time in some years the civilian employment dropped. The fact is we maintained the employment figures because employment by the Government increased, but civilian employment dropped. Non-Government employment started to decline. I point this out to

Mr Moore. This might be a temporary aberration in Western Australia’s financial development. I hope that next year employment will rise again.

The fact remains, of course, that Western Australia has an export industry and minerals that are not shared with other States; and it is maintaining a high rate of unemployment. Its total employment rate is beginning to show a decline. This is something that should worry us. It suggests we are not doing as well as we might.

Another aspect about the Budget concerns me. I do not intend to spend too much time on the Budget, because it was brought down a long time ago, and it has been discussed *ad nauseam*. I just want to mention a couple of things.

One of the things that perturbed me was that in the 1978-79 year the Treasurer announced that there would be a special \$4 million allocation to a wide range of smaller projects for the stimulation of employment. I remember speaking last year and saying that this seemed to me to be too little for the unemployment we had. It still seems to me to be too little. In fact, \$2.3 million was left at the end of the year; so that not only was it too little, but little was spent. In other words, it seems to me that the Government did little or nothing positively to increase employment.

The Government went on hoping that the market would improve, and the boom would somehow continue. For its lack of expenditure on trying to encourage employment, the Government stands condemned.

What are we doing about it now? Well, we have a special youth employment training scheme that will cost \$359 000, and it will look after 250 people; that is, it will look after one-fiftieth, or 2 per cent, of the juniors who are registered for unemployment benefits. As there seem to be no funds from the Commonwealth for that project this time, it seems to me we will be doing very little as far as youth is concerned.

One of the other things that are worrying me is our skilled workers’ training scheme. I remember, when I came into this House nearly three years ago, I said that with the North-West Shelf that we hoped would come into operation eventually—and we are still hoping it is about to come into operation eventually; and I gather that we will be dealing with legislation which will continue the hope that it is about to come into operation eventually, because nothing very firm seems to have emerged yet—we should have confidence, and we should start this training.

We have announced a training scheme, and I do not want to comment on it until I have discussed it further with the people who have

criticised it. I do not want to go off half cocked, and I do not want to criticise it at this stage. However, it seems we may be doing too little too late. We might find that if the North-West Shelf project gets off the ground next year, we have not the skilled labour and we will have to start importing migrants while we have unskilled labourers of our own who are unemployed; and our own unemployment figures will still remain high.

I noticed today, because I read it for the first time today in *The Western Teacher*, that the President of the Teachers' Union said it is important that more Federal funds be made available for education projects. This is something I mentioned when I first came into this House. I argued then—and I still argue—that even if one allows that the Federal Government's policies for the rest of the economy are correct, in the realm of education, particularly in a time of great structural and technological changes, with the introduction of computers, we need to spend more money on education to prepare young people for a different society from the one we have now and into which they will enter when they leave school.

We have to retrain people, and particularly adult people who are unskilled and who are losing jobs because unskilled jobs are vanishing as a result of the application of computers, microprocessors, sensors, and the rest, in production. Even if we become prosperous again, even if there is an upturn in the economy, we will still find that the education system is not producing the kind of people we need in our economy. We will find that we are geared, and we have been geared for many years, to an economy where there is a large degree of labour-intensive industry; and labour-intensive industry is rapidly vanishing in this society.

We have to change our education system in order to cope with that situation. We have to grapple with it; and we have to treat it seriously.

I have travelled interstate already to talk to Labor Ministers and shadow Ministers for Education about this matter and I am pressing the shadow Minister in the Federal sphere who I hope, after the next election, will be the Federal Minister for Education, to commit himself to a greater expenditure on education in certain areas. In due course I hope, when his policy is announced, we will find there is at least some modest increase in expenditure in the area of education.

The Hon. G. C. MacKinnon: Do you think after the Whitlam experience they would be silly enough to follow that line again?

The Hon. R. HETHERINGTON: I do not think they will follow that line again. What I am proposing is that we follow a line of increased expenditure in some areas where expenditure is needed. I might add that at present I am rather perturbed by the expenditure on education in this State.

Whenever I hear the Premier speaking, as I did yesterday, he talks about getting value for the educational dollar and I could not agree more with him. He talked about this yesterday when opening the Academy of Performing Arts. Mr Cloughton could obtain no firm replies to his questions in regard to this institution and a director is about to be appointed there. I do not know what sort of director he will be.

Some people who attended the opening said to me, "Does this mean we are about to get a conservatorium on the cheap?" I do not know what it means. No doubt in due course the Government will let us know and we will know what is happening.

I am a little perturbed that, in this State, we are going in for a wild spree of empire building and we may be in the process of destroying established bodies and building up new bodies and new empires.

Wherever I go I meet people who are perturbed about what is about to happen to them. One of the things that happened when we were building up colleges of advanced education or teachers' training colleges was that a number of brand new colleges were developed. I know some of these were built under a Labor Government; but this policy was continued under the present Government. Instead of being transferred gradually to a new site so its ethos and expertise could be continued, the Graylands Teachers College suddenly found itself closed down. I am very concerned at present about this threat, because it is a very real threat. At the present time we are waiting for a report from the committee of WAPSEC which is inquiring into the whole question of education in the fine arts. I have put a question on notice about this and I do not know what sort of answer I will get. However, there is a threat that the Claremont Technical College is about to be destroyed.

I know something about this institution. I have been out to have a look at it and I have talked to some of the staff who are wondering what their future holds and what will happen to them.

I am afraid that someone from WAPSEC will recommend we have a bright new fine arts complex attached to one of the bright new colleges. It will all be planned and will look lovely;

but we will lose the tradition and ethos which has been built up at Claremont.

When I went to the college at Claremont I was shocked at the state of the buildings. It is a cruddy old ex-primary school and when I pointed this out to the principal he laughed and said, "Yes, it is; but we are happy with it." He said also the students were happy with it and I am aware that is the case, because I know some of them. They are happy with it because there is a good spirit. The staff co-operate and they are producing results at the Claremont Technical College which are not produced anywhere else. Their methods are different. They allow students to go their own way to a greater extent than is usual. They are allowing creativity to develop.

The traditions of this college have been built up over many years and I am afraid they will be destroyed. Claremont may in fact go the way of the East Sydney Technical College which was world famous. Its diplomas were better than many of the fine arts degrees issued by other colleges. However, a Government in New South Wales decided to destroy it and that fine institution was done away with.

I am hoping we will not destroy the Claremont Technical College. I say that for three reasons. The first is that it is helping to produce creative artists in the way that no other institution is. All colleges have different methods and I am not saying they are better or worse; but the methods used at this college are unique and its traditions and ethos have been built up over a number of years. It would be a loss to the artistic life of the State if the college were closed, in the same way that Star Swamp would be a loss to the ecological environment of Perth if it were destroyed. Neither the Claremont Technical College nor Star Swamp is in my electorate, but both of them affect me, particularly the college because it takes students from all over the city.

The second matter is a local one, because approximately 1 500 part-time students, including pensioners, attend the college. These students live in the area and they would not travel further afield if another college replaced the Claremont Technical College. The third matter is that this college produces a community feeling and is a community centre. This school helps to bind the community together and it would be a loss to the community life of Claremont and surrounding suburbs if it vanished.

I do not know what the committee will report and I do not know whether the Government will accept all its recommendations. I do know that I would be loath to see the Claremont Technical

College disappear, because it is obviously a place that is producing something worth while in this State. It needs a little renovating, but it exists, it is providing a service, and I would not like it to be replaced by a brand new building attached to Perth Technical College, Leederville Technical College, Bentley Technical College, or to be sitting by itself somewhere near the Cultural Centre.

I would not mind another fine arts centre being developed, but we do not need to destroy one to do the other. It seems to me that perhaps there is too much of a tendency to centralise and get rid of diversity. People are concerned and perturbed about what has happened. Certainly the staff at Claremont Technical College are perturbed and concerned about their future and they would not like the subject of fine arts to be scattered through the various technical colleges, because it would lose its cohesiveness and there would be a loss to the cultural life of Western Australia.

I would say when we think about obtaining value from the educational dollar, we have to realise, as the Premier has said many times, that buildings are not how we judge an institution. We judge an institution by its ethos and what it produces.

It seems to me when I see the glossy, new buildings being constructed in Perth that the Government is not accepting its own philosophy, or some of the Ministers are not accepting the philosophy of the Premier and they regard buildings as a sign of success.

I also asked a question recently about the Birt committee and whether the Government had informed Senator Carrick about it. I asked also when we would hear about the matter. When I received the answer I was told that the Williams report concerned youth training and education and had nothing to do with Murdoch University. Of course it does, because the Birt Committee was established after the Williams report was published and it was suggested that Murdoch University and the University of Western Australia be amalgamated in some way. The Birt committee was established to examine the position of Murdoch University.

I thought the Birt committee would have reported by now. It has been suggested to me that it has not reported, because there is not unanimity among the committee members. Certainly for some time the people at Murdoch University have been perturbed about their future and they were anxious the report be brought down before people start to enrol for next year, because they were afraid that the doubts about the future of

Murdoch University might be reflected in enrolments. Therefore, the lack of a report may produce the very situation that the report might say will happen; in other words, we have a self-fulfilling prophesy that Murdoch University will decline, because the Government's actions are such that it is making sure the university will decline.

I was present at Murdoch University when the Premier made a very strong statement about its maintenance and I, on behalf of the Opposition, made an equally strong statement about maintaining Murdoch University. It was one occasion on which Sir Charles Court and I issued statements which were in complete agreement.

My views on the matter have not changed and I hope those of the Premier have not changed, either; but I am wondering what will happen and it would be a good idea if something happened soon. I am most anxious that we see the results of the Birt committee report and are made aware of what the Government intends to do about it.

What worries me is a rumour which is going around and, if a report is held up, there are always rumours. I hope the Leader of the House does not chide me, as he has done in the past, for spreading rumours further. By the time they reach me they are pretty right and I do not believe in rumour-mongering for the sake of it.

The Hon. G. C. MacKinnon: Why did you accuse me of doing something naughty to you? I would not do that.

The Hon. R. HETHERINGTON: It has happened on occasions.

The Hon. G. C. MacKinnon: When you make such accusations, you should substantiate them. I do not think I did that.

The Hon. R. HETHERINGTON: There is a rumour that an intention exists to set up an institute of external studies under the aegis of WAPSEC. This means that much of the work done by Murdoch University which now looks after external studies, would be transferred to the new institute, as a result of which Murdoch University would be less likely to survive.

The Government is about to set up two colleges, one in Karratha and one in Hedland. I applaud the Government's original intention and I applaud what it is doing, but not the way it is doing it. As a grandiose gesture, the Government is setting up two colleges which are completely independent, under the aegis of WAPSEC. Therefore, immediately they have to pay a large salary for a principal and they have to provide their own resources. This will cost a large amount of money.

The sensible way to do it would be to set up semi-autonomous colleges under the technical division which would have central resources and help would be provided until such time as the colleges grew fast enough to assume full autonomy. I do not believe we should establish colleges out in the wilderness and throw money into them. This does not seem to me to be the best way to cope to get full value from the educational dollar.

The Hon. J. C. Tozer: I am very glad you are not making the decisions in this case.

The Hon. R. HETHERINGTON: Do not rely on that; I will have something to say to the honourable member later.

I suggested to the Minister that the Anson Street site in Albany, next door to the technical college, should be retained and reserved for use by the technical college so that in due course it might develop into a community college. However, I have heard there is no intention of doing that. Yet, that would seem a sane and sensible plan; it could develop.

I do not want to be misrepresented; I am not suggesting that one should treat the colleges at Hedland and Karratha in the same way. Their needs are different and more urgent, and more embracing and more encompassing. Therefore a different kind of college from the technical college at Albany needs to be established. I would hate Mr Tozer to think what I had proposed was that we should establish small technical colleges at Hedland and Karratha without the varied facilities that are needed particularly in the north-west, and then spread it around. It is not my proposal. My proposal would have been that we should establish colleges which we could make fully autonomous as soon as possible, and give them the best possible facilities as quickly as possible. I do not believe each one is just another technical college. As a matter of fact, when the colleges were first proposed—without naming precisely the nature of their funding and how they were to be treated—the question was quite often put to me, "Why is it you are always knocking the Government?" One reason is that when I rang a newspaper and asked whether it was news that the Labor spokesman on education agreed with the Minister for Education, I was told it was not news. So, it was not reported.

I was prepared to issue a statement supporting the basic proposals put up by the Minister. I am not sure I am happy about the way the Minister is going about it, but certainly his basic intention is one with which I agree. So, I want to make that quite clear. At the same time, it is a pity there is

not a bit more forward planning for Albany so that in due course the technical college might grow as the community grows, and that the site might spread so that it will be, in fact, a community college.

It seems to me we are having an attack of "WAPSEC-itis". WAPSEC is trying to establish all sorts of rather grandiose projects all over the place and, perhaps, that is not in the best interests of the community. In my view it is causing a great loss of morale in many institutions which, in fact, may be affected.

Talking about the loss of morale and people's worries, one of the matters about which I receive letters in my province—more than any other problem since I have been in Parliament, which is not very long—is the problem of people with child-care certificates—the triple "C" certificate. They are employed in pre-school centres, pre-primary centres, and day-care centres. Particularly, they are employed in pre-school and pre-primary centres.

I asked the Minister a question on this subject and his reply is worth quoting. I asked the Minister some questions regarding the child-care certificate course, and the future of the child-care certificate workers employed in the pre-school and pre-primary situation.

The Minister's reply was as follows—

(1) to (9) The Minister for Education has again indicated—

I am not sure when he indicated previously. To continue—

—that there has been considerable misunderstanding and, at times, quite mischievous assertions relative to the future of the child-care certificate course and the employment of various categories of aides within pre-school and pre-primary centres.

In view of the detail being sought by the member, the Minister will write to him outlining the information which he is seeking.

That was on the 20th November, and I have not yet received the letter. No doubt it will turn up in due course and I am looking forward to receiving it.

The Hon. R. F. CLAUGHTON: I would not rely on that too strongly. You will need to send another letter to remind the Minister.

The Hon. R. HETHERINGTON: I was intrigued with the answer to my question that the Minister has again indicated that there has been considerable misunderstanding and, at times,

quite mischievous assertions relevant to the future of the child-care certificate course. If that had been the case I thought the Minister might have had a reply ready because I was asking a question which would have allowed him to explain just what was going on. All that I have been told is that child-care workers employed in the pre-school and pre-primary situation, where there are groups of 36 children, will be paid the child-care certificate rates which are higher than the rates for untrained aides. I am referring to a child-care worker employed with a trained teacher as an aide. Now there is a new policy that where a child-care worker with a certificate is presently employed in groups of 25 she will continue to receive the current rate, as she moves through the salary scale, but she will not receive any further adjustments.

A new child-care worker will begin at the level of a second-year teacher aide special and move through that scale with an additional 15c per hour in her fifth year of experience, thus being placed on a scale of \$4.33 per hour to \$5.01 per hour as against the existing scale of \$4.93 to \$6.47.

I would have thought it would be easy to tell me the details of a proposal, or that there was not a proposal, or that the proposal was under consideration and that no decision had been made as yet. This is something I have heard about for a long time and many letters have been written to me. I am sure that other members have received letters also. I know that many of my colleagues have received letters and I mention Mr Claughton, Miss Lyla Elliott, and Mr McKenzie. We have received letters from people who are shocked and outraged that child-care workers are to be demoted, and who believe those workers should be paid according to their qualifications. It would be a good idea to encourage other people to get child-care certificates and to update the aides who at present help teachers.

I am not really suggesting anything; I might put a suggestion before the Minister for consideration and I do not think anybody has seriously suggested that only child-care certificated aides be employed. But, all other things being equal, preference should be given to child-care certificated aides, and they should be paid for their extra qualifications.

The argument has been presented to me that because of their training they can assist teachers in many ways. In fact, they would be very useful in a pre-primary class in helping to assist children, especially children with special difficulties.

This is something we should be doing. Bearing in mind what I said earlier, we should aim to provide better education for a high technological society—better education than was available in the past and different in kind. We need to detect the faults and the problems that children have; and the problems range from special difficulties in reading and writing, or socialising, to the other extent of what are known as “gifted children”. They need to be recognised and diagnosed, and given special treatment, too, but not in special schools where they will be treated as the elite. Certainly, many of them are left for dead in the education system because sometimes they do work which their teachers cannot do. That is not anything about which one should worry. Some teachers may feel they are threatened, but it has to be accepted.

I have had the experience at the university where it did not matter of having students who provided a much more capable argument than I was able to put forward. I remember one person in particular who could always defeat me in an argument. At one stage he threw an argument at me which confounded me, then produced an argument to confound his own argument. He left me flat-footed and I was pleased about that. He had plenty to keep him occupied, but in those circumstances some teachers feel threatened. We must provide support and in-service training for our teachers. Perhaps too many of our teachers lack the ability to diagnose children's problems early, and we should try to solve their problems. At present that is not being done adequately in the department.

It has been said by an officer of the Special Branch of the Education Department that his officers have never failed to meet a problem which has been presented to them. I accept that; I am not necessarily criticising them. But apparently they do not meet the needs of some of the problem children who have gone through the system to the high school without learning to write. Yet, there are techniques by which children who cannot read or write are now enabled to learn to do so.

If children's problems are diagnosed early, something can be done about them. This should be a matter of high priority and I hope something further will be done by the Education Department.

I would like the child-care certificated aides to be reconsidered by the department. If it is, in fact, intended to demote them, degrade them, or reduce their salaries, because they are now teaching or helping with smaller classes. I would be interested to know whether anything has

happened during the last two to five months, since I made my last inquiries regarding teachers in community pre-school centres. They do not know who employs them; they still have no award; they are employed by the Minister, and yet not by the department; when they are hired they are hired by people in the department, yet they do not come under the Education Department. They do not come under the Education Act, and they do not come under any education awards. They do not know from year to year whether they will be hired or fired and they spend this time of the year anxiously awaiting a letter to tell them they have a job next year, or they are no longer wanted, and have nowhere to go.

One of the earliest Bills I spoke to in this place was the Bill to abolish the Pre-School Board. I said then that the Minister was being premature in his action and that he did not know what he was doing. I said the abolition of the Pre-School Board should be postponed until the situation was sorted out. Of course, the action was premature; the Minister did not know what he was doing. The situation has not been sorted out and it does not matter what questions are asked, one is always handed an off-putting statement.

No doubt in due course, by a war of attrition, all the pre-school teachers will persuade their parent committees to bring the pre-schools under the aegis of the Education Department and become pre-primary schools. It seems a pity that the people who wanted to run kindergartens—now known as pre-schools—could not do so. It is a shame some way could not be found to have a dual system or to integrate one system into the other. I wonder when we will hear from the Minister for Education that the problem of the pre-school teachers has been solved, that they have an award, some conditions laid down, permanency of tenure, and all the things many of them assure me they do not have at the present time.

I will now advert back to the child-care course. WAPSEC established a committee of inquiry into the community service training college and the child-care certificate course. The committee suggested that the community service training college be left alone because nothing seemed to be done with it, but that the child-care certificate course should be continued. The financial responsibility for the course and staff should be placed with the Technical Education Division, and the Perth Technical College should be entrusted with the administration of the course.

So it was decided in the Perth Technical College to divide the department that looked after child-care problems as well as social studies and

to create two departments—one of English, languages, and social studies, and one of community-care studies. An advertisement was placed in the Press for a head of each department. The person who had been the head of the whole department before it was split was appointed head of the first department and acting head of the second department. And there it remains! The staff at 1186 Hay Street who run the course still do not know whether the course will continue, whether they will be subsumed into the Perth Technical College, who will run the building, whether the Pre-school Education Division will stay in the building, who owns the library—because it is under endowment—or what their position or status is.

Also, child-care courses were to be established in country towns. It was proposed that part-time, two-year courses be set up in two country towns next year. Geraldton was one town involved, and I do not remember the other town—I think it was Karratha or Meekatharra. The idea was to provide a course in a country town, and to train people who would service that particular town. Then other towns would be chosen. We are still waiting to find out whether the courses will be commenced next year in Geraldton and the other country town involved.

It is now the 4th December—nearly Christmas—and although we have heard a great deal about forward planning in the department and that staffing would be determined earlier with the new holiday arrangements, apparently the Education Department has not got round to re-organising the technical division. It is high time something was done about this matter because again it is a source of great concern. The staff are very worried about their future.

Members will realise that many people in the education field are worried about their future; the staff of pre-school centres, the staff at the Claremont Teachers College, and the staff in the child-care course at 1186 Hay Street who do not know whether the Government intends to continue the course as it said it would. No doubt all these matters are left suspended in the mind of the Minister for Education who went overseas recently and who has come back full of ideas for rural education. He will spend 40 per cent of the State's education budget on rural education—I am not sure what percentage was spent previously on this sector—and the gifted child. There is more involved in the Education Department than this.

As I have mentioned rural education, I would like to refer to the recent rural education conference held in Perth under the auspices of the OECD through its Council of Educational

Research and Innovation. I must pay a tribute to the organisers of this conference. It was run by the Education Department here, and although I was able to attend only two days of the conference, I heard reports of the other discussions, and the conference was excellent. The proposals submitted were well worth considering. As a matter of fact, I wonder whether we may gain enough from this conference actually to get a bilateral approach to rural education from the two major parties in the State. Indeed, the Liberal Party may be prepared to embrace the policies we have had in our platform since 1976, policies which are markedly similar to some of the proposals put forward at the conference.

It was certainly a good conference. I am glad that the OECD chose Western Australia, and I am certainly glad that the Education Department responded to the request to hold it here. I am sure we have all learnt a great deal from it.

I would like to refer to some other problems that have been brought to my attention, although some of them are not in my electorate. One matter was brought to my attention by Mr Barry Hodge, the member for Melville in another place. It is an example of the kind of thing that will happen more and more in the metropolitan area, and therefore, the individual instance concerned raises quite an important principle.

The numbers at the Carawatha School are beginning to decrease. When the numbers were higher, the school had a teacher-librarian, and a very active parents and citizens' association had built up what I am told is a magnificent resource centre. However, in order to be used properly, this resource centre needs a librarian or a library aide. In fact, it will have neither next year because the number of children attending the school does not warrant it.

It seems to me that we must consider this problem, and we cannot go entirely on numbers. Perhaps where a primary school has built up a very good resource centre, it should continue to have a teacher-librarian, a library aide, or a librarian, to service it adequately for the benefit of the children. I wonder whether such a resource centre could be used for other nearby schools. Certainly such a resource centre should not go to waste, and we must bear in mind that such a centre is built up by the dedicated devotion of the parents of the children. Naturally the parents concerned are most upset. I understand the department's attitude—it must have some sort of criterion. However, a criterion does not always look so bad when numbers are going up, but when they are coming down, it can be disastrous. Perhaps the Minister might reconsider the case of

this school to ascertain whether a new policy could be evolved to make adequate use of such a resource.

Because of our odd system—of which the Government does not entirely approve—of the Opposition having designated spokesmen for certain portfolios, I get some of the backwash of people who are frustrated in regard to our education system.

Recently I visited the Craigie High School—quite properly, I might add, because I went there in the company of the member for the province (the Hon. Roy Cloughton). We learnt some interesting things there. One of the sad effects of the cut-back in funds for capital works is that Craigie will not get the science block and other basic facilities that it needs. I am not necessarily condemning the Education Department for this—probably I am more likely to condemn the Federal Government—although, as I mentioned earlier, I wonder whether some of the money being spent on the more grandiose schemes might not be spent on some of these schools. However, I am not in a position to say because I do not have the facts at my fingertips.

A point was raised there by a person who felt quite bitter about the lack of basic facilities at Craigie—and I point out that this was not the principal who showed us around the school—and this person asked, “Why should Craigie lack the basics when Applecross, which has had everything for a long time, is now getting a performing arts centre?” In other words, while Applecross is having the lily gilded, Craigie, and five or six other schools, are missing out on basic science facilities.

I do not wish to beat the Minister over the head with this question, but it is something he might well explain. No doubt he has an explanation, and he is entitled to give it to bring out the problem more clearly.

I was pleased to receive a reply from the Minister today, and it is nice to state that I am pleased with the reply, that Craigie, which has an estimated enrolment of 1135 students and Greenwood High School, with an estimated enrolment of 1201 students next year, will both get registrars. Unfortunately Hedland with an estimated enrolment of 795 students, and Forrestfield and Gosnells each with an estimated enrolment of 905 students, still will not have registrars. This seems to be a pity because quite often a registrar can do a job that would otherwise be done by a teacher. It is a sort of false economy not to appoint a registrar once the school is big enough.

(177)

The Hon. R. F. Cloughton: This has occurred because of the ceiling on staff.

The Hon. R. HETHERINGTON: That is right; it has occurred because of the notion that a ceiling should be put on the Public Service. The innovation of registrars from the Public Service was a good one, but the system is now being denied to people because of the artificial ceiling. The Government is saving money on the one hand and wasting it on the other. Registrars who are qualified to do the job are not doing it while the job is being done by qualified teachers.

I hope nobody says I should not talk about this next matter; it certainly does not concern a school in my electorate; it is in Carnarvon. I have no doubt Mr Moore shares my concern that the Carnarvon Senior High School is to be removed from the disadvantaged schools programme. I do not believe everything I read in the newspaper. All I do know is that the *Northern Times* quotes the regional superintendent as saying that the Carnarvon Senior High School has had its share of the cake by being on the disadvantaged schools programme for a number of years already.

Earlier this year when I was at Carnarvon people at that school were very worried that this was in fact what was going to happen to them. They explained some of the great problems experienced at the school. Problems were experienced because of the large number of migrant workers in the area whose children had special difficulties in the English language; the large Aboriginal population, which had special social as well as language difficulties; and the large transient caravan population which produced other special difficulties. Unfortunately, I do not have the file with me tonight.

The Hon. N. F. Moore: You need not worry too much; I will look after them.

The Hon. R. HETHERINGTON: I am quite sure the honourable member is doing his best; however, he does not seem to have convinced the Government so far. I do know many problems at Carnarvon are causing numerous people a great deal of worry.

This illustrates one of the things which can happen when insufficient finance is available. Although good things are being done, much more could be done. I am not convinced that we are spending our educational dollars wisely, as the Premier claims we are; and I am convinced we need more Federal finance. The few schools I have mentioned illustrate the point.

I am also very worried about the whole problem of child-care courses in my electorate, and the problem of 1186 Hay Street. We have to call it

1186 Hay Street because it does not have a name. It operates from the old Kindergarten Board building, but nobody is quite sure who owns it. I suppose the Minister will make up his mind in due course.

My colleague, the Hon. Roy Cloughton, talked about roads; that is a problem which is always before us in the metropolitan area, particularly as the metropolitan region planning scheme develops and as people find that lines drawn on maps a long time ago when there was a certain amount of development in the metropolitan area now look quite different since there has been vastly increased development, and the lines on the maps are roads and freeways which are programmed to run through residential areas or are about to cut through wetlands in the Canning River area.

My electorate is one of those which are being pierced by roads in all directions. People find that what was once a quiet residential area now has a tremendous flow of traffic, which will become greater and greater until the residents suddenly find themselves confronted with a six-lane highway. This raises tremendous problems. It brings out the fact we must continuously rethink what we are doing, and decide whether what was proposed and looked good in the past still is the kind of thing we should be doing.

A great deal of publicity recently surrounded the member for South-East Metropolitan Province (the Hon. Clive Griffiths). He was pictured in a boat on the Canning wetlands. He was supposed to be saving the wetlands from the proposed Spencer Road-Chapman Road link-up. I hope he has been successful. I hope it is not something which will be stopped only until the election is over. This road would not particularly affect Mr Griffiths; however, it would affect the electorate of Clontarf. We are losing far too much of our wetlands and our original environment already for us to consider losing any more. There should be another and a better way.

At the same time, people in Orrong Road are perturbed at the proposal that in due course, when the Burswood Island bridge is built—some people argue it should not be built—their road will be turned into a six-lane highway. This will necessitate the removal of some 150 houses and will turn a relatively busy street into an even busier street in which people will not want to live.

Some pressure has been brought to bear on the authorities. As a matter of fact, the members for the district—all five of us—recently were criticised by an up and coming young politician, John McMullan, of the Carlisle Ratepayers' Association. He said we should stop the proposed

development and that if one member could do it on the Canning, five members should be able to do it on Orrong Road.

Two things are involved here. None of the five members is convinced the Orrong Road project should not go ahead. However, we are all convinced—in fact, we have seen one of the leaders of the Labor Party and it is a firm commitment—we should obtain an independent consultant to establish whether there is in fact a better way to do it.

The Hon. N. F. Moore: If you decide you do not want any more roads I will have them in my area!

The Hon. R. HETHERINGTON: I well understand that. I also understand that one of the problems in Mr Moore's electorate—the problem of education—involves communication, and that he has great problems with roads and transport. I am quite sure that if we could lift any roads out of the metropolitan area, he would take them with joy!

Some people feel they have a surfeit of roads, and protest against burgeoning increases in roads and traffic. Paradoxically, other areas of the State are in urgent need of more roads.

The Hon. F. E. McKenzie: Particularly when the Government is taking away the railways.

The Hon. R. HETHERINGTON: Ratepayers in Wilson—where I live—are concerned that Manning Road has been linked with the freeway. This link-up allows me to get to Parliament House faster than I could before. However, I cut through residential areas to do so, as do many other people. So, quiet residential streets have become throughways and these people quite justifiably want something done about the situation.

What I am saying is that we must continually examine these problems. The problem at Wilson is very typical of the problems being experienced throughout the metropolitan area, where people went to live many years ago only to find today they are on freeways and trafficways. I certainly hope the Perth-Armadale rail link is not removed, otherwise the traffic problem will become worse still.

I was very interested in what Mr Masters had to say when speaking on the Budget papers; he referred to his desire for a community college to be established at Lesmurdie. I have been a bit acid about the Education Department at various times this evening, so I should like now to add one of the pluses. Last July, on a very wet Friday, I was invited to look at the Belmont High School, which was leaking. My colleague, the Hon. Fred

McKenzie, who went with me, telephoned the SEC, which sent an inspector who immediately cut off the power because the building was leaking so badly it was dangerous. I telephoned the secretary of the Minister for Education, who had a roof put on the building on the weekend; that was good.

A concerned group of staff, members of the parents and citizens' association, members of the Belmont Shire, and the local politicians formed a committee to try to plan a new school and to persuade the Minister to agree to provide a new school. The committee presented a very careful submission. This was one of the times the Leader of the House said some harsh words to me which were quite undeserved. We persuaded the Minister to look at the school, and he promised to build a new one. He wrote a letter which he and his officials thought was quite clear, but which in fact the people at the school did not think was clear. They were worried about whether they would really get their new school.

So, I placed a question on the notice paper. The Leader of the House read his letter to the House. I said I knew of it, and he said that I should be ashamed of myself. I was not ashamed of myself; I asked the question to make it perfectly clear that the Minister's letter meant what he said it meant and not what others thought it meant. So, we received a firm commitment to build the new school.

Gradually, through the work of this community group, of students, of several parents, with less work by the politicians, and some work by the Belmont Shire, a plan was drawn up and put before the committee. In due course, after much "to-ing and fro-ing", huffing and puffing, and meeting, a decision was made to accept the plan.

It was a co-operative, community effort in which the Education Department has involved itself with people concerned with the school.

I should add the school is very fortunate in having a shire clerk of the calibre of Mr George Swinton-Bray in Belmont, who has actively assisted with ideas in the formulation of the plan.

So, a new school is emerging in Belmont which is a joint project between the Education Department, the politicians in the area, and, most importantly, the staff and principal of the school, the parents, and the Belmont Shire.

I am hoping from this we will get a good school. Like Mr Masters, but in a different context, I am hoping it will develop as a community school. Perhaps this is one of the things I should have said when we were talking about local government the other day. Local

government has changed lately. We are getting a growth of responsibility by local government; it is moving into areas in which it has not moved before. It is no longer just something that provides roads and picks up garbage. It is providing all kinds of facilities. Certainly the two main local authorities I have in my electorate—the City of Belmont and the City of Canning—are doing some very good work indeed.

The interesting thing about the Belmont High School is that it is just across Abernethy Road from the City of Belmont and its facilities. With imaginative, forward, and sensible planning, we could build and develop a community centre which would serve the shire in many ways.

During the recess I visited England and looked at a couple of community colleges in Leicestershire and Nottinghamshire. I am told they are not the best; but nevertheless they were used from 8.30 in the morning to 11 o'clock at night, seven days a week. That is the sort of thing Mr Masters mentioned. This was a good use of the buildings. They were used by mums, dads, and children. They had both sporting and education facilities. They had reached a stage where the people even used the buildings for wedding receptions. They were complete community centres.

I do not want to compete with Mr Masters; but I think our need is greater than his. I sympathise with what he was saying. In the Belmont area we have many migrants, single-parent families, and others with problems. We could well use a community centre. When I returned from seeing the English community colleges I went to see the working group to tell them what could be done. When I looked at the plan, they had already done it. This was very pleasing. They had teachers with imagination who wanted to construct buildings which would get parents to move onto the school premises and become involved in many ways.

I think we could do quite an exciting and useful thing at the Belmont High School. I have been pleased with the co-operation from the department. I am pleased Mr Quinn, the director of planning, should come to the school himself to discuss the matter, as did Mr Peter Barrett. I have missed some meetings because Parliament has been sitting. I am not sure what has been happening; but negotiations are continuing and something is evolving which could be quite exciting.

I think that whichever Government is elected next, it might complete this idea in three years and take up this notion of the community concept. I offer it to anyone to take up; it is not something

I want to withhold and hug to myself. It is something that should be done in Belmont. There is the possibility of something being done with the rebuilding of the school. We could build a fine pilot project for the rest of the metropolitan area, instead of its being one of the horrors of the Education Department. The Belmont High School could become a very fine example of what we can do elsewhere. No doubt there would be mistakes; but we could learn from them.

It would be interesting to see what we could do in such disparate areas as Lesmurdie and Belmont, to see whether we could build community centres which could serve the purposes in both areas. Schools should be community centres. We should give more than lip service to this concept and we should be planning actively in this regard, particularly as we need to open up the possibilities for education, either through the further education section of the education division or by getting parents to come back to school.

We should open up the possibility of education to people who for various reasons have missed out. We have to be flexible in just how we do this. Many young people at school would be better to leave and undertake technical education. Many parents could well go into high schools. There are all kinds of ways we could do this. We could develop some of the quite good programmes the Education Department is running at present.

The need is urgent to build and develop our society and give people who have missed out the skills and capacity that will allow them to fit in to our changing social environment which will continue to change very rapidly. I cannot stress too strongly the need to do this.

I did omit to mention—and my colleague Mr McKenzie has asked questions on this—the problem with respect to Orrong Road. The volume of traffic is such that it is difficult for many people to cross this road. There is a shopping centre opposite Fransisco Street which is in trouble because of the difficulty people experience crossing the road. There is definitely a need for a crossover and I hope the Minister concerned will take note of Mr McKenzie's question and do something about this problem.

Referring back to the Belmont High School situation, it is more urgent than is probably realised that it be made ready to retrain people and so do something about the unemployed. Unemployment among youth is high in electorates such as mine and those of the North Metropolitan and North-East Metropolitan Provinces. We have areas where there is a high level of youth

unemployment, which is now about one-third of the total. It is a serious and urgent necessity for us to do something about it.

I know the Federal Government has announced it will do something and I know the State Government has announced it will do something. I really hope the schemes achieve something; but I think more needs to be done, because we have to give people skills, facilities, and training. We have to give all the people who have missed out a second chance. This is a matter of urgency.

I will mention now a subject which it is my duty to mention, because when I was away I found I became the Labor Party's spokesman on women's interests. Whatever anyone might say, women are often regarded as second-class citizens in our society. They are spoken of as if they are not important. I noticed for instance the other night that Mr Tozer—presumably without any malice at all, as is usually the case with most people—referred to someone he spoke to on the phone as "a little girl". A little girl is someone who is only so high, and I presume the person to whom he spoke was perhaps 20 years of age. We refer to them as diminutive.

It is the custom of many members to expect the "girls" in this establishment to refer to them more formally and for the members to refer to the "girls" by their Christian names. Surnames are used on only a few occasions. I must say that I once had a secretary who, should a member use her Christian name, was quite happy to use his. It worked well. Perhaps some people have the remedy in their own hands.

I have been one of the people who, for some time, have listened to arguments about the need for anti-discrimination legislation for women. I do not agree with people who say we cannot change attitudes by legislation, with people who say it would not do any good, or with people who say women are not discriminated against in any case. I will not waste the time of the House arguing that, as I believe it is self-evident that women are discriminated against. In most cases women are treated as inferior creatures; they are not treated as men are treated.

There is an attitude towards women that dies slowly. I know I am guilty of sexist attitudes myself. For many of us, this is because of the social system in which we were brought up in our particular part of the community.

I was privileged to be one of the few males present at the women's UN Decade of Women Conference. The women discussed a number of their problems. It was a good conference because it had a large number of women from a variety of

groups, from the CWA to the more radical groups. I am sure the members of the CWA would not be upset if I used them as an example and contrasted them to the more radical groups. It was not a raucous meeting. It was a quiet meeting where women came to terms with their problems. It was obvious they had progressed and were ready to take the next step in the battle for equality and for some positive discrimination in their favour in order to overcome some of their problems.

Many good things have happened and this Government has done some of those good things in helping to finance women's refuges and to establish a women's health centre where women can go and not meet the approaches of male doctors. It would be a good idea if we could increase the number of these centres. People do argue that we should not introduce anti-discrimination legislation. At the conference, Miss Ann Deveson provided arguments for bringing in anti-discrimination legislation which I found quite convincing. As a matter of fact, she was using the kinds of arguments I used about the United Nations Declaration of Human Rights quite some years ago, when it was new. People used to ask what was the point of having such a declaration signed by a wide range of countries, including the Soviet Union, which were not going to do anything more than give lip service to these rights.

Of course, many of the rights we find in the declaration are not carried out in legislation in our country so is this not hypocritical? At least we have managed to compile a set of human rights to which all members of the United Nations are prepared to put their signatures. They were prepared to give lip service to it.

It is said that hypocrisy is the deference virtue pays to vice. At least one says one believes in those things, even though they may not be carried out in practice. They can be a generally accepted standard for which one could aim and by which one could judge other people and oneself.

If we as Australians read the United Nations declaration and say, "Well, we have signed this, we have ratified this; are we carrying it out?", and we are not, we may learn something from it. Also, we may do something about it. I believe they are things worth carrying out. It would go some of the way if we introduced an anti-discrimination Bill. Of course, it would not reverse attitudes overnight, but it would be something for which we could aim and by which we could judge other people's attitudes.

If we wish to overcome discrimination and have equality we must take steps to give some positive discrimination to women in order that they might be able to do things they otherwise could not. In this society women are often hampered with children and also they have special problems which men do not have.

One of the things we must not do is say that this is the duty of parents. I remember, years ago people adopted that attitude in respect of sex education in schools. They said it was the duty of parents to give their children sex education and they were opposed to the concept of sex education in schools. Even if it were the duty of the parents, the fact still remains that some parents were not capable of doing that or were not doing it, and if children were to obtain sex education it had to be provided in schools.

I was on the school council at Hollywood High School when it was introduced there and it was carried out without fuss.

The Hon. O. N. B. Oliver: Where?

The Hon. R. HETHERINGTON: Hollywood High School, near Nedlands. I know sex education was clearly accepted by the parents.

Positive discrimination for women will have to be accepted by a whole range of people. This will come in time, but we will not help the situation by standing back and not passing anti-discrimination legislation. We should do this to show that these are the standards for which we are aiming.

The Hon. O. N. B. Oliver: At the Hollywood High School did you feel that you achieved an amount of success with the education?

The Hon. R. HETHERINGTON: It was generally voted successful.

The Hon. O. N. B. Oliver: How do you measure it?

The Hon. R. HETHERINGTON: It is a subjective thing; one has to judge by discussion to measure it. The teachers and the people there reported that as far as they were concerned it seemed to have been successful. The kids were happy with it, they gained something from it and they were being sensible about the whole thing.

The Hon. O. N. B. Oliver: Who were they?

The Hon. R. HETHERINGTON: I do not wish to be sidetracked on an illustration; I am more interested at present in this legislation. I will tell Mr Oliver afterwards about Hollywood High School because it is one of those problems which are difficult to judge objectively. I am more interested in talking about the problems of women in our society.

I do not know whether other members received some information from the Women's Electoral Lobby. It was a yellow sheet criticising a certain member of the judiciary because of his injudicious remarks in a rape trial. I am not criticising any individual judge; I am just pointing out that this is one of the difficulties of our legal system.

I have always objected to judges who moralise from the bench, particularly as some of their utterances are those of which I have not approved. I believe they are appointed to decide what the law is, although morality does come into it. Of course the point I wish to make is that we must maintain the independence of the judge and I would not join in any witch-hunt to get rid of a judge because he said things with which I did not agree. If we start getting rid of judges because they say things we do not like then that can be done for all sorts of reasons; political and others.

We hope the judiciary will respond to the change in attitudes, but one problem concerning a number of women in our society at present is that of rape. I do not wish to deal with the problem in any great detail, but it does seem to me that at the present time rape is a crime which has rather harsh penalties. There are difficulties in giving evidence, and the woman is quite often in a position where she finds herself more like the defendant than the complainant. A great number of problems are involved and I think the people who talk about women and rape should transfer their arguments to men and see how it sounds and perhaps say that man dressed in his expensive suit was perhaps an enticement to the mugger and that he should not walk around dressed like that. Also it could be said that a number of men are masochists and are just asking to be beaten and that anyone who is bashed up just asks for it.

If the matter is looked at in these terms, perhaps some of the remarks made about women sound less sensible. With men we realise that the way a person was dressed was not the excuse for a person who committed a crime.

People argue that we should change the laws for rape and that rape is really a form of sexual assault. It has been said that a person is likely to be found guilty of the lesser of the crimes if this is the case rather than the greater and therefore he will not receive adequate punishment.

I believe that deterrents do not lie so much in the element of punishment and that capital punishment is not the ultimate deterrent. Apprehension and the greater certainty of conviction is a more certain deterrent, and in my view greater certainty of conviction, even if for the lesser charge, is a better deterrent to rape and

the growing violence in our streets. This is reflected upon the women in our society. I do not mean only the provocative young women; I am speaking also of old women, housewives, and so on. As is so often the case, the woman may be even a relative of the rapist.

Our laws should also allow for the conviction of a rape on a male by a male. Perhaps we should have a unisex law of sexual assault. We should bring down this legislation to change the rape laws. I have been convinced by the arguments put forward and I think we should do something about the matter.

Many women are losing their jobs because of the lack of labour-intensive jobs and the lack of skilled work available. Many of them, because of economic circumstances, need to work and many want to work because they find fulfilment in working. Of course, women have as much right to find fulfilment in working as men have and I cannot see where we can separate one from the other.

We must provide education for the many women in our society who have been left behind. Some of them are prisoners of the suburbs. We must provide education for them at places such as the Belmont High School and other high schools where they can be persuaded to be educated or re-educated to develop skills which will enable them actively to fill their time or to obtain useful jobs.

If we are thinking about women and attempting to get rid of any inequalities then as far as women and other people are concerned education is one of the cures. I support the motion.

THE HON. G. C. MACKINNON (South-West—Leader of the House) [10.28 p.m.]: I thank members for their interest in the debate and I have no doubt that it has been very gratifying to notice the overall improvement in the standard of debate. The procedure for dealing with the Budget was first introduced in this Chamber in 1976.

The motion has obviously proved to be a worthwhile innovation greatly enhanced by the apparent research which has gone into members' speeches.

The object of this debate is naturally centred on the consideration of the Budget papers and is designed to overcome the problems experienced in past years when the appropriation Bill arrived in this House in the closing hours of the session leaving little time to members to give appropriate consideration to such an important measure.

Many members have followed the usual trend by dealing with a wide range of aspects of general interest or of particular concern to their

electorates. It has been interesting to note also that members have centred their comments on the fundamental issue of the motion which is the Budget.

The Leader of the Opposition (Mr Des Dans) expressed the Opposition's view of the Budget calling it a conservative one which does nothing to grapple with the problems that beset western society.

The Hon. D. K. Dans: It seems years ago I said that.

The Hon. G. C. MacKINNON: He then went on to say the blame really lies with the Federal Government because Federal funds have been cut back drastically. As members will be aware it is my practice to send parts of their speeches which I believe require an answer to the respective departments so that they are either noted or, if the case calls for it, answered. It is not my habit to answer individual queries. Nevertheless, I believe it is necessary that a greater degree of attention be paid to the Leader of the Opposition in this place.

Following his comments with regard to the Budget, I point out that under the circumstances of the Budget surely he could have been more honest and congratulated the Government on presenting such a good Budget. Even his parliamentary leader (Mr Davies) is reported in *The West Australian* of the 14th September last as saying—

It is clearly a pre-election Budget.

It is a clear indication that Mr Davies thought it was a good Budget for the people of Western Australian because it would be a good election-winning Budget. In those circumstances he did not consider it good for the Labor Party.

The Hon. D. K. Dans: Mr Dans lives down this end of the building.

The Hon. G. C. MacKINNON: I am surprised we can get such a disparity of views in such a short distance.

As well as other Opposition members, Mr Dans spoke at length on unemployment. As is customary when concluding this debate, I intended to respond at length to all matters raised by Mr Dans, but in view of the excellent speeches given by the Hon. Norman Moore and the Hon. Neil McNeill, encompassing the Budget and unemployment, I do not intend to traverse the same ground at any length. Members will recall that the Hon. Norman Moore and the Hon. Neil McNeill followed closely on Mr Dans' speech and I thought absolutely demolished the few arguments he had submitted in that regard.

Mr Dans and his colleagues naturally presented a version of unemployment which suited their ends. I congratulate the Hon. Norman Moore and the Hon. Neil McNeill for presenting to this House a true and accurate description of the position in this State.

The Hon. D. K. Dans: That would be a subjective opinion.

The Hon. G. C. MacKINNON: As members are aware, I make every endeavour to be objective when examining situations here.

The number of persons unemployed will always be a matter of concern, whether it is small or great, but I have yet to hear an Opposition speaker on the subject present a balanced argument or give recognition to the various other factors which must be taken into consideration when viewing the problem.

An examination of Mr Dans' speech reveals three issues in respect of the Budget which warrant further comment. The first concerns Budget strategy, and in this regard the Treasurer pointed out in his Budget speech that the essential element of any policy aimed at lifting economic activity and creating jobs must be to reduce the call by Governments on the pockets of the general public. New job opportunities of the magnitude required can be created only by the private sector. For this to happen there must be a resurgence of private capital investment and renewed growth in consumer expenditure which will generate increased activity in manufacturing, mining, and production generally.

The Hon. D. K. Dans: That will not happen without assistance from the Government.

The Hon. G. C. MacKINNON: These aims are incompatible with increasingly high levels of Government expenditure. In this context we have supported the Federal Government's policy of reining in public sector recurrent expenditure and the resultant cuts in specific purpose grants.

The Hon. D. K. Dans: There will be more if I heard Mr Fraser correctly.

The Hon. G. C. MacKINNON: We all worry about that.

Conversely, the Treasurer has argued strongly against the Federal Government's attitude to capital allocations and the consequential effect on employment. Discussions are also continuing between the Commonwealth and the States relating to the tax-sharing arrangements and there are hopes that a sensible guarantee formula will be agreed upon.

It would be extremely difficult for the ALP to argue against those comments as they echo so closely a recent speech of Mr Bob Hawke.

In regard to Mr Dans' second criticism—that no funds were provided in the Consolidated Revenue Fund Estimates for employment stimulation—attention is drawn to the provision of \$25.5 million from interest earnings on short-term investments to supplement the capital works programme. This is a major contribution to the stimulation of the economy and was to be preferred to financing a works programme of such magnitude from the Consolidated Revenue Fund, which is primarily, though not exclusively, concerned with recurrent expenditure.

As a Government, we are well aware of our responsibilities to maintain steady growth in the capital works programme and, if at all possible, to avoid a sharp reduction in any year which can only compound the present problems of industry and exacerbate unemployment. We have, therefore, adopted the policy of applying the proceeds of the investment of cash balances to capital works, so far as possible, in the interests of employment stimulation.

The Hon. D. K. Dans: It has not been very successful, though.

The Hon. G. C. MacKINNON: I will come to that in a minute. Leave me to develop my theme. I am sorry the Leader of the Opposition did not pay attention to Mr Moore and Mr Neil McNeill. I think it is necessary to spend some time on the subject of their speeches.

Thirdly, as to the transfer of \$2.3 million to suspense, representing underspending on the stimulation of employment allocation in 1978-79, a sum of \$4 million was allocated to a supplementary programme of minor capital works throughout the State. By its very nature, the type of work undertaken involved delays in commencement and in processing amounts for payment.

Many of these works were still in progress at the 30th June, 1979, and funds were transferred to suspense to meet commitments arising from contractual works in progress. Further payments in this financial year have exceeded \$1.2 million to date and additional claims are pending.

On the subject of unemployment, Mr Dans stated—

The Budget does nothing for unemployment and nothing to check constantly rising prices.

This is another example of distortion of the truth about the Government's record of financial

management in the provision of funds to stimulate employment. In the capital works Budget brought down on the 18th September, more than \$30 million was provided for employment-stimulating works. This would assist in maintaining jobs in building, construction, and related industries, which would cause spin-off trade in other areas, notwithstanding severe cuts in available funds imposed by the Commonwealth.

The Hon. D. K. Dans: I agree with that, but the level of unemployment is not being reduced.

The Hon. G. C. MacKINNON: Within the confines of monetary restraint which has contributed significantly to the reduction of inflation over the past four years the present Budget incorporates several features which are expected to contribute towards reducing unemployment in Western Australia.

Several of these were actually recognised by Mr Dans, including the lifting of the pay-roll tax exemption limit for small businesses. The Government has long maintained that small and medium-sized businesses will play a major part in boosting employment in this State and concessions such as this are intended to ease the burden on this sector so that expansion may take place.

Mr Dans then went on to say—

Western Australia has 41 people looking for work for every job vacancy.

Latest figures released by the Australian Bureau of Statistics and the Commonwealth Employment Service have shown a pleasing drop in the ratio of unemployed persons to unfilled vacancies in Western Australia.

On a long-term basis, the most encouraging aspect concerning the employment situation in Western Australia is that this State has managed a growth in employment far in excess of the other States, despite a difficult economic climate.

The Western Australian Government has performed remarkably well in finding jobs for its expanding work force since it was elected to office in 1974. This is attributable to the Government's success in winning job-making project investment. The following table shows the overall picture quite clearly—

Civilian Employment (000s)	March 1974	May 1979	Difference %
New South Wales	1765.2	1720.1	- 2.5
Victoria	1347.7	1322.7	- 1.8
Queensland	614.4	636.6	+ 3.6
South Australia	436.6	434.3	- 0.5
Western Australia	375.2	405.2	+ 8.0
Tasmania	134.2	139.0	+ 3.6
Northern Territory	37.5	38.9	+ 3.7
ACT	78.8	86.9	+ 10.2
Australia	4789.4	4783.9	- 0.1

Source: Australian Bureau of Statistics "Civilian Employees" Cat. No. 6213.0.

Another statement by Mr Dans was—

The third intake of 250 youths under the special youth employment training programme will be just a drop in the bucket.

As has already been outlined to the House, the Government has allocated \$359 000 in the current Budget for a third intake of 250 youths under the special youth employment training programme. This programme is a specific measure taken by the Government to maximise job opportunities and widen job-training facilities for young people.

Already under the scheme the Government has directed a large quantity of funds to the creation of employment for 500 youths. Coupled with other measures undertaken by the Government, this has been of significant benefit to the young unemployed.

In addition to the allocation of funds to the skilled workers' training scheme for the training of some 1 100 persons in skilled trades and further allocations to the technical education division, the Government has had talks and has come to agreement with the Commonwealth concerning increased funding in relation to training for the North-West Shelf project.

The Departments of Labour and Industry and Industrial Development have conducted studies to analyse potential shortfalls in the supply of skilled tradesmen for the North-West Shelf project and from these it is hoped to establish additional formal training procedures to cover any shortages of skilled tradesmen.

These measures, together with the employment to be created by the North-West Shelf project, will have a major impact on the Western Australian economy.

As I have already indicated to the House, I am most grateful to several preceding speakers on this motion for their contribution to the debate, particularly on Budget strategy and unemployment. This has obviated the need for me to pursue those matter to any further extent than I have.

Mr Dans also stated in his opening comments—

The Budget does nothing to improve our medical and hospital facilities.

Unfortunately he did not elaborate on that statement, which I do not find inconsistent with many other things he says and then ducks his head. Had he studied the Budget, no doubt he would have seen that the allocation in the funding of hospital operations has risen by 11.1 per cent, taking it to \$352.2 million and the second biggest single item of expenditure.

Among individual allocations within the proposed spending on hospitals is \$375 000 for the initial operating costs of the new Wanneroo hospital, which is expected to be completed towards the end of this financial year.

It is pointed out that, despite increases in ward charges by public hospitals—the first for three years—revenue from hospitals still represented less than 20 per cent of gross expenditure on them.

The continuing spiral in hospital operating costs remains a cause of major concern to the Government and is an important factor behind the Government's decision to participate in the proposed Commonwealth commission of inquiry into the efficiency and administration of hospitals. The Department of Health and Medical Services also has engaged consultants, with the aim of improving hospital financial management.

In regard to public health services, spending has been increased by 60 per cent in three years. Expenditure on public health in the 1979-80 Budget is estimated to rise 10.4 per cent to \$40 million.

The increase in expenditure on health services in the last three years has covered a wide range of programmes. Among the major achievements are—

Establishment of major community health centres at Geraldton, South Hedland, Karratha, Kwinana, and Claremont. Smaller centres have been set up to serve the areas surrounding Lake Varley, Nullagine, and Cervantes.

Community nursing services are now provided for people suffering from multiple sclerosis, muscular dystrophy, rheumatoid arthritis, asthma, and other respiratory diseases.

Construction and commissioning of 68 school dental therapy centres. These facilities are now established at 81 Government primary schools throughout the State. In conjunction with 19 mobile units, they make dental therapy available to some 70 per cent of primary pupils in both Government and non-Government schools.

Employment of an additional 45 school health nurses in high schools and schools for the disadvantaged.

The funding for the Alcohol and Drug Authority has been lifted from \$770 000 to \$980 000, an increase of 27.3 per cent. This increase will enable the authority to give greater impetus to its programmes in

recognition of the increasing problems associated with excessive consumption of alcohol and drugs.

Another area of health services to receive a big increase in funding is mental health, by 16.7 per cent, lifting it to \$50.2 million.

On the subject of funds for the police and Road Traffic Authority, Mr Dans was critical of the provision for 84 policemen and 19 RTA officers and said this will not even take up the slack of officers who will naturally leave the force. The actual figures should be 65 police officers and 19 RTA officers—a total of 84.

In response to my interjection "Wasn't that a net increase?" Mr Dans replied "No."

Advice I have received from the Commissioner of Police states that the provision for 84 policemen is additional to all age and medical retirements, resignations, dismissals and deaths, which average about 90 per year. These are replaced without any necessity for additional funding.

The Hon. D. K. Dans: It is strange that the Police Union is very critical of the same allocation.

The Hon. G. C. MacKINNON: This is advice I have received from the commissioner.

The Hon. D. K. Dans: I would not doubt what he has said.

The Hon. G. C. MacKINNON: Mr Dans questioned the value of bringing in the new system of special police groups, as against police officers on the beat. The restructured CIB patrol system—known as 79 Division—was designed to increase patrol cover and efficiency. Patrol vehicles are unmarked sedans, each carrying one detective and one policeman in uniform, maintaining unobtrusive movement, expertise in skills and knowledge, and identifiable uniform presence at a scene.

Policing systems are subject to change, according to relative changes in urban spread, shopping, industrial, community establishments and social structure, habits, and behaviour. The growth of large suburban shopping complexes does not lend itself to beat duty as known 30 years ago.

The Hon. D. K. Dans: I noticed in today's paper that people want to form a vigilante group.

The Hon. G. C. MacKINNON: I had a quick look at the newspaper, and I thought actually only one fellow was concerned—Mr Ur.

The Hon. R. J. L. Williams: You are right.

The Hon. G. C. MacKINNON: The name struck me, because on and off I have had quite a deal of correspondence with Mr Ur. I will not go further on that matter.

The Hon. D. K. Dans: I have heard what some senior police officers—and I have not mentioned it in the House for obvious reasons—have said about the night shift in Fremantle. What they said horrifies me, and it would not be good to debate.

The Hon. G. C. MacKINNON: The commissioner is not tremendously enthusiastic about policemen on the beat. He thinks it is an outmoded system.

The Hon. D. K. Dans: They still use them in London and New York.

The Hon. G. C. MacKINNON: That could well be. London has not changed very much. Mind you, Sir, I did not see London until 1969, but I gather even then it had not changed much. However, Perth has changed tremendously and the commissioner does not think the modern form of social structure and behaviour along with suburban complexes lend themselves to policemen on the beat.

Today's policeman must be a versatile, mobile unit, equipped with the necessary technological back-up to obtain support services to meet the spontaneous demand created by social attitudes in modern society. His area of duty can no longer be confined to the city block or some other specific area. He must be able to move quickly from one area to another, with sufficient support personnel according to the nature of the incident.

Mr Dans also expressed amazement that he did not see anything in the Budget that suggests a substantial amount of money would be made available to improve the police communications equipment.

The Commissioner of Police has provided me with some advice. No doubt Mr Dans will not be unduly surprised when I tell him he was wrong again.

The Hon. D. K. Dans: At that time you had not upgraded the police communication equipment since its dismal failures during cyclone "Alby".

The Hon. G. C. MacKINNON: Let me relate the situation, and bear in mind we are talking about what is in the Budget. Police communications have received a total allocation of \$572 000 to be expended this year, and authority to plan and order equipment to the value of \$300 000 for delivery in 1980-81.

The allocation of \$572 000 follows actual expenditure of \$444 395 in 1978-79, figures which

compare more than favourably with the 1974-75 figure of \$171 562. The increase over the five-year period was 233 per cent.

The 1978-79 estimate for communications was \$791 000, which included a carryover of \$366 000. The 1979-80 estimate of \$572 000 includes a carryover of \$347 000 making additional expenditure of \$225 000 for this year.

The country radio network is being improved progressively through the installation of "talk-through" systems and with the replacement of the existing HF system with "Codan" radios, the best available. Base stations are being fitted with scanning receivers which allow reception on multiple channels.

Despite Mr Dans' criticism of the overall allocation of funds for police and RTA activities, it is of interest to note the extent of the Government's commitment in this area over the past five years.

The proposed allocation for this year is \$68.4 million, compared with expenditure of \$29.6 million in 1974-75. The expenditure increase may be compared with a total manpower increase of 21.4 per cent during the same period.

At June, 1975 the authorised strength of the Police Force was 2 150. At June, 1980 the authorised strength will be 2 611, an increase of 461 policemen.

The Hon. D. K. Dans: How many will leave in that period?

The Hon. G. C. MacKINNON: Those who leave will be balanced. It does not matter how many leave.

The police-to-population ratio which is often quoted, is nothing more than a trend indicator to ensure that the status quo is maintained or improved. Allocation of police throughout the State is maintained according to a unit system of work measurement, not according to population dispersion, although a police presence is maintained in numerous areas due to isolation and a need to maintain a community service.

During the period June, 1975 to June, 1980 the police-to-population ratio has been improved from 1:556 to 1:488.

For the benefit of those members who raised various questions or presented suggestions of merit and deserving of further consideration, I again give my undertaking to have a copy of their speeches referred to the appropriate authority for attention. I have also requested that replies be forwarded direct, where necessary.

I would like now to conclude my remarks with a few observations on our 150th Anniversary celebrations.

Members will be aware that in this year's Estimates certain allocation was made for the 150th Anniversary celebrations, which forms part of the total \$3 million set aside for expenditure on the celebrations.

To begin with, the largest proportion of the allocation for the 150th Anniversary celebrations—\$800 000—has been channelled into projects undertaken by the education committee; for example, the series of commemorative publications for primary and secondary level students. Every student from years one to 12 has received either an historical album, an historical diary, or an historical atlas entitled "Western Australia—An Atlas of Human Endeavour". Another project which has involved more than 300 academics and scholars is the preparation of the 14-volume sesquicentenary series, which is based on the history and development of Western Australia. This series, which has been published progressively through the year, has been aimed primarily at upper secondary and tertiary-level students, but will also be available to the general public. Indeed, it is hoped that next year the atlas of human endeavour may be available to the general public for sale, because it has been so eminently successful.

The education committee also has been involved in the publication of an important new book *The New History of Western Australia*. This book has been prepared by some of the State's most notable historians and covers in detail some of the major developments in Western Australia's history over the past 150 years.

1979 was officially launched on the 31st December with the highly successful opening concert on the Perth Esplanade. With Rolf Harris heading a cast of several hundred performers, it has been estimated that 60 000 people turned out to see the concert, with thousands more watching the live telecast at home.

The re-enactment of Captain Stirling's journey of exploration of the Swan River in 1827 was a highly successful and memorable event, taking place in the early part of the year. This success was due in large part to the co-operation and enthusiastic support of the various shires bordering the Swan. Indeed, it was the shires which comprised the committee which made the function possible and so successful.

This event coincided with the visit to Western Australia by His Royal Highness, the Prince of Wales, the most extensive visit ever made to

Western Australia by a member of the Royal family.

This year Western Australia has hosted a number of international and national sporting events; indeed, some four a week during the year. One of the major sporting highlights of the year was the international hockey carnival at the new Commonwealth Hockey Stadium at Bentley. Ten of the best hockey teams in the world played at this highly successful event.

A major event in the 1979 football calendar was the Australian National Football Carnival, which took place in October. This was also the very first "State of Origin" carnival to be held in Western Australia.

Two major highlights on the cultural scene were the National Eisteddfod, which was the richest arts festival to be held in Australia, and the recent Indian Ocean Arts Festival, which was not only an outstanding success, but also has contributed significantly to the relationships we have with our Indian Ocean neighbours.

The event which drew the most publicity for Western Australia was the Miss Universe Pageant. That was the biggest television event in Australia's history. The two-hour telecast of the final judging was seen in 50 countries by an estimated 500 million people.

This year, 1979, is also the International Year of the Child. The young people of Western Australia have made their own significant contributions to the celebrations this year. Two particular events which stand out are the Student Cycle-Way '79, which involved about 1 000 country high school students from towns as far away as Northampton, Albany, Kalgoorlie, and Pemberton. Four groups of 250 students cycled into Perth after travelling 400 kilometres on their bicycles.

The other event which definitely was a highlight on our calendar was the Way '79 Student Spectacular. Student spectacles have taken place in Kalgoorlie, Bunbury, Albany, and Mandurah; and the recent one in Perth was a magnificent demonstration of the initiative and imagination of our young people. At \$3 per head of population, I think members will agree that we have had good value for money; but there is more to come.

For the "Life. Be in it" enthusiasts, the Bibbulmun Track has been officially "walked". The 600-kilometre bush track from Albany to Kalamunda has been a major recreational project for the anniversary celebrations.

For the golfing enthusiasts, the 150th Golf Championship at the Lake Karrinyup Country

Club provided a memorable tournament which featured some of the world's top golfers.

The *Parmelia Race*, which began in Plymouth in August, was the biggest inter-ocean yacht race in history. It was certainly one of our major highlight events, and probably the most heroic—if I can use that term—event in our calendar.

For the music lovers, there was the spectacular defence force tattoo in which more than 1 000 servicemen took part. That was Perth's first international armed services tattoo. The event formed part of the Commonwealth Government's contribution to our 150th celebrations.

To give a lively finish to the year, there will be the 34th Australian Jazz Convention. The convention is the longest running festival of its type in the world; and this is Western Australia's first time as host State.

Last, but not least, we have another first! From Australia and overseas 11 000 scouts will be attending the 4th Asia-Pacific (12th Australian) Scout Jamboree at Perry Lakes. This will be the first time the jamboree has been held in Western Australia. A vast tent city will be set up for the 10-day camp.

On a final note, perhaps one of the most important aspects of the activities of this year has been the increased feeling of kinship and of identity with a community or a family. There have been more than 100 "back tos" that we know of officially. There have been "back to" country towns or schools, with participants coming from as far afield as the United States of America. About 70 big family reunions have been listed in our programme; and probably more have taken place.

It is obvious that a programme like this year's called for a tremendous amount of work, practically all of which has been voluntary. At this stage I would not dare to try to list the many people who have helped. However, I place on record in this House and in *Hansard* my personal thanks to those who have helped, however large or small their contributions. There have been the children who painted the fire hydrants; the colonels who organised the tattoo; and the committee which organised the *Parmelia Race*. They have done a wonderful job; and I thank them all. There have been the ordinary citizens who participated—who attended when the functions were held. Provided it was a function to celebrate the 150th anniversary, one could rest assured of a good attendance, whether it was a pioneer ball, the military tattoo, the golf championship, or the arrival of the *Parmelia* yachts. I thank them all.

I thank members for their contributions to this debate.

Question put and passed.

NORTH WEST GAS DEVELOPMENT (WOODSIDE) AGREEMENT BILL

Receipt and First Reading

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

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [11.06 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill is to ratify the agreement between the State and the following joint venturers—

Woodside Petroleum Development Pty. Ltd.;
Woodside Oil Ltd.;
Mid-Eastern Oil Ltd.;
North West Shelf Development Pty. Ltd.;
BP Petroleum Development Australia
Proprietary Limited; and
California Asiatic Oil Co.

This agreement relates mainly to the onshore treatment of gas and the provision of associated facilities and infrastructure. However, it must be viewed in the context of the overall development to utilise this most valuable energy resource.

The original exploration permits on the North-West Shelf were granted to Woodside (Lakes Entrance) Oil NL in 1963. These permits covered an area totalling about 37 million hectares.

Gas was discovered in 1971 at North Rankin and Goodwyn, and in 1972 at Angel. These areas are about 130 kilometres offshore in depths ranging from 120 metres to 130 metres at North Rankin and Goodwyn, and to 90 metres at Angel.

Over the years there have been several changes in ownership as the present joint venture structure has evolved. The Australian ownership of the project is now about 48 per cent.

During the time of this exploration, there was a period of danger to the project when, around 1974 or 1975, the Commonwealth Labor Government of the day refused to extend the exploration permits based on the 1967 mirror legislation. It looked as though all the effort which had gone into the exploration would be for nothing. At that time the State Government decided unilaterally to extend the permits. We were found to be legally correct in doing so and, with the change of Government in Canberra, exploration went ahead.

The overall scope of the resource development includes the development of production wells from off-shore platforms; the construction of a 130-kilometre submarine pipeline; the construction, at Withnell Bay, of gas processing and export facilities; and the construction of onshore natural gas pipelines.

Production licences and the licence to construct the submarine pipeline will be subject to and in accordance with the State and Commonwealth Petroleum (Submerged Lands) Acts of 1967. This mirror legislation was necessary to ensure the adoption of uniform measures to exploit the continental shelf petroleum resources. It is under the State Act that royalty provisions are applied.

The royalty rate has not, as yet, been determined. Currently the rate is 10 per cent of the value of the gas at wellhead for a primary licence. Of the royalties received 40 per cent will go to the Commonwealth, and 60 per cent to the State's Consolidated Revenue Fund.

The construction of onshore natural gas pipelines will be undertaken by the State Energy Commission, and will be subject to the Petroleum Pipelines Act. In January, 1979 the estimated cost of the SEC pipeline was \$450 million.

Following lengthy negotiations, understanding was reached on the 23rd November, 1979, between the joint venturers and the State Energy Commission on the terms and conditions associated with the sale of gas for Western Australia. The understanding provides for 20 years' supply of gas to satisfy the known demand for natural gas in both the south-west and Pilbara areas of Western Australia. A total of 10.5 million cubic metres per day of natural gas will be made available, of which 8.5 million cubic metres will be transported to the south-west area markets. This will assure Western Australia of supplies of gas adequate for our needs at prices which are competitive with that of alternative energy. This will bring stability to the energy supply situation, with obvious benefits to Western Australian industry and the community.

The North-West Woodside gas development project will be the largest and most expensive natural resource project ever undertaken in Australia. As previously mentioned, three separate gas fields have been discovered offshore from Dampier. The initial development will be centred on the North Rankin field. This field has estimated reserves of 243 billion cubic metres. The North Rankin gas field is the largest in Australia, and major by world standards. The Goodwyn and Angel fields have reserves of 73 and 40 billion cubic metres respectively.

It is estimated that a capital expenditure of at least \$4 000 million will be required to develop this resource. About \$50 million has already been expended on preparatory studies.

The effect of this massive development will be felt throughout the world. However, strenuous efforts have been made, and will continue to be made, to maximise local participation. It is considered that at least \$1 400 million of direct project and associated expenditure could be directed to Western Australian and Australian industry. Reference will be made later to the measures undertaken to maximise the use of local industry and services.

The offshore development will initially require the installation of two massive steel platform jacket structures, amongst the largest of their kind in the world. Each platform will have an all-up weight of about 50 000 tonnes. The height of the platforms, from seabed to the top of the drilling derrick, will be 230 metres. These jackets will be towed to the offshore site and fixed permanently by piles driven 110 metres into the seabed. Topside modules to provide drilling, accommodation, service, and gas processing facilities will be erected on these platforms. Up to 30 gas production wells will be drilled from each of these platforms.

The onshore plant will be established on Burrup Peninsula at Withnell Bay, which is about 10 kilometres from Dampier. This plant will be capable of producing about 6.5 million tonnes per year of liquefied natural gas for export and approximately 1.5 million tonnes of condensate per year. These productions are additional to the domestic-quality gas required for the State Energy Commission to be used in the south-west and in the Pilbara.

The joint venturers recently announced that they intended to include the extraction of LPG from the gas stream as part of their process. This will be a valuable additional product from the processing.

Consultants engaged by the Government have reported that the siting of the Withnell Bay plant is well within internationally accepted safety limits. The risk to concentrations of population at Karratha, Dampier, and the construction camp at Hearson Cove is negligible. A summary of the consultants' report will be tabled at the conclusion of this speech. The plant will incorporate special treatment equipment, the operation of which will be new to Western Australian industry.

The impact of this project will be felt throughout the State, but more particularly in the Pilbara region and the Jervoise Bay area. The

focus of the impact on the Pilbara will be on the town of Karratha, some 20 kilometres from the plant site. This will be used as a dormitory town for most of the married construction work force and all the operational work force.

The direct onshore construction work force is expected to peak at 3 500 in 1983-84. With work force dependants, this will generate a peak construction population of about 5 500. Of these, 2 800 persons will be accommodated in a construction camp at Hearson Cove. The other 2 700 will be accommodated in permanent and temporary housing at Karratha. The total permanent and temporary population living in Karratha during 1983-84 is expected to be in the order of 12 500 persons, compared with about 5 800 at present.

After the construction works are completed, the onshore gas operational workforce is estimated to number about 700. This will generate a population of around 2 500. Projections of Karratha growth indicate that the gas project, together with an expected increase in iron ore and service industries, will result in a population of about 13 000 by 1988-89.

The constructional work force for the SEC natural gas pipeline has not been included in these population projections. The direct work force for this project is estimated at 1 650, which will be in three separate units spread over the length of the pipeline route. This work force will be accommodated in mobile camps.

The infrastructure required in the Pilbara to service this dramatic increase in population is, in itself, of massive proportions. The West Pilbara water supply scheme will require upgrading. Additional water resources will also need to be developed.

Social and civic facilities in Karratha will require expansion. These facilities include additional schools, a new community college, enlarged hospital facilities, and a new police station and Court of Petty Sessions. Additional library, community centre, and recreational facilities also will be required.

It may be necessary for a general-purpose berth to be constructed in the Port of Dampier. This would be used to handle construction materials and to be available to meet the ongoing needs of the region.

Roads will need to be upgraded and new ones developed. The airport, which is owned by the Shire of Roebourne, currently handles approximately 60 000 passengers per year. Passenger movement is expected to reach about

200 000 by 1983-84. New facilities will be required to meet this demand.

These items of infrastructure will cost in the order of \$110 million and I will refer later to their funding.

Reference was made earlier to the impact of this project on Jervoise Bay. Facilities at Jervoise Bay will be created to cater for work which will be generated by the Woodside project. Provision will be made for the construction of the topside modules and other major components of the two platforms. It is estimated that approximately \$170 million of economic activity for local industry will result from provision of these facilities.

This additional work is expected to create 650 new construction jobs initially, rising to 1 200 over a period as activity builds up.

The importance of developing this energy resource which is recognised throughout Australia, cannot be over-emphasised. To Western Australia it is essential.

The Perth and south-west region currently receives 2.3 million cubic metres of gas per day from the Dongara field. That field is producing to capacity and is expected to be depleted in 1986. Because of this limited gas supply, necessary restrictions have been imposed on industrial sales. Expanding industries, therefore, have had to resort to the use of imported oil, or coal from the Collie coal field.

The north-west gas must be available prior to the depletion of the Dongara field to enable continuity of gas supplies to almost 80 000 users.

The development of this project involves massive amounts of high-risk capital. This has been recognised by the major political parties in both Federal and State spheres. The decision by the Commonwealth to grant a licence to export 6.5 million tonnes of LNG has been made.

I will now comment on the specific provisions of the agreement. Unlike other major industrial agreements, the obligation to produce or process is contained in other documents. These obligations will be imposed by the formal contracts to be entered into for the sale of gas to the State Energy Commission pursuant to the understandings as previously mentioned. As these are on a commercial basis, details of such are confidential.

In the preamble to this agreement, paragraph (c), reference is made to the supply of up to 10.5 million cubic metres of gas per day to the State Energy Commission.

Clause 6 requires the joint venturers to inform the Minister by the 11th December, 1979, whether they intend to proceed with the overall project.

Within six months of giving that decision, the joint venturers, under clause 7, are required to submit detailed proposals in respect of the treatment plant and infrastructure items. These proposals are already in the course of preparation.

Clause 10 requires the joint venturers to produce a salable product within a period of five years from commencement date.

By clause 11 the environmental proposals, required under clause 7, are subject to an ongoing programme of investigation and monitoring. Should the investigations indicate that further environmental proposals are required, they are to be submitted for approval.

The project environmental review and management programme has been examined by the Environmental Protection Authority. The authority has advised that there are no significant environmental problems.

The ERMP report was made public some nine months ago and a copy of the Environmental Protection Authority report and conclusions will be tabled at the conclusion of this speech.

Reference was previously made to the Government's desire to maximise the level of local participation. Clause 12 provides that the joint venturers shall, as far as is reasonable, utilise whatever services are available in Western Australia.

The obligations under this clause go beyond those previously imposed in other Pilbara agreements. By this clause the obligations of the joint venturers now flow on to all contracts they enter into with third parties. The joint venturers are obliged to keep the State informed on their implementation of this clause.

The Port of Dampier, as members are well aware, is at present under the control of Hamersley Iron Pty. Limited. With another major exporter using the port, the present arrangement will be changed. Clause 13 obligates the State to constitute a port authority. This action will be taken when the project generates a significant amount of shipping.

It is proposed that the port authority legislation will be similar to the Port Hedland Port Authority Act. The major principles of the proposed legislation are set out in a side letter to this agreement, which I propose to table at the conclusion of this speech.

This clause also obligates the joint venturers, at their cost, to provide all shipping facilities necessary for the shipment of LNG and condensate, the servicing of offshore activities, and landing of construction materials and equipment.

A general-purpose berth, if the proposals so provide, shall be constructed by the joint venturers, but at cost to the port authority. The port authority will finance construction of this berth from special borrowings if such are available. The joint venturers will be required to pay the port authority such charges as will include a recoup of the costs incurred in financing this facility to the extent of their use thereof.

During the construction phase, the joint venturers will have priority use of this general-purpose berth.

Clause 14 sets out the joint venturers will be responsible for the housing of its constructional and operational work force. Land for housing at Karratha will be made available to the joint venturers at the same price as land of similar nature is made available to others.

Clause 14 also introduces a new concept in respect of the provision of infrastructure. This is in line with the Government's desire to assume its normal role in the provision of infrastructure for major project developers wherever possible. The joint venturers still will be required to provide the infrastructure needs of its constructional workforce. The State will, however, provide the infrastructure needs of the operational work force.

The responsibilities of the joint venturers in respect of the provision of roads are set out in clause 15. The joint venturers will be required to finance the cost of construction of roads for their own use. The cost, beyond \$1 million, of developing and upgrading public roads connecting the plant and port facilities to existing public roads, will be borne by the joint venturers.

Reference has been made to the need to upgrade the airport facilities at Karratha. Clause 16 refers to the financing of such upgrading by the Shire of Roebourne from special borrowings, if available. The joint venturers will be required to pay charges which will recoup the shire to the extent of the costs which can be attributed to the joint venturers' usage.

The joint venturers' work force housed at Karratha will be supplied with electricity by the State Electricity Commission at standard conditions applying in Karratha. However, clause 17 provides also that the supply of industrial power shall be the subject of an agreement between the joint venturers and the commission.

If special borrowings are used by the commission to provide industrial power, the joint venturers will recoup the commission by way of charges which will include the cost of financing the additional facilities required.

Clause 18 sets out the requirements in respect of the provision of water. These are similar to those applicable to the supply of electricity.

Clause 20 makes provision for the joint venturers to notify the Minister, should they discover additional reserves of natural gas in the offshore Dampier region.

The stamp duty exemption clause 37 goes beyond the exemptions provided in previous agreements. Because of the magnitude of the finance involved and the long construction period in this project, the period of exemption has been extended to nine years. Also the scope has been widened to include financing and insurance arrangements.

Reference is made to previous remarks in respect of the operation of LNG treatment equipment being new to the industry in Western Australia. Because of this, it is considered desirable to make special provisions for the training and licensing of the plant operators.

Clause 41 makes provision for the Chief Inspector of Machinery to authorise the operating company to operate this equipment to standards approved by him.

Clauses 42 to 44 refer to the sale of gas to the State Energy Commission being subject to commercial gas sales agreements.

Clause 42 authorises the joint venturers to sell gas to the SEC and others, according to the memorandum of understanding. Clause 43 removes the provisions of the Gas Undertakings Act from undertakings under this agreement and the gas sales agreements referred to in recital (c) of this agreement. Clause 44 provides that the terms of this agreement shall, unless otherwise provided, not affect the rights and obligations of either the SEC or joint venturers under any formal gas sales agreements negotiated between them.

Reference has been made to the use of special borrowings for the construction of facilities by instrumentalities and authorities, providing that such funds are available. Clause 8(6) provides the alternative, should such funds be not available. In such an event, the joint venturers will be required to submit amended proposals in respect of the facility for which special borrowings are not available.

The clauses of the agreement not referred to are those generally applying to other major industrial agreements and do not, I believe, require further explanation or amplification.

I seek leave of the House to table the paper referred to earlier.

The paper was tabled (see paper No. 485).

The Hon. G. C. MacKINNON: On behalf of the Attorney General, I commend the Bill to the House. The Attorney General will be handling the Bill when debate resumes at the next sitting of the House.

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

TRANSPORT COMMISSION ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 29th November.

THE HON. F. E. MCKENZIE (East Metropolitan) [11.28 p.m.]: This Bill provides legislative changes for the Government to commence its first steps in the implementation of its new transport policy. The Opposition has an entirely different transport policy from that of the Government. We do not necessarily disagree with the recommendations of the SWATS report, but we argue about the manner in which the Government has decided to implement selectively the recommendations contained in it.

The new freight transport policy of the Liberal Party, of which I have a copy, eventually will mean the destruction of Westrail in the form in which we know it today. A number of branch rail lines will most certainly close and those branch lines are enumerated in the SWATS report. For the benefit of members, I will name them.

The study evaluation indicated that lightly trafficked lines which have variable costs and accessible transport and which would fail to attract traffic under a competitive scheme, would certainly be closed if Westrail were to operate on an economic basis completely devoid of the service it is required to provide for the public.

The lines in question total 628 kilometres. They include the Katanning-Nyabing line, 61 kilometres; the Wonnerup-Nannup line, 63 kilometres; the Manjimup-Northcliffe line, 68 kilometres; the Tambellup-Gnowangerup line, 38 kilometres; the Donnybrook-Katanning line, 211 kilometres; the Lake Grace-Newdegate line, 62 kilometres; the Bowelling-Wagin line, 102 kilometres; and the Pinjarra-Dwellingup line, 23 kilometres.

Those lines were listed as likely to go if the Government adopted the policy we have before us currently. In addition, of course, a number of other lines are marginal and are likely to be affected, also. The land freight transport policy introduced by the Liberal Government follows the co-directors' report, to a large degree, which was subsequently issued following the SWATS report. It has not been followed completely because of the bias in the Liberal Party policy which favours private enterprise road transport.

The recommendations of the co-directors included a provision for the setting up of a division of Westrail to be known as "Westfreight". Part 7 of the recommendation of the co-directors reads as follows—

7. The Commissioner of Railways be charged with establishing a new organisation to serve as a distinct and separate vehicle for the commercialisation of Westrail. The co-Directors suggest it could be called "Westfreight". Westfreight would be controlled by Westrail and would compete with road operators for any commodity group opened to competition. While Westfreight will need to be established from the outset as a commercial organisation it will also need to have the capacity to provide public service where Government decrees that such service is required. Consequently it will need to have an adequate understanding of its cost structure for commercial reasons and to demonstrate to Government what the subsidies need to be for the execution of the public service, subsidies essential if the commercial component of its operation is to remain viable. It follows that Westfreight, to be successful, must be established and allowed to function in all respects as a commercial entity rather than as a Government agency. Westfreight will, in the course of its business, run its own transport and/or hire the services offered by Westrail or any other transport operator in similar fashion to any of its competitors in the transport industry.

If one examines the Liberal Party policy in respect of that type of operation by Westrail, one notes that that decision or recommendation has been waived. At page 15 of the Liberal Party policy the following appears—

- (c) On road, Westrail will be free to use its own services, provided private services are not available at suitable standards or competitive rates.

Of course, that means it can be done provided those services are not available from private operators or at suitable standards or competitive rates. In that case Westrail can enter, which means it will be left with anything which nobody else wants to transport. The emphasis is on small consignments of less than one carload. A great deal of that traffic certainly will be lost to Westrail and will go to private road operators.

At page 13 of the Liberal Party policy document it is again spelt out quite clearly that business currently conducted by Westrail will be passed off to private road transport operators, and will be lost to Westrail probably for all time. Even with a change of Government, it would be difficult to alter that type of arrangement if it were introduced. Of course, there is the one hope that the Western Australian people will return a Labor Government next year and this policy will not be introduced.

Under a Labor Government this policy will not be introduced. As far as the Labor Party is concerned the emphasis will be entirely different. Our policy is to ensure that where rail services are not economic, the districts will be served by a road transport system which will be controlled as part of the proper Government services.

For a long time a very efficient service has been provided by Westrail. Under this legislation we will be faced with a fragmented type of service. Westrail will operate a rail service on the main trunk lines and there will be a number of regional centres. I do not say that is a bad thing necessarily; what I do see wrong with that policy is the distribution—150 kilometres from Perth or 100 kilometres from each regional centre. Those services will be taken over by private enterprise. A reading of the policy makes that quite clear. Part 2, on page 13 of the policy, reads—

- (2) Where transport users cannot provide sufficient revenue to pay for an adequate standard of service, the Transport Commission will identify the most economic means of ensuring that an adequate service at reasonable cost will be available.
- (a) Where this service is more efficiently provided by private road transport, the Transport Commission will, under the supervision of the Minister for Transport:

*Restrict competition to enable one operator (or a restricted number of operators), selected by tender, to provide a financially viable service, and

*If necessary, provide sufficient extra revenue for viable service.

The position is that there is no real open competition and no freedom of choice as this document would have one believe. There will be controls to ensure that a service is provided. Westrail can provide adequately the type of service envisaged. The Government wants to operate where it is not economic to cart by rail. There is nothing wrong with that other than that Westrail ought to be the facility by which services are provided. The service will be franchised, but it will go to private operators and not to Westrail.

The Hon. G. E. Masters: It might work out cheaper.

The Hon. F. E. McKENZIE: I cannot envisage that it will be cheaper because all round Australia transport firms such as Mayne Nickless and Alltrans Express are making record profits. They are using the rail services as a means of making those record profits. I believe that is what will happen in the future, and the private operators will continue to make large profits by utilising the door-to-door method of transport.

Some three or four years ago I heard Ken Thomas address a seminar and he said the railways were important to his type of operation. It is likely that Westrail will get the smaller part of the freight for long hauls, and the operators at each end will get the major portion and the profits.

It must be remembered that although Westrail lost \$24 million last year, almost \$17 million was in interest payments. So, in fact, its loss in terms of operating expenditure over revenue was about \$7 million. That interest payment of \$17 million will remain with Westrail because the combined deficit since the commencement of Westrail's operations has amounted to almost \$300 million. There has been very little in the way of interest-free grants to our railways system, and that has applied right throughout Australia. Our railways have been required to meet the cost of construction and maintenance of tracks.

A study of the SWATS report reveals that the heavy-haulage vehicles are subsidised by every motorist because the motorists are required to meet the cost of the construction of roads and bridges to accommodate the heavy-haulage transporters. The railways have been at a disadvantage for a long time because the heavy-

haulage operators have been subsidised by the ordinary motorists through fuel taxes.

A recommendation in the report was for an increase in the tax on diesel fuel of the order of 13.9c a litre. The tax is about 3c a litre at present. That recommendation was based on the data fed into a computer as a result of a study into road maintenance costs. It was also recommended that if the real cost of the provision of a service was to be met, then the road maintenance charge should remain but should be increased from 0.18c per ton kilometre to 0.23c per ton kilometre or 0.36c at today's prices.

The service which is to be provided will be franchised, but if it can be provided more efficiently by private transport, that is where it will go. It will not go to Westrail. I have no doubt that the Government has responded to the wishes of the road transport operators. In their submission they objected strongly to the setting up of the commercial division of Westrail to provide for the handling of less than carloads.

Already we have witnessed the broad implementation of this policy with the disbanding of the Westrail freezer traffic. That was not well received throughout the community. The situation has probably settled down now, but the people still are not happy with the service they are receiving.

Of course the Bill is aimed at implementing the following Liberal Party policy—

Old Freedoms Continued

Traffic which has previously been permitted to be lawfully transported by road will retain all the freedoms it presently receives.

No change will be made in respect of those particular freedoms. Of course that is why it is in the policy. It has been brought about by a gradual relaxation of controls over a period from 1960 onwards. As a result of that gradual relaxation, it has been necessary to revise the whole transport policy. The farmers and other people in country areas who think they will have complete freedom of choice are wrong.

I can mention grain as an example of a commodity that farmers are carting currently. Most certainly they will no longer be able to cart grain to ports, and they will be unhappy about that. Already we have heard from the pastoralists and graziers and also some farmers who have complained that they do not see the policy as giving them the freedom they thought they would enjoy, particularly in respect of wool.

Certainly I do not think the farmers should have complete freedom. The farming community must make up its mind whether it wants a viable

transport service. The choice is with the farmers. If they want a service without any restrictions, then they must accept some of the controls necessary to provide a viable service. The farmers should not be able to simply use Westrail or whatever service is made available to them when they so desire. Either they want an efficient service, or they must be prepared to operate with an infrequent service that does not suit them.

Certainly I cannot complain about the Government's bringing in some of the restrictions, but I can complain that it will take away a great deal of the freight that Westrail has handled very efficiently for a long time. No doubt this freight will go to the private road hauliers, and not to the little operators—the work will go to the big companies which are better equipped to submit lower tenders. Of course, the large hauliers will then let out the work to subcontractors and members know the problems already existing in the road transport industry. The situation in that industry is another reason that the Government should not be implementing a policy to take traffic away from Westrail.

I would like to refer members to the 1979 annual report of the Transport Commission of Western Australia. Under the heading "The Structure of the Road Transport Industry", on page 11 the Commissioner of Transport had this to say—

That which should be of increasing concern to the future development of the road transport industry is the lack of any formal comprehensive report regarding the structure of the industry and the manner and conditions under which it performs such a vital number of diverse transport tasks for the community at large.

The road transport industry is not in a very sound state, and last year we witnessed the situation of the drivers taking Australia-wide action in regard to road maintenance tax. In my opinion the decision to abolish that tax provided only a temporary respite—more trouble is ahead.

Let us look at the comments of the Commissioner of Transport about farmers and the reason for the Government's having to take action. On the same page the following appears—

The extent to which farmers involve themselves in the road transport industry proper, as distinct from servicing their own transport needs, has over the years been minor in nature; however, there has been a trend of late for farmers to become more active in the provision of commercial transport services to the extent that their

activities in particular districts are becoming quite noticeable.

Road vehicles of various sizes have always been considered a necessary adjunct to an individual farmer's overall farming operations, but the commodities farmers are tending to transport in quantity—not only for themselves but for other farmers—are grain and superphosphate. It is not unusual for this transport to be undertaken over unnecessarily long distances where for example facilities erected for the receipt of grain for later transport by Westrail or road trains, are by-passed by farmers who deliver their grain direct to a major receipt point.

There could possibly be several reasons for this development, not the least being the incidence of Westrail freight rates, particularly for short haul transport, but transport of this nature does pose other questions as to the necessity for farmers to engage themselves in this work when it could in many instances be undertaken more effectively and with greater economy by carriers engaged full time in the transport industry or by Westrail.

I thought I should read that to members because it bears out my earlier comments. Of course the Government intends to take care of that problem by the introduction of this policy. Later on, when the farming community fully understands the policy, the farmers will scream about not being given the freedom they thought they would have. This is a typical Government document, and one can read all sorts of nice things into it.

The Hon. D. J. Wordsworth: You have to make up your mind which way you are arguing. One way you are saying it will give a great deal of freedom and that will ruin Westrail, and the other way you are saying it will not give the freedom people think it will.

The Hon. F. E. McKENZIE: No, I am saying that the farmers will have less freedom. The ones to benefit will be the private transport hauliers. Some of these companies operate throughout Australia, and make very healthy profits. They are the ones which will get the business—not the farmers and not Westrail.

The Hon. D. J. Wordsworth: What will they be allowed to cart that the farmer cannot cart?

The Hon. F. E. McKENZIE: They will be carting the grain to the regional centres because the railway lines will be closed down. In the coming months the farming community will be very dissatisfied with this policy. The Government will find that out sometime next year. It is

inevitable that the railway lines I have mentioned will be closed down. Perhaps the Minister can give me a guarantee that they will remain open?

On page 31 of the Liberal Party's policy, it is quite clearly stated that Westrail will not be allowed to operate its own road vehicles unless there is no reasonable economic alternative. That is quite contrary to what has happened over many years. When I worked at Midland, a road service operated in conjunction with the rail service. There was room for both to operate. On page 15 of the policy document, this attitude is made quite clear as follows—

On road, Westrail will be free to use its own services, provided private services are not available at suitable standards or competitive rates.

So Westrail has been cast to one side. The policy will benefit the private industry and not the public transport system that has proved over a long period of time that it can do the job and do it efficiently. It is only in recent times the Government has thought about dismantling that service. It has closed down the freezer services and restricted the delivery of parcels—something that should never have been allowed to happen.

The trend in transport has completely demoralised the Westrail staff. I know in another place the Minister for Transport said that staff morale is high. I was doubtful about that statement, and so I asked a number of people whether it was true. I was told that the morale of the staff of Westrail is shattered completely. One after another of its services has been closed down—Mullewa-Meckatharra, a number of passenger services, the Perth-Fremantle passenger line, and the freezer services have been withdrawn. How can morale remain high? The implementation of this policy will worsen the situation further. The only solace the staff might have is the statement that if reductions in staff are necessary, they will be achieved by normal wastage, through retirement and voluntary resignations. In no way will there be a retrenchment of staff. However, if the work is taken away, there must be a reduction in the number of staff. We will witness the closure of more and more branch lines. One of the reasons for the increased Westrail deficit is that some of the traffic has been taken away from it already.

In his second reading speech the Minister referred to the cross-subsidisation system, and he said—

This cross-subsidisation means that Westrail's best traffic—the goods which it can carry very efficiently—are made less

competitive because they have to help carry the burden of the remaining traffic.

Under the new policy, Westrail will progressively gain the freedom to market commercially the services which it is good at, without being burdened by the traffic which would be much better travelling by another means.

One cannot deny that some of the more lucrative traffic covered the carriage of some of the less lucrative traffic.

If it is the Government's desire to ensure there is no cross-subsidisation, why has it indicated in its policy that Westrail should receive only that freight which private enterprise cannot handle economically? I have no doubt that, in arriving at its decision, the Government took note of the statement of the West Australian Road Transport Association which, at page 15 of the booklet *Transport Policy for the Future in Western Australia* stated as follows—

The West Australian Road Transport Association (Inc.) strongly supports the Main Report of the SWATS Study Team, with two significant exceptions:

- (a) It disagrees with the proposal that Westrail should be free to compete directly for transport business, whether it involves a road component or not—unless this is taken to mean that Westrail would hire private road operators as part of the package service including rail, and would not engage itself directly in additional and road transport operations.
- (b) It similarly disagrees with the proposed establishment of a separate Westrail division, to be known as Westfreight, to handle small freight consignments and parcels.

I believe the Government accepts that view because nowhere in the Minister's second reading speech or in the Government's policy is there reference to this matter. Even if it were established, it would be in a very restricted form because of the Government's declared intention to restrict Westrail to areas which cannot be handled economically by private operators.

The provision of subsidies where services must be provided in the interests of the public should have been introduced many years ago. If subsidies had applied, perhaps the Westrail deficit would not be as great as it is now. To this point, any service provided by Westrail through its common

carrier obligations have not been subsidised. However, when private enterprise has been asked to provide a service, it has been subsidised through the Transport Commission which, in turn, receives its finance direct from the Treasury.

Westrail is expected to provide services in areas which obviously are uneconomical and receives no direct grant for so doing. Its loss has been allowed to mount.

The Opposition opposes the changes to the Transport Commission Act provided by this Bill. We believe it will facilitate a change in policy which we could not support. We do not believe Westrail should be required to hand over to private operators services it currently provides. The Opposition would retain Westrail's operation in its present form, perhaps upgrading services which were not economical.

I know it is very easy for the Government to accept the position and not to get involved in the heavy capitalisation required to provide adequate road transport. Private enterprise has told the Government that it will find the finance. However, who will pay in the long term? Either we provide subsidies to these private road hauliers or, alternatively, the public pay by way of increased freight. One way or the other, somebody must pay for the capitalisation which is necessary.

The road transport operators in this State currently are working to near capacity. Our objections to the Bill are that it appears to provide for the progressive relaxation of measures currently contained in the Act. However, more disturbing is that many of the things proposed will enable the Commissioner of Transport to operate without reference back to Parliament. It will be possible for the Government to take action in respect of the licensing of vehicles without first referring the matter to Parliament. Certainly, clause 10 gives the Government wide powers to operate as an executive, and the only opportunity we will have of debating these changes will be when the regulations are tabled in Parliament.

The Opposition is opposed to this Bill; it is quite apparent that similar legislation will follow. The common carrier clause in the railways legislation will disappear, which certainly will be to the detriment of people in country areas. The commission will be at liberty to cart what it wants to cart without any obligation at all to the people. If the Government wishes to introduce a policy such as this, I suppose one should not argue, because it would be impossible for Westrail to operate economically without the deletion of the common carrier clause.

The Opposition believes people in country areas are entitled to a service. That service has been provided over a long period by Westrail and the common carrier obligations under which it operated. The only way these services have been provided is by the imposition of some form of regulation to protect the consumers. I am sure the farmers and other people in the country who think they will have complete freedom of choice as a result of the policy of this Government will, as time progresses, become quite vociferous in their objections to the closure of the lines and the withdrawal of services as a result of the policy change effected by the Government.

The Opposition opposes the Bill.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [12.10 a.m.]: It is interesting to hear Mr McKenzie outline the Opposition's views on this Bill and the future transport policy of the Government. The Opposition seems to want to develop a completely different policy from the SWATS report from that which the Government has produced. I cannot help but feel most of the Opposition's concern lies in the old dogma of the Labor Party.

I refer particularly to the first point raised by Mr McKenzie relating to the closure of railway lines. The SWATS report listed some five lines which should be investigated. The Liberal Party's policy is only conforming with that recommendation. So, I cannot really understand the concern of the Labor Party in that regard. As it happens, three of those lines are in my electorate; they are certainly causing no great concern.

While every farmer wants a healthy Westrail he does not wish Westrail to maintain any ineffective services and sustain losses on lines such as the ones referred to. I am thinking particularly of the line between Katanning and Nyabing, which is a very short distance of poor track supporting little traffic. The farmers in that area would understand road transport could cart goods more efficiently over the short distance involved. Nevertheless, the Government has undertaken to keep these areas under review.

It seems to be a policy of the Labor Party that it shall not close railway lines—full stop. However, that is a very poor policy on which to base an efficient transport system.

Another point raised was the ability of Westrail to compete with commercial freight operators. One of the recommendations made by the co-directors regarding the establishment of Westfreight was that it should be able to go out and compete, commercially. It has been pointed

out that the policy of the Liberal Party does not allow for the establishment of such an organisation. This can be well understood. It is very difficult for any Government organisation to compete on equal terms with private enterprise. It always gets back to the difficulty of how an organisation which does not need to pay tax and which has a completely different set of terms by which to run its business, can compete equally and fairly with private enterprise. This has long been recognised. I certainly would not care to own a business which was in competition with the Government. It is remarkable how Governments always seem to find ways to ensure their organisations win.

I think the policy advocated is sensible. When no adequate service is provided at a reasonable price, Westrail will provide it.

In this case, Westrail has been used as a vehicle to ensure that transport is still available to isolated areas. Westrail will receive the equivalent of a subsidy to do so. Certainly this will be taken into account when the Government is considering the economic viability of the services. That is one of the strong points of this new policy. It always has been stated by the Government that it will ensure a reasonable service is continued.

Throughout the history of this State, Governments have endeavoured to supply through Westrail a minimum service to all areas, but we have a need for a more economic method now, in terms not only of money, but also of energy. These small loads which have to be carried regularly to isolated areas undoubtedly can be carried more efficiently and effectively by road.

It appears the Labor Party policy is that private enterprise will not be considered; if a service is required, Westrail will provide it. One wonders what is the object of that policy. Is it just to keep people employed in Government and to stop private enterprise carrying out its task? It is interesting that Mr McKenzie raised the matter of the millions of dollars of profit the transport companies are making. He did not mention anything about them providing a poor service. One wonders whether the Opposition is concerned only with socialism and keeping people employed in the Government service.

The Hon. R. Hetherington: That is not what he said.

The Hon. D. J. WORDSWORTH: The Government's policy is to ensure that the public get a choice of the most efficient service available, regardless of whether it is road or rail.

The Hon. F. E. McKenzie: They are not given a choice.

The Hon. D. J. WORDSWORTH: The whole policy is based on a user choice and on having the system adjusted over a number of years so that Westrail will be protected. At all times the Government has said it considers that in the future Westrail will continue to be the major backbone of the transport system of the State.

The Hon. R. Hetherington: That is, if you leave any rolling stock.

The Hon. F. E. McKenzie: The Government has yet to prove that.

The Hon. D. J. WORDSWORTH: Westrail is the most efficient rail service in Australia. The Government has stuck very much behind Westrail. One has only to look at the capital projects undertaken to realise that.

The Hon. F. E. McKenzie: Westrail is continuing to shrink in size.

The Hon. D. J. WORDSWORTH: It is continuing to be efficient and it is carrying more and more. The size to which Mr McKenzie refers is only the length of rail and the number of people employed. We have to allow the service to be efficient. If it can be efficient with respect to capital and the use of rail lines, that is what is needed. Even the man on the railway station wants to be employed by an efficient service. We have not taken anyone's job away from him.

The Hon. F. E. McKenzie: Didn't you take the freezer service away?

The Hon. D. J. WORDSWORTH: We have not taken jobs away from anyone, and that is an amazing achievement. We have allowed Westrail to keep all the people on its staff and the only loss is that of men who have retired. That is a remarkable achievement in these days. Very few of us in this Chamber are guaranteed to have such job safety. Certainly the farmers the railways serve do not have such a very nice guaranteed future.

Mr McKenzie raised the old bogey once again and claimed Westrail is charged interest which its competitors are not, which is utterly ridiculous. Road transport companies pay interest.

The Hon. F. E. McKenzie: And they get subsidies.

The Hon. D. J. WORDSWORTH: They do not.

The Hon. F. E. McKenzie: Look at the Transport Commission report.

The Hon. D. J. WORDSWORTH: We are talking about the normal road transport companies which Mr McKenzie claimed were making these millions of dollars of profit. They do not get a subsidy. The task they are performing

may be subsidised in certain places. The ridiculous thing is that the subsidy to which Mr McKenzie referred is the like of carting grain to Brookton, because it did not get a railway in 1923. Since then we have opened up new areas of agricultural land which do not get a subsidy; but this aspect is to be investigated.

Another matter mentioned was the free use of roads by road transport companies while Westrail has to pay for its rails. Mr McKenzie said that we renewed the road maintenance tax, but this is something his Government endeavoured to do in this place.

The Hon. R. Hetherington: You would not let us replace it with something else.

The Hon. D. J. WORDSWORTH: Have we not replaced it with something else? Generally speaking, our roads are really provided for the public use of cars. It is an extra benefit to us that the road transport vehicles can use the roads for the freighting of goods. I do not think there are any roads in Western Australia which are being fully utilised; they can all handle additional traffic without any great disability.

Another point raised was one we have debated many times and I am happy to debate again; that is, the transfer of freezer traffic. This is one of the services Westrail lost. I happened to be the Minister for Transport when this came about. The change was introduced following the receipt of a signed recommendation to me by the Commissioner of Railways (Mr Pascoe).

The commissioner wanted the service taken from Westrail. Mr McKenzie has never mentioned this. We were faced with the ridiculous situation of organising train schedules to deliver small amounts of freezer traffic to a multitude of country towns. We had to run the schedules round these deliveries because they could not be tossed off indiscriminately at railway stations at night. When the service was taken from Westrail, it was allowed to reschedule its trains more efficiently. In many cases the trains were calling into areas to drop off goods of less than 100 pounds in weight. This sort of thing was certainly not profitable. Already we had had to allow the delivery of icecream to country centres by road, so we had a duplication of services. However, we were unable to allow the road transporters to deliver vegetables along with the icecream.

The removal of the freezer traffic from Westrail did not have the disastrous effect on the cost of living in country areas many people said it would. This was because there were State-wide prices set for so many of these goods. So these were to be delivered for sale at the same price;

there were no added costs. There was a notable rise in charges for those goods which were not generally delivered by the freezer road traffic. These were the odd small lines for which it did not pay the producing company to have its own trucks on the road. The effect upon the cost of living was very insignificant. Even in the areas affected the most it was only 1c or 2c per person per week. It was certainly an odd way in which to subsidise living in the country to keep freezer traffic on the rail. As Mr McKenzie admitted, once people got to live with it and understood it they found it to be most satisfactory.

The Hon. F. E. McKenzie: I did not say that. They have learnt to live with it; but they are not satisfied.

The Hon. D. J. WORDSWORTH: I think they are very satisfied. Certainly those who had to go to the railway station to wait for the arrival of the train at odd times now have a much different delivery system.

The Hon. F. E. McKenzie: When they least expect it.

The Hon. D. J. WORDSWORTH: That is utterly ridiculous.

Mr McKenzie believes that costs will increase and the service will decline. He should consider the situation at Meekatharra. Everyone said the discontinuance of that railway service would be the end of the world for the people there. But the people are now receiving a regular service and the charges being made are just two-thirds of the charges which would have been levied if their goods were delivered by rail.

The Hon. F. E. McKenzie: Beer is still the same price, they tell me.

The Hon. D. J. WORDSWORTH: Probably the price of beer would have increased if rail were still used.

It was not realised at the time, but what the company which has replaced the Westrail service has done is that, when a person has four or five articles delivered, he pays on the gross weight of all the packages, whereas with Westrail that person would pay on the individual weights and so miss out on the cheaper rate. So freight rates to the Murchison are much less than they were before. I am sure the same sort of thing will take place when this new policy is gradually implemented.

I was interested to hear Opposition members quote a statement by the Director General of Transport. It is odd they should do so, because it is their policy to destroy his position. Yet they

grasped his statement that the farmers would become more and more involved in transport.

Undoubtedly they will because with costs rising they found their charges were increasing so that they were higher by rail than they would be had they carted their produce by road. We expect the freight rate on grain to be reduced and become competitive to such an extent that farmers will find they do not need these large trucks.

They will only have smaller trucks in which they will transport their commodities to the nearest railhead. Of course I was somewhat surprised that Mr McKenzie referred to those unviable railway lines and said that if they were closed the big haulage companies would get all the business of the farmers. Of course that is not so. If those railways do close then the farmers will be allowed to carry their own produce.

Mr McKenzie said he spoke to the staff of Westrail and said that they were demoralised. I do not believe this because I know that no-one likes to work in an inefficient service. They wish to provide an efficient and effective service for the general public.

The Hon. R. Hetherington: Did you talk to them?

The Hon. D. J. WORDSWORTH: I am sure that everyone feels that no-one likes a Government job created to provide people with work that others in private industry could do more efficiently. It is like getting people to carry parcels instead of having them transported by truck, thus providing some employment.

I cannot imagine what those in the NSW transport services think at the loss of half a billion dollars, caused by the fact that NSW largely did not reduce the rail services when goods were allowed to be taken by road. It tried to have two services to the country, and look what has happened it has lost half a billion dollars.

The Hon. F. E. McKenzie: In 1966-67 Westrail lost \$4 million, despite the fact that the Government got rid of uneconomic services like refrigerated carriers, etc.

The Hon. D. J. WORDSWORTH: At least this is insignificant when compared with what has happened in New South Wales. We have a most efficient service and we believe that this policy will make it more efficient.

The Hon. F. E. McKenzie: Of course without a service you cannot have an inefficient service.

The Hon. D. J. WORDSWORTH: Mr McKenzie also claimed that when Westrail makes a loss it is carried on from one year to another. I

find that hard to believe when he has only to look at the Estimates to see what is explained in the Budget. Of course the loss is written off year by year. The only thing which is not written off is any capital works funded from of the capital loan fund. Other losses of course are written off.

Mr McKenzie also said he felt that some of the subsidy or money given to Westrail will go out as a subsidy to the road transport companies. The only funds which may go in that field is to the isolated areas serviced by road.

The Hon. F. E. McKenzie: In the Auditor General's report it says that the General Loan Fund made approximately \$344 million loss and \$144 million was not written off.

The Hon. D. J. WORDSWORTH: If the member has a look at this he will realise he is confusing that amount with the capital works programme. That is not written off as most is borrowed and has to be repaid often to the Federal Government.

This is a very forward-thinking policy which is a great credit to the Minister for Transport. The Minister has done a great deal of work with this not only with the Director General's Department, but also with the Transport Commission and Westrail. I believe great credit has to go to Westrail because it can see that this can be of great benefit to it. I believe it wants to have an efficient service and undoubtedly it will be a great challenge to Westrail. I have the greatest respect for the executive of that organisation and I am quite sure it will emerge from this with a far better system.

Westrail will continue to play a major part and be the major carrier of transport in Western Australia and undoubtedly we will have a more efficient service. Those who use the transport services will be a great deal happier to be able to select their own means of transport.

Question put and a division taken with the following result—

Ayes 15

Hon. V. J. Ferry	Hon. R. G. Pike
Hon. T. Knight	Hon. I. G. Pratt
Hon. G. C. MacKinnon	Hon. J. C. Tozer
Hon. M. McAleer	Hon. R. J. L. Williams
Hon. N. McNeill	Hon. W. R. Withers
Hon. N. F. Moore	Hon. D. J. Wordsworth
Hon. O. N. B. Oliver	Hon. G. E. Masters
Hon. W. M. Piesse	

(Teller)

Noes 6

Hon. D. W. Cooley	Hon. R. Hetherington
Hon. D. K. Dans	Hon. F. E. McKenzie
Hon. Lyla Elliott	Hon. R. F. Cloughton

(Teller)

Pairs

Ayes	Noes
Hon. G. W. Berry	Hon. R. H. C. Stubbs
Hon. I. G. Medcalf	Hon. R. T. Leeson
Hon. A. A. Lewis	Hon. Grace Vaughan

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. D. J. Wordsworth (Minister for Lands) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 4 amended—

The Hon. F. E. McKENZIE: I would like the Minister to explain the meaning of the words "and cognate expressions shall be construed accordingly". I realise the jargon used in framing legislation is put there for very good purposes, but it is very difficult for the layman to understand what is meant by that expression.

The Hon. D. J. WORDSWORTH: "Cognate" means "like" or actions similar to or akin. Does that help the honourable member with the words? I understand this amendment extends the meaning to include the transaction of a person engaged in transport not knowing that the licenses required are being contravened. That is why it is put in this manner, so it is really a form of interpretation.

Clause put and passed.

Clauses 5 to 9 put and passed.

Clause 10: Section 34 repealed and re-enacted with amendments—

The Hon. F. E. McKENZIE: I refer to proposed subsection (1)(b) which reads—

- (b) where the Governor by Order in Council (which may be varied or cancelled by a subsequent Order in Council made under this section) has determined that the provisions of this section shall apply in relation to any such vehicle.

This is what I was referring to in my second reading speech about the Government not being required to come back to Parliament, but being able, in an Executive fashion, to determine how the provisions in this clause will apply. It is true that any regulations made are subsequently required to be tabled in this Chamber, but that is something about which we have spoken quite often; that is, government by Executive Council. This is a prime example of that particular provision and I think it is an unhealthy trend. It is quite clear that the Governor can by Order-in-Council make certain provisions without reference

to this Parliament. That is a provision about which we are not very happy.

The Hon. D. J. WORDSWORTH: This applies in the new provision with regard to the 60-kilometre limit and concerns, as of right, that area which can be proclaimed.

I do not think it gives very much licence at all outside the Bill. It might not have been there before. Nevertheless, it does not take anything from this Parliament in any way. It concerns only a very minor part which has been outlined previously.

Clause put and passed.

Clause 11: Section 36 amended—

The Hon. F. E. McKENZIE: I refer to page 6, where paragraph (e) again gives very wide powers to the Minister. The words "any direction" imply a *carte blanche*. It points up what I was saying earlier; that is, that there is no need to refer anything back to the Parliament. It can be achieved by way of regulations. A provision like that is very wide.

The Hon. D. J. Wordsworth: Would you tell us what you understand section 36 does?

The Hon. F. E. McKENZIE: This provision relates to section 36 of the principal Act which says that before granting or refusing a licence the commissioner shall take into consideration certain things, to which have been added the matters contained in paragraphs (e) and (f). If the Minister desires to implement something which does not find favour with the public, he can do so without reference back to Parliament.

The Hon. D. J. WORDSWORTH: I asked the question about section 36 because all these paragraphs do is add two new criteria which can

be considered when application is made for a licence. The commissioner always has been able to grant licences and he has had four matters to consider. He will now have six matters to consider and I do not think anyone could quibble with those which have been added.

I think we all espouse decentralisation. Paragraph (f) refers to the interests of persons requiring transport and the community generally. In other words, the commissioner may consider the needs of the community when an application is made for a licence to cart goods.

The Hon. F. E. McKenzie: I am not arguing about that, I am arguing about the fact that the Minister can direct that the commissioner do certain things. It says "any direction".

The Hon. D. J. WORDSWORTH: Paragraph (f) does not refer to the Minister at all. Paragraph (e) relates to any direction given by the Minister as to the policies of the Government. Of course the Minister has to give the policies; he has always done so.

Clause put and passed.

Clauses 12 to 14 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

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

House adjourned at 12.51 a.m. (Wednesday).

QUESTIONS ON NOTICE

RAILWAYS

Geraldton-Perth Road Service

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

- (1) Are any changes to the current Perth-Geraldton Westrail road truck service being considered?
- (2) If so, will the Minister advise of the changes being considered and, if any are adopted, on what date they are likely to be implemented?

The Hon. G. C. MacKinnon (for the Hon. D. J. WORDSWORTH) replied:

- (1) No.
- (2) Not applicable.

TRAFFIC: SPEED TRAPS

Radar

385. The Hon. D. K. DANS, to the Leader of the House representing the Minister for Police and Traffic:

Further to my question 370 of Wednesday, 28th November, 1979—

- (a) How much revenue does the Treasury receive from fines as a result of the use of radar guns; and
- (b) what is the estimated amount of revenue the Treasury expects to receive in the ensuing year as a result of the use of radar guns?

The Hon. G. C. MacKINNON replied:

- (a) and (b) Not known because monetary penalties inflicted are not recorded.

TRANSPORT: AIR

Airports: Bunbury Airport Working Group

386. The Hon. Tom McNEIL, to the Leader of the House representing the Minister for Transport:

- (1) Would the Minister advise me of the composition of the Bunbury Airport working group which has just completed

its investigations of Bunbury's Airport requirements and had recommended its upgrading to a standard suitable for use by medium/heavy general aviation aircraft?

- (2) When was the group formed?

The Hon. G. C. MacKinnon (for the Hon. D. J. WORDSWORTH) replied:

- (1) Director General of Transport (Chairman).
Bunbury City Council (three representatives including His Worship the Mayor).
South West Regional Administrator.
Town Planning Department.
Main Roads Department.
Department of Conservation and Environment.
Department of Industrial Development.
The General Aviation Association (representing operators).
Commonwealth Department of Transport.
Mr John Sibson, MLA, member for Bunbury.
- (2) The working group first met in February, 1979.

EDUCATION

Living-away-from-home Allowance

387. The Hon. R. HETHERINGTON, to the Leader of the House representing the Minister for Education:

- (1) Is it a fact that the boarding-away-from-home allowance for secondary school students is at present \$50.00 per term?
- (2) If this is not so, what is the allowance at present?
- (3) Is it intended that the allowance should be increased for 1980?

The Hon. G. C. MacKinnon (for the Hon. D. J. WORDSWORTH) replied:

- (1) Yes. The maximum allowance from the State Government is \$50 per term.
- (2) Not applicable.
- (3) No increase has been allowed for in the 1979-80 fiscal year.

EDUCATION: NON-GOVERNMENT SCHOOLS

Foreign Languages

388. The Hon. R. HETHERINGTON, to the Leader of the House representing the Minister for Education:

Is the Minister able to advise me what foreign languages are taught in which schools in the non-Government sector in Western Australia?

The Hon. G. C. MacKINNON (for the Hon. D. J. WORDSWORTH) replied:

The Education Department does not possess complete information in this regard as there is no requirement on private schools to furnish returns.

- (a) The Commonwealth Government;
(b) The State Government;
for the financial years 1974-75, 1975-76, 1976-77, 1977-78, 1978-79?

The Hon. G. C. MacKINNON replied:

(a) and (b)

Year	Common-wealth	State
1974-75	53 415 251	27 300 000
1975-76	60 954 654	31 412 000
1976-77	59 788 223	42 116 000
1977-78	62 163 008	51 550 000
1978-79	65 295 605	57 523 000

EDUCATION: SCHOOLS AND HIGH SCHOOLS

Registrars

389. The Hon. R. HETHERINGTON, to the Leader of the House representing the Minister for Education:

Is the Minister yet in a position to advise me whether schools at present without registrars due to Public Service staff limits, but entitled to them because of school numbers, will have registrars appointed for 1980?

The Hon. G. C. MacKINNON (for the Hon. D. J. WORDSWORTH) replied:

Appointments of registrars will be made to the Craigie and Greenwood Senior High Schools in 1980.

Priorities are decided each year having regard to the overall education development staffing requirements. School enrolment numbers are a major factor in deciding the schools allocated the available positions.

EDUCATION: HIGH SCHOOL

Scarborough

2. The Hon. R. F. CLAUGHTON, to the Leader of the House representing the Minister for Education:

- (1) What is the enrolment at Scarborough High School for the 1979 school year?
- (2) In what year was a general renovation and maintenance of the school buildings last undertaken?
- (3) Is a general renovation and maintenance of the school listed for the current financial year?
- (4) If so, when is it expected this work will commence?
- (5) Will the work be undertaken by private contract?
- (6) What is the estimated cost of the work?

The Hon. G. C. MacKINNON replied:

- (1) to (6) Although the honourable member gave some notice of the question, insufficient time was available to collate the material he requires, and I have been requested by the Minister for Education to ask the honourable member to put his question on notice.

QUESTIONS WITHOUT NOTICE ROADS

Funds: Commonwealth and State

1. The Hon. LYLA ELLIOTT, to the Leader of the House representing the Minister for Transport:

What was the total allocation of funds for roads in Western Australia by—

RAILWAYS: FREMANTLE-PERTH

Closure: Encouraging Trend

3. The Hon. G. C. MacKINNON (Leader of the House): I have been requested to furnish further information to the Hon. F. E. McKenzie in relation to his question without notice on the 29th November.

The Minister for Transport advises that from his answer to the member's

question 366 of the 22nd November and from examination of the Auditor General's report, the member should have appreciated that the report on page 160—headed "Metropolitan (Perth) Passenger Transport Trust"—of the Auditor General's report, is the only full and accurate record of earnings and expenditure for the suburban passenger railway services included in the report.

The Auditor General's report on page 253 is clearly headed "Government Railways" and the figures therein contained are patently the profit and loss statement of the Government

railways, in which is included the assessed Westrail expenditure on suburban rail passenger services, commented on as paid by the trust and credited to other income.

However, to make it quite clear for the member, there are earnings and expenditures on the suburban rail passenger services which are collected or incurred directly by the MTT without any Westrail involvement and these are correctly included only in the Auditor General's report on the Metropolitan (Perth) Passenger Transport Trust's profit and loss account.
