

legislation in the first part of the session. That took place in the second part of the session.

The Hon. W. F. Willesee: Do you think consideration might be given to this House resuming a week before the other House in order to catch up with legislation, as it were?

The Hon. A. F. GRIFFITH: I would not mind that, but the Government should make sure it has its majority when it decides to do that.

The Hon. W. F. Willesee: You are confusing a very sensible question.

The Hon. A. F. GRIFFITH: No, I am not. The honourable member suggested we come back a week before the other House, and I said the Government should make sure of its situation before it does that. I will talk to the honourable member about it privately afterwards. If we come back a week earlier we will not have the other House with which to communicate, so whatever we did in that week would not be communicated to the Legislative Assembly until the week after.

The Hon. W. F. Willesee: But we could develop a lot of Bills up to a certain point.

The Hon. A. F. GRIFFITH: That is for the Government to decide. Personally, I would not mind doing that in order to facilitate consideration of the legislation, but I think we should leave this evening with the understanding that I will endeavour as far as I am able to deal with as much legislation as is reasonably possible in the time available, although I foresee there will not be time to deal with the quantity of legislation the Government wants us to consider, according to the list I have.

Question put and passed.

*House adjourned at 5.59 p.m.*

## Legislative Assembly

Thursday, the 17th May, 1973

The SPEAKER (Mr. Norton) took the Chair at 11.00 a.m., and read prayers.

### INDUSTRIAL ARBITRATION ACT AMENDMENT BILL

#### Personal Explanations

MR. R. L. YOUNG (Wembley) [11.07 a.m.]: I seek leave of the House to make a personal explanation.

The SPEAKER: If there is a dissentient voice leave will not be granted. There being no dissentient voice, leave is granted.

MR. R. L. YOUNG: Firstly I would like to apologise to the Chairman of Committees and the Premier for attempting to make

this explanation in Committee last night. I knew I would not get away with it and that is as it should be. However, I now wish to raise a point in connection with a statement made by the Minister for Labour in his reply to the debate on the Industrial Arbitration Act Amendment Bill.

Mr. Taylor: To help me in my co-operation with you, will you choose your words as carefully as you can, please?

The SPEAKER: Order! No debate will be allowed on this explanation.

Mr. R. L. YOUNG: With due respect to the Minister, I think he would be aware of the fact that I always have done so up to date and no reason exists for my not doing so now.

During my second reading speech on the industrial arbitration legislation I referred to a certain pamphlet issued by the Trades and Labor Council in regard to the legislation and that pamphlet was distributed in respect of four industrial Bills which were to be or had been introduced to the House. I pointed out that the pamphlet must have been prepared before the 30th April because it commenced—

A newspaper will be produced for distribution in the week of the 30th April.

The connotation is that the pamphlet was prepared at least a considerable time before the 30th April.

Mr. Graham: Is this another second reading speech?

Mr. R. L. YOUNG: No. Just let me make the explanation.

During the course of my speech I pointed out that the pamphlet contained a statement to the effect that the Women's Electoral Lobby was one of three groups which saw the legislation as an advancement for their interests. I said that was a lie. Mrs. Pat Giles, who is the Convenor of the Women's Electoral Lobby, sent me a note in her own handwriting, and it reads—

I don't know where your information was obtained, but as Convenor of the Women's Electoral Lobby, I assure you that the meeting of the co-ordinating committee on Saturday, May 5th—

which was obviously quite a time after the pamphlet was prepared. To continue—

—and the general meeting of Sunday May 12th ratified and confirmed the action of the sub-committee (Women in the Work Force) which agreed to co-operate with the T.L.C. on the clauses of the Act which were of relevance to women.

Last night the Minister read to the House a letter from Mrs Giles addressed to him. It said—

I have been trying to ring you with no success. Enclosed is a copy of a note that I sent to Mr. R. Young last night when I heard him make a completely inaccurate statement about the Women's Electoral Lobby, in the course of his criticism of the T.L.C. campaign. In justice to the organisers of this campaign, I would be grateful if you could make the following points in the course of your reply.

Firstly, Mr. Young has no mandate to act as spokesman for the Women's Electoral Lobby.

Secondly he had been misinformed. At a meeting on Sunday, not attended by his informant, the decision to confirm the action of the sub-committee which had agreed to add our weight to an effort to have the legislation adopted, was unanimous.

I ask members to note the words "not attended by his informant".

I want to make a few points. Firstly, the document to which I referred was obviously prepared well before the 30th April. Secondly, Mrs. Giles, by her own admission and in her own handwriting, says that no mention was made of this at the Women's Electoral Lobby until the 5th May. It was only by the action of a woman of that lobby that the matter was raised. I answered her as follows—

Dear Mrs. Giles,

I understand the pamphlet was printed before both dates mentioned.

Unfortunately the Minister did not tell her that. The points in her letter are, firstly, "Mr. Young has no mandate to act as spokesman for the Women's Electoral Lobby." I do not claim to and I would not want to. The second point is, "He had been misinformed."

I inform the House in the first instance that the letter should not have been read because it is obviously an unfair condemnation when we consider the dates referred to by Mrs. Giles when she suggests that I had misinformed the House. Furthermore, I reiterate it is a condemnation of the person who produced the T.L.C. document.

A meeting which was subsequently to take place may have confirmed actions in regard to support for a portion of one Bill regarding women but this document refers to a number of Bills. The only mention of the matter was at two subsequent meetings after the preparation of the document. It was raised at the first meeting only because somebody claimed the meeting should have been informed that somebody else was making a statement on the matter without authority. Thirdly, the

letter written by Mrs. Giles refers to "his informant"—as though she knew who my informant was—not being present. I know a number of women in the Women's Electoral Lobby one of whom has informed me on this matter.

Mr. J. T. Tonkin: The honourable member can consider himself lucky in getting away with this as a personal explanation.

Mr. R. L. YOUNG: It is a personal explanation.

Mr. J. T. Tonkin: It is the worst I have heard in 40 years in the Parliament.

Mr. R. L. YOUNG: The Premier should obtain a tape recorder.

Mr. Graham: It is an abuse of the leave given.

Mr. R. L. YOUNG: That is my personal explanation with respect to what I said in my second reading speech. It is necessary to produce some evidence when making a personal explanation.

Mr. Graham: The Bill is still on the notice paper.

Mr. R. L. YOUNG: It is my rebuttal of what Mrs. Giles said in her letter and of what was said by the Minister.

MR. FLETCHER (Fremantle) [11.13 a.m.]: Mr. Speaker, I seek leave of the House to make a personal explanation.

The SPEAKER: The member for Fremantle seeks leave of the House to make a personal explanation. If there is a dissentient voice, leave will not be granted. As there is no dissentient voice, leave is granted.

Mr. FLETCHER: I wish to clarify a misunderstanding. Reference to *Hansard* No. 1 of 1963—pages 78-213 and 352—reveals that I did then quote an informant who made reference to three firms, two of which the member for Mt. Lawley found not to exist—not one as I sincerely believed to be the case.

I conceded then by way of subsequent statement that I was apparently misinformed.

It also appears that the member for Mt. Lawley has a better memory over a period of 10 years than has the member for Fremantle. I regret having cast reflections on his regard for the truth on this issue on the evening of the 16th instant when discussing amendments to the Industrial Arbitration Act.

## CONSTITUTION ACTS AMENDMENT BILL (No. 2)

### Second Reading

MR. JAMIESON (Belmont—Minister for Works) [11.14 a.m.]: I move—

That the Bill be now read a second time.

This is a small measure, complementary to the Parliamentary Committees Bill. When the Parliamentary Committees Bill and others were restored to the notice paper, this measure was omitted by the request of the Crown Law Department which thought there would be further amendments to the Constitution Acts Amendment Act and the provisions in this measure would be incorporated in those amendments.

This did not come to pass and, to rectify the situation, I am reintroducing this measure. At the time of introducing the original Bill I did not make a long explanation because, as I say, it is completely complementary to the Parliamentary Committees Bill. One measure, without the other, would be quite meaningless. It is necessary to amend the constitutional position to allow the committees to operate as is proposed under the Parliamentary Committees Bill. Consequently, I commend the Bill to the House.

Debate adjourned, on motion by Sir Charles Court (Leader of the Opposition).

### METRIC CONVERSION ACT AMENDMENT BILL

#### *Second Reading*

Debate resumed from the 15th May.

**DR. DADOUR** (Subiaco) [11.18 a.m.]: As the Premier stated when introducing the measure, its purpose is to convert a number of Acts to the metric system. I have no argument with this but I wish to bring forward a few points.

When we convert from the British system to the metric system, of course it is necessary to approximate. It is impossible to do otherwise. I have picked up a few points in the measure which, although they are not contentious, need to be mentioned.

On the back page of the Bill reference is made to section 92A of the Water Boards Act, 1904-1969. The provision reads—

Delete "ten cents per acre" in line 5, substitute "24.7 cents per hectare".

I realise the figure of 24.7c is an approximation but the actual conversion is 24.69c. Hence there is a little bit of leeway in favour of the Water Board. In other provisions it goes the other way. We cannot complain about this because we are all aware that we must give and take with approximations. This is what happens in the measure.

I refer also to the Land Tax Assessment Act, 1907-1971, which is mentioned on page 12. The amendment refers to section 8B (1) and says—

Delete "one acre" in line 3 of paragraph (a), substitute "4047 square metres".

A closer approximation is 4050 square metres. There is no real relevance in this, I am just making the point. Therefore,

in some cases we have given a little and in others we have taken a little for the sake of expediency. I have no hesitation in supporting the Bill.

**MR. J. T. TONKIN** (Melville—Premier) [11.20 a.m.]: I thank the member for Subiaco for his contribution to the debate. Obviously he has studied the Bill and has a full appreciation of the inevitability of variations when approximations must be used. As he quite rightly said, there is a little over in some instances and a little under in others. So generally it is balanced out. We must accept this with the spirit of a little give and take. It is unavoidable.

We cannot be exact when we are changing from one system to another. Having regard for the fact that the decision has been made that throughout the Commonwealth we should "go metric" then it is necessary to pass the legislation to give effect to the decision as quickly as possible.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

#### *Third Reading*

Bill read a third time, on motion by Mr. J. T. Tonkin (Premier), and transmitted to the Council.

### MURDOCH UNIVERSITY BILL

#### *Second Reading*

Debate resumed from the 16th May.

**DR. DADOUR** (Subiaco) [11.24 a.m.]: It is a rare occasion for me to rise to speak twice in quick succession. My main reason on this occasion is to make a few points which I consider very relevant. In the main I support the comments made by my colleague, the member for Floreat.

I would like to say that it is unfortunate we are discussing this legislation while the university is on vacation. Hence I have been unable to discuss the matter with my contacts there. I have not been able to obtain information I would have liked to have. I do not blame the Minister for this, of course, because I realise the necessity to expedite the legislation.

This measure is in no way political. It is our duty to attempt to pass the best possible legislation, and to this end I would like to add my contribution. We can learn from the mistakes made when we established the University of Western Australia and also the Western Australian Institute of Technology. I will return to these mistakes later.

I support the member for Floreat in his comment that it is unfortunate the State's second university will not be established in the country. For obvious reasons it must be in the metropolitan area to attract sufficient students. We do not have a country centre quite large enough to warrant the establishment of a university. The site chosen for the university, as it has to be in the metropolitan area, is the best possible one. In choosing a site south of the river, we will decentralise as far as possible from the central city area, and we will not suffer so many problems in relation to traffic and congestion.

I agree with the comments made by the member for Floreat in regard to the functions of a good university. It should be more than a place of learning; it should incorporate cultural affairs, external interests, a theatre, and so on. Students must be given the most comprehensive education available.

It is imperative that the teaching staff is adequately represented on the senate. These people co-ordinate the everyday running of the university, and they must have adequate representation on the senate to be able to administer its affairs. I agree that we cannot weight the senate too much in favour of internal staff in preference to external people. The professional academic staff must be adequately represented but I do not believe they should have majority representation. We must have regard for external interests which will enable the university to develop along broader lines.

Another salient point in respect of senate representation is the inclusion of the heads of Government departments. The University of Western Australia has a marvellous set-up in this regard. The senate has the best possible advice at its fingertips. The heads of Government departments are able to deal with many problems which arise. A by-product of this representation is that the university has access to the best possible service for nothing, or for as little as possible. For instance, the tunnel under the Stirling Highway was constructed with money from the Main Roads Department, the City of Subiaco, the City of Perth, and the university. An agreement was reached between these bodies for each to contribute a certain percentage of the amount necessary.

About six months later another plan was drawn up and it was found that the percentage to be contributed by the Main Roads Department, the Perth City Council, and the Subiaco City Council had increased, but the percentage to be contributed by the university had decreased. This same procedure was followed a little later, with the percentage to be contributed by the university being decreased still further. Therefore I believe that when we select people for appointment as members of the

senate of any university we should keep this in mind because undoubtedly it assists in keeping down the general running costs. In other words, this is an excellent by-product that has emerged from the existing personnel of the Senate of the University of Western Australia.

The member for Floreat pointed out very ably that the senate representation in other universities throughout Australia leans more heavily towards external representatives than internal ones. We should ensure that external representatives are in the majority when appointing personnel to the senate of our universities.

I congratulate the Minister on his excellent proposals which will provide that parliamentarians will have a seat on the senate. This is the only establishment with which I am acquainted where a senate will have parliamentary representatives drawn from both sides of the House. The proposal will mean that we will have members of Parliament sitting on the senate which will enable them to know at first hand the problems that are confronting the senate, and they will be in a position to bring that knowledge to Parliament and so give us a better understanding of any legislation that is introduced concerning the universities in this State. Therefore I give this provision in the Bill my wholehearted support.

Undoubtedly, with parliamentary representatives on the senate we will have a greater knowledge of university affairs, especially in regard to certain faculties. In particular I am referring to the medical faculty. It is obvious nobody knows a great deal of what is going on in the medical faculty. It is only as a result of my knowing some of the people on that faculty that I have some knowledge of its activities. In my opinion, over recent years, the position relating to the medical faculty has been a shambles. This is due mainly to the fact that two of the members appointed to the senate are the Commissioner of Public Health and the Dean of the Faculty of Medicine. We do not seem to be achieving that which should be achieved.

However, if parliamentary representatives were appointed to the senate we would know the exact position in regard to the medical faculty and we would not have to rely on other people to give us information in regard to its activities. That is the reason for my saying that the provision in the Bill to appoint parliamentary representatives to the senate is a wise one, and I congratulate the Minister once again for his wisdom.

The last point I will make relates to compulsory membership of the guild. I am not against this proposition. I am of the opinion that if the guild is giving some service and every member of that institution is benefiting as a result, materially or otherwise, the students should pay their

contribution accordingly. However, there should be some clause to enable conscientious objectors to opt out from becoming members of the guild if they so desire. I do not like conscientious objectors in any shape or form, and I cannot see myself becoming a conscientious objector no matter what the cause may be. Nevertheless, there comes a time when we have to confront such a problem.

Earlier this year I was approached by a student of the Western Australian Institute of Technology because he wished to be exempted from becoming a member of the student guild. The student guild of the Western Australian Institute of Technology is affiliated with the Australian Students' Union, which is a Commonwealth body, and that organisation made the announcement that all guilds and unions affiliated with it will be obliged to obtain \$1 from each of their members to provide funds for the relief of war-torn areas of Hanoi, North Vietnam. This young man who approached me was a Vietnam war veteran and it was his view that any money collected for the relief of war-torn areas in Vietnam should go to the south and not to the north. Therefore there should be some clause in the Bill which will allow any person to opt out when placed in such a situation.

Mr. T. D. Evans: On this point I would invite the honourable member, during the weekend and in the interim period after the Bill leaves this Chamber and before it is presented in another place, to consult with me so that some consideration can be given to the point he has raised in an endeavour to frame an amendment to cover what he is proposing. Such amendment could then be presented in another place and this, I am sure, would be acceptable to the Government.

Dr. DADOUR: This lad was between the devil and the deep blue sea, because he has to join the guild so that he may complete his enrolment as a student at W.A.I.T. Therefore in the light of existing circumstances he has no way of opting out in regard to contributing to these relief funds. As I have said, when a student strongly objects to joining a guild for some particular reason, or because of some activity in which the guild is engaged, he should be able to opt out so that he may be able to save his conscience.

I support the Bill except for those provisions against which I have spoken.

MR. A. R. TONKIN (Mirrabooka): [11.39 a.m.]: I congratulate the Government and the Murdoch University Planning Board on the framing of this measure. In particular I am pleased with the proposal to give broader representation to the community on the Senate of the new Murdoch University, because such

representation has been lacking on the senate of our existing university. Generally, universities tend to be rather elitist institutions. We have to bear in mind that the university is spending a great deal of public money and is responsible for the education of professional people and therefore has a pivotal role to play in society. As a result it is desirable that society at large should be well represented on the university senate. This is the reason that I applaud the intention to appoint to the Senate of the Murdoch University two members of Parliament.

I do not think members of Parliament have any special virtues that entitle them to be appointed as members of a university senate, but I think the interests of the general public should be represented.

I suppose we could hold an election throughout the State to find two suitable persons to represent the general public on the senate. However, that would be unrealistic, because of the expense involved and because of the lack of expertise among the voting public. I think the next best thing is for members of Parliament—and we want representation from both sides of the House—to be appointed to the senate because, as the member for Subiaco pointed out, we are responsible to the people, and what we need is a university governing body which is responsible to the people.

Mr. Rushton: On that basis we would be represented on all statutory bodies.

Mr. A. R. TONKIN: I also think it is very desirable to have two other persons nominated by the Premier and by the Leader of the Opposition. Not having specified the persons to be nominated, a degree of flexibility, which is always desirable in such a situation, is allowed.

Student involvement in the government of the university is quite considerable, and I applaud this trend. In fact, I would suggest that people who tend to oppose student involvement in the government of an educational institution have a rather authoritarian streak in them and believe the students are there to be taught. Of course, that is not consistent with the true aims of education.

Mr. E. H. M. Lewis: Has there been some opposition to this under this Bill?

Mr. A. R. TONKIN: I understand so, but if there is such opposition this seems to indicate a rather authoritarian streak in the people concerned, because the students are the ones who benefit or suffer from education. Above all, education is for the students, and if they are not to be represented on the body then who is to be represented? In fact I would like this principle to be extended to other educational institutions.

Another point is that we should create in this State a democracy, but at the present time we are far short of that. One

reason is the lack of education. Democracy suggests that the people are given a choice, and a necessity for intelligent choice is the acquisition of knowledge. The ability of people, who have little knowledge, to make a choice is very limited.

Mr. Rushton: We do not have a choice with regard to compulsory unionism.

Mr. A. R. TONKIN: I shall endeavour to speak to that Bill, but some members opposite have found it difficult to do the same. We should be preparing the students at all levels to take their place in democracy. This means teaching them how to take part in government in a participatory manner, and not in a manner which is very far removed from direct involvement. For that reason I believe there should be student participation in the government of the university.

Finally I would like to express the hope that a chair of peace studies or irenology will be established at the university. I believe there is a great deal of sympathy towards this idea in academic circles. Certainly this Government is committed to the introduction of such a course, and I believe the Commonwealth Government is also committed to such a course.

I am afraid that people tend to follow the precedents established in other States and other countries. I myself am not a great precedents man, and that is possibly why I would not make a very good judge or magistrate. I would prefer arguments to stand or fall on their inherent logic, and not just because somebody has set a precedent which could be followed. In my view the people should be using their intelligence in deciding whether or not a particular course of action be followed.

When I refer to the appointment of members of Parliament to the statutory authority I am not concerned so much whether or not a precedent has been set in other States. That does not matter. Invariably most people, in order to bolster up their argument, tend to point out that other States have done that very thing and have set a precedent. That seems to make the people less timid when pressing their proposals.

In regard to the establishment of a chair of peace studies, I am aware that the other States have not taken this action. However, I hope that we in Western Australia will not be timid and wait for the other States to take the lead. In this respect we should be the leader, and be the first State to establish a chair of peace studies.

Taking into consideration the enormous amount of finance, the enormous amount of energy, the enormous amount of genius, and the enormous amount of time that the human race has poured into the discovery of methods whereby one can destroy one's fellow men, I believe if we were to expend a fraction of that finance, energy, genius, and time to discover ways of resolving and

avoiding conflict—not only on the international level but also on the industrial level—then we would begin to achieve something. It is remarkable that in view of the enormous amount of time and effort that has been spent on the development of military sophistication we do not have more wars.

I believe that in this field we could lead the other States of Australia, and the time is fast approaching when man will realise that the settlement of disputes by killing one another is an immature and an inappropriate method. I hope the State Government, the Commonwealth Government, and the Murdoch University will get together and establish Australia's first chair of peace studies.

Mr. Stephens: Are you implying that the establishment of a chair of peace studies will enable us to avoid wars?

Mr. A. R. TONKIN: Of course I am not saying that. The member has presented a simplistic view. I am saying that if we were to spend some of the time that we have spent on the development of military sophistication upon the mature resolution of conflict instead, surely we would make progress. We should use our intellect in this matter just as we examine ways to combat diphtheria; and by this examination we are able to avoid disease. That seems to be logical.

Man is a magnificent creature with great intelligence, and I suggest that part of that intelligence should be applied to finding ways of resolving conflict instead of being applied to finding more ways of destroying our fellow men.

I support the Bill.

MR. T. D. EVANS (Kalgoorlie—Minister for Education) [11.48 a.m.]: I thank the four members who have contributed to the debate on the measure, and I intend to make some brief comment on the speech made by the member for Mirrabooka. After that, rather than dealing individually with the remaining members who have made points, many of which are common, I shall address myself to those points as a whole.

With specific reference to the comments made by the member for Mirrabooka, first of all I thank him for the ready assistance he has tendered to me during the preparation and the drafting of the legislation. I appreciate his interest in the higher levels of tertiary education, his insight, and indeed the great patience he was able to exercise in perusing the very many drafts of the legislation that had been prepared.

On the matter of the prospect of the Murdoch University instituting a chair of peace studies I would indicate that already an approach has been made to the planning board for consideration of this matter. Perhaps I could say that the approach

has been made on a broader spectrum than the establishment of a chair of irenology; one has been made into the prospect of establishing a course of peace and harmony for man in his entire environment, covering not only physical violence, but distinct from that also industrial unrest, industrial violence, and industrial disputes of a general type.

We would like the university to institute the chair and to consider bringing—and how best to bring—to mind the awareness and the desirability of peace and harmony for man in his own environment. I understand that the Premier has already made an approach to the Prime Minister for consideration to be given by the Australian Universities Commission for a special grant for the Murdoch University to institute such a discipline and it is hoped that this may well be available to the university when it opens its doors in 1975. In this way we will, indeed, be leading other universities in Australia.

Mr. Hutchinson: I think that when considering setting up a chair in this regard it makes it much more palatable to bring in other important facets, some of which you mentioned.

Sir Charles Court: Peace can be talked about in a context far different from that associated with ideas some of us have about real peace.

Mr. T. D. EVANS: Before touching on the content of the Bill, I want to say that the Government has appreciated considerably the existence of the Murdoch University Planning Board. The Government is doubly conscious of the tremendous amount of behind-the-scenes work that has been accomplished by the board. Indeed, if it were not for the board this legislation would not be before the House now. I pay a tribute to the members of the board.

I also hasten to commend the former Government for the selection of the personnel who constitute the board. I feel they have contributed to the broad education spectrum in Western Australia, and it is good to know that in our midst we can find people with the calibre, temperament, and the capacity to do the sort of job this board has done. Above all, the board members are persons who have devotion and dedication and they have given their services to carry out the job which the Murdoch University Planning Board was asked to do. So I pay a tribute to the former Government for the method and result of its selection.

I have had the honour to appoint two persons to the board and I trust that they are maintaining the high standard of the original personnel and are, indeed, making an equal contribution to the efforts of that body.

Having made that point I want to emphasise, again, that if it were not for the planning board this legislation would not have been brought before the Chamber as expeditiously as it has been.

When I introduced the legislation the member for Subiaco asked me whether I was prepared to table the draft form presented to me by the planning board. I indicated that I would seek approval from the board and if it had no objection I certainly would not object either. I have the paper before me and I am prepared to table it at the conclusion of my remarks.

The explanatory statement to the draft is, I feel, quite significant where it states—

The Planning Board recommends the establishment at Murdoch University of the two-tier pattern of university government common to Australian universities, and in fact to most universities in the English-speaking world.

Under the heading of "Senate" the explanatory note continues—

In accordance with custom it is recommended that the Senate should be—

The following words are material. To continue—

—a predominantly lay governing body with members appointed by Government, elected by Convocation, and co-opted, with in addition ex officio members and members elected by the staff and students of the University.

The explanatory note then goes on to deal specifically with particular matters. I would like to touch again on the composition of the senate, and the reference to Government nominees. The member for Moore said he did not agree with specific provision being made for representatives of the State Parliament to be seated on the senate, whereas other members who have contributed to the debate have seen merit in this provision. I would not like the member for Moore to think that the Murdoch University Planning Board is to blame for this provision. For his benefit, and for the benefit of other members, I will read to the House the notes put forward by the board, as follows—

The Board has given careful consideration to the question of the composition of the governing body of Murdoch University and in particular to the need for representation of a wide range of community interests.

In most Australian universities an important means of achieving this representation is through the provision for appointment by the Governor of a number of members of the governing body. In some cases the Governor's discretion is limited by statutory requirements for the representation of named bodies or particular interests

as is done in the legislation establishing the Western Australian Institute of Technology. It is also a common practice in Australia to make specific provision for parliamentary representation on the governing body either by direct election or through appointment by the Governor.

In this regard I draw the attention of members to the legislation governing the Flinders University, and also the Monash University.

Mr. E. H. M. Lewis: Are they the only two?

Mr. T. D. EVANS: The only two of which I am aware.

Mr. Mensaros: There is one more.

Mr. T. D. EVANS: The two I have mentioned are the two most modern universities which have adopted the practice. Their method of selection, of course, does not compare with ours. I think they have an election from both Houses of Parliament and it could well be that two members from the same party could be representatives on the senate. The method set out here was adopted to ensure that one member could be appointed from each side of the House; one by the Premier, and one by the Leader of the Opposition.

Mr. E. H. M. Lewis: Are they the only two universities which have members of Parliament on the senate?

Mr. T. D. EVANS: I am unaware of any other, although the member for Floreat has said that there is one other.

Mr. E. H. M. Lewis: The Minister said it was common.

Mr. T. D. EVANS: I am reading from the notes prepared by the Murdoch University Planning Board. I will repeat the note involved, as follows—

It is also a common practice in Australia to make specific provision for parliamentary representation on the governing body either by direct election or through appointment by the Governor.

So apparently it is a common practice, but to my knowledge both the Flinders University and the Monash University have in fact adopted this method of representation. To continue—

The Board's recommendation on this matter is that the best interests of Murdoch University will be served by leaving the Government complete discretion—

So, I do not blame the board for the inclusion of members of Parliament. To continue the explanatory notes—

—in the nomination of six members of the Senate. However, the Board would not wish it to be thought that the omission from its draft Bill of any specific provision for parliamentary

representation indicates any wish to avoid such representation. The Board regards this as a matter for Government decision but suggests that it could be achieved, if desired, by providing that two of the six places should be filled by the Governor by the appointment of members of the Western Australian Parliament.

I would like to make this point to the member for Moore, who said he did not see merit in this provision, and I am sure my point will appeal to him as a former Minister for Education of long standing in Western Australia. If one were to adopt a golden rule of conduct for an educationist it would be that an educationist should have regard for three main factors: (1) the interest of the child or the student, the person to be educated; (2) the interest of those who are to impart such education; and (3) the interest of the taxpayer who foots the whole bill. I ask myself where better for the taxpayer to look when he is called upon to foot the entire bill than to the Parliament of the State? This argument may well have been diminished by the decision of the Commonwealth Government to assume full financial responsibility for tertiary education in Australia, generally, in 1974.

Sir David Brand: It is still the taxpayers' money.

Mr. T. D. EVANS: Be that as it may, there is also a strong further argument that we are establishing the firm nexus which must still continue between the State Parliament and the tertiary education institutions in the State.

Sir David Brand: I repeat it is the taxpayers' money, wherever it comes from.

Mr. T. D. EVANS: I agree. The member for Moore and, I believe, the member for Floreat spoke about the varying terms of office of the members of the senate. The Bill provides a maximum term of three years.

Mr. E. H. M. Lewis: I made a blue there.

Mr. T. D. EVANS: It was asked why there should be a break in membership. Clause 14 (2) of the Bill states that where a person has served two terms there must be a break of 12 months before he is eligible for reappointment. The member for Moore pointed out that in some cases a person of great expertise, experience, capacity, and calibre who had served the senate well would have his service broken perhaps at the stage where he had become a very valuable member.

It is a question of priorities and what is in the best interests of the community. We wish to guard against a tendency towards inbreeding in the senate and ensure a flow of interest to and from the community, with the senate as the pivot. In avoiding any tendency for the university



senate to become an elitist organisation, it is a question of determining priorities, and we came down on the side of a person who had served two terms being ineligible for further appointment until there had been a break. If, for example, a person had rendered very valuable services, I am sure a break of 12 months would be of benefit to him, and that at the end of 12 months the senate would be glad to welcome him back.

Sir David Brand: That is easy enough in theory.

Mr. T. D. EVANS: We believe the priorities rest in this order.

Both the member for Floreat and the member for Subiaco made the point that it would be very advantageous and desirable—a view which I think every member, both metropolitan and country, would endorse—if the second university were established in a country district. However, economics are such that that is just not on at the present time, as members will realise.

I think all members spoke about the need for the university to be closely knit and widely welded to and accepted by the community. Having made the point that the Murdoch University Planning Board did not recommend but endorsed the appointment of members of Parliament to the senate, the only other addition to the constitution of the senate proposed by the planning board is the specific provision for the Premier and Leader of the Opposition of the day to select from the community at large a nonparliamentarian to sit on the university senate in order to ensure the senate would be closely knit, welded to, and accepted by the community.

What I am about to say is not intended as criticism of the legislation governing the Western Australian Institute of Technology, but there is a strong tendency for bodies and groups within the community to feel they should have representatives on governing bodies.

Sir David Brand: How do we overcome that?

Mr. T. D. EVANS: I think we would all agree that every member of a governing body should be selected having regard for his experience, interest, and what he can contribute across the board to the organisation, and not because he represents a special interest in the community.

Sir David Brand: Pardon my being cynical.

Mr. T. D. EVANS: We must guard against a tendency for members of organisations to represent and reflect sole interests, but difficulty always exists in finding the type of personnel who can contribute right across the board to the well-being of an organisation.

Sir David Brand: That has not been my experience.

Mr. T. D. EVANS: We propose the addition of two persons who are nonparliamentarians to be drawn from the community and selected respectively by the Premier and the Leader of the Opposition, who we believe would be very keen judges of persons of calibre within the community who could be expected to have the ability to contribute right across the board to the governing body.

Sir David Brand: Have they not been doing that up to date?

Mr. T. D. EVANS: That is the reason for that specific provision. If we gave in to the temptation to provide representation specifically for given bodies, we would invite the tendency for the persons selected by those bodies to represent only the interests of those bodies.

Sir David Brand: I agree.

Mr. T. D. EVANS: The member for Floreat spoke about the role of convocation at the University of Western Australia in the statute-making process. He suggested that at the Murdoch University, where convocation will not exercise the same role and will not become part of the statute-making process at all, wide publicity should be given to the passage of statutes from the time they are passed until they are confirmed, so that those who are most interested may be made aware of the contents of the statutes and their implications.

I agree with the rationale behind this proposal, but the process of advertising every statute passed by the university on two occasions in newspapers circulating throughout the State would be cumbersome and very expensive, and would mean that the statutes of the new university commanded much more publicity than most of the Statutes passed through this Parliament.

After all, what is more important: a Statute passed by the Parliament of the State or a statute passed by a university senate? I would agree with the member for Floreat if he is prepared to delete any reference to publishing this in a newspaper a given number of times, but still ensuring that the contents of the statute are widely displayed within the university.

Mr. Mensaros: Which two universities did you say have parliamentarians on the bodies?

Mr. T. D. EVANS: Monash and Flinders.

Mr. Mensaros: McQuarrie and Latrobe also have them.

Sir David Brand: This supports the statement of the board that it is common practice.

Mr. T. D. EVANS: I do not wish to delay the legislation. Most of the matters to which I could address myself now will be

raised during the Committee stage. So I will content myself by referring to one point raised by the member for Floreat on, I think, two occasions, that certain procedures which the Bill provides shall be determined by the senate could well be provided for by statute. I make the point that a deliberate attempt has been adopted by the Murdoch University Planning Board in this legislation to avoid as much as possible the need for a proliferation of the university statutes.

Whilst the senate itself is indeed a legislation-making body of the university, instead of saying the senate may or shall do this by statute the Bill in many instances says the senate shall determine. This avoids the necessity to make statutes where the need apparently does not always exist.

I trust members will bear with me in my effort to exercise some economy in time. I thank them for their support of the Bill and undertake to deal with the matters raised when it is in Committee.

Question put and passed.

Bill read a second time.

### *In Committee*

The Chairman of Committees (Mr. Bate-man) in the Chair; Mr. T. D. Evans (Min-ister for Education) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Interpretation—

Mr. MENSAROS: I have an amendment on the notice paper with regard to the definition of "student". It has been brought to my attention that the University of Western Australia has experienced considerable difficulty with those students who graduated and then wished to do an additional course which was not strictly speaking a postgraduate course, but might have been a course in itself—*per se* an undergraduate course—to supplement the degree they had already acquired.

For instance, if a student has acquired his B.A. degree and then wishes to acquire a Diploma of Education he or she must take ancillary courses in order to acquire the second degree. In fact, the example I have given is the most common, but this also applies to psychology and other diplomas. Such students are regarded as students in relation to compulsory membership of the guild.

I understand the university is not sure which way to interpret its own statutes and regulations, and I was strongly urged to endeavour to remedy the situation by this amendment which will exclude from the definition of "student" a person who already has a degree and wishes to take other courses for whatever reason. Some-times the reason might be only for enjoy-

ment, but in most cases it would be for the purpose of acquiring an additional degree. Therefore, I move an amendment—

Page 2, line 30—Insert after the word "student" the passage "but for the purpose of sections 12, 13, 14 and 15 of this Act it does not include a person who has been admitted to a degree awarded by the University of the status of a Bachelor, a Master or a Doctor and who attends the University on a part-time basis".

The amendment applies only to the categories I have mentioned and only to part-time students. In most cases students wishing to acquire further degrees would do so on a part-time basis. The amendment will not apply to those who, having achieved a degree, decide they will study in a different subject or faculty to acquire another degree; in other words, if a student studied arts and acquired his degree and then decided that he had a leaning towards medicine or one of the more applied sciences and so took an entirely new course full time, he would not come within the scope of the amendment.

The amendment of necessity refers to clauses 12 to 15 inclusive, in which students are mentioned. Those clauses deal with the whole of the constitution of the senate, the tenure of office of various senators, resignations, disqualifications, and vacation of office.

Mr. T. D. EVANS: The Government has no objection to this amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 4 to 10 put and passed.

Clause 11: Pro-Chancellor—

Mr. MENSAROS: I move an amend-ment—

Page 6, line 21—Delete the words "except the conferring of degrees".

As I indicated in my second reading speech, my main point of concern is representation on the senate. I canvassed this aspect and I feel I have achieved some measure of agreement.

It is my opinion—and this has also been expressed by others—that it would be nicer if in the absence of the chancellor certain duties were performed by the pro-chan-cellor, instead of by the executive officer of the university, who, of course, is the vice-chancellor. The duties to which I refer are virtually representative duties. I do take cognisance of the fact that the pro-chancellor is a member of the senate—he could be anyone in the constituted senate who is elected by the senate; though, of course, he would not be the executive officer of the university.

His main duty and *raison d'être* is that he is deputy to the chancellor. Surely he would feel strange if this duty meant representing the chancellor on all occasions

except on the one significant and important occasion of the university year which is the conferring of degrees. It would be anomalous if he were pushed aside in this instance by the vice-chancellor who for all practical purposes is the most powerful man in the university. Such representation should be the duty of the pro-chancellor. Few members of the senate would aspire to become pro-chancellor if they felt they were not permitted, in the absence of the chancellor, to represent him during the conferring of degrees.

Mr. T. D. EVANS: I must indicate the Government does not accept this amendment, the purpose of which is to deprive the vice-chancellor—the permanent executive head of the university—of the opportunity to confer degrees in the absence of the chancellor, whose divine right, one might say, is the conferring of degrees; the rationale appearing to be that in the absence of the chancellor this duty should be performed by the pro-chancellor.

It is not every day one introduces legislation to establish a new university, so one does not have any past experience on which to rely. Accordingly I had to approach the personnel of the Murdoch University Planning Board and I was told that the practice does vary from one university to another—in one university the pro-chancellor confers the degrees in the absence of the chancellor whereas in others he does not.

The pro-chancellor should be looked upon as being someone who relieves the chancellor from his duties as chairman of the senate. The planning board wishes to adopt this procedure at the Murdoch University. The conferring of degrees is to be the divine right of the chancellor, and in his absence the permanent executive head should carry out this duty. As I have said, the pro-chancellor should be regarded as the person who relieves the chancellor from time to time from chairing senate meetings. Accordingly I cannot accept the amendment.

Mr. MENSAROS: I do not press the amendment, but there are two different opinions on this matter. I am not convinced by what the Minister has said. He merely referred to the opinion of an outside body—the planning board—which, I respectfully submit, is an opinion given without reason. My opinion and reason have been well explained.

In my experience there are quite a number of universities where the office of pro-chancellor is vested in the person who has had the office in the immediate past. The Latin word *pro* indicates this. In most ancient continental universities the rector is the chief head of the university and the pro-rector is the man who is the immediate past rector. Another reason why the pro-chancellor should perform these duties is that while he may have less power than

the executive officer he does hold a higher office. We are quite often confronted with a situation such as this.

In other words, this is protocol. No-one would say that the Governor has more power than the Premier yet no-one would suggest that at an official function because the Premier has more power he should precede the Governor. My argument is exactly the same in relation to this matter. However, I will not press the amendment. My opinion is on record and the future will indicate who was right and who was wrong.

Amendment put and negatived.

Clause put and passed.

Clause 12: The Senate—

Mr. MENSAROS: I move an amendment—

Page 7, line 13—Add after the word "Governor" the passage "to represent professional, industrial commercial and rural interests".

This amendment concerns the diversification of various appointments and such a provision is included in various other Acts and, indeed, in the Western Australian Institute of Technology Act which was agreed to by all parties.

Mr. E. H. M. LEWIS: I support the amendment, but I rise to emphasise the words "rural interests". The governing bodies of the Murdoch University and the University of Western Australia should be representative of the whole of society and all its facets.

I wish to take the opportunity also to emphasise the importance of having women representatives on the senate. I hope that under one of the appointments the Government will make it will ensure a woman representative is appointed.

Mr. T. D. EVANS: The planning board indicates that in most Australian universities wide-ranging representation is achieved through the provision for the appointment by the Governor of a number of members of the governing body. In some cases the Governor's discretion is limited by statutory requirements for the representation of named bodies or particular interests as is done in the legislation establishing W.A.I.T. The board's recommendation is that the best interests of the Murdoch University will be served by leaving the Government complete discretion in the nomination of the six members of the senate.

The board suggested that two of the six members could be members of Parliament. I must be guided by the advice of the planning board and therefore I cannot accept the amendment.

Mr. MENSAROS: I am indeed sorry about the Minister's attitude. Again with great respect to the planning board and

Professor Bayliss, I cannot agree that the recommendation of the planning board is such that without having been given a single reason I should accept it. The Minister indicated that the advice of the board is that the provision should remain as it is—full stop.

Mr. T. D. Evans: This allows a greater range of flexibility.

Mr. MENSAROS: The Minister only said that this is the board's view. Surely we have not reached the stage in the Parliament of having only an argument of authority and not an argument of reason. I could bow to the authority of the board members—to their knowledge and experience—but it is important for them to give the *raison d'être*.

I am sorry the Minister is not flexible on the matter. Let us go back a little to some of the arguments I advanced during the second reading stage. I said I was sorry that it was not possible at this time for the new university to be in the country. We all profess to want decentralisation. I explained at the time that I realised it would be very difficult to establish a university in the country at the moment. It would be hard to channel students to such a university and to give incentives to the teaching staff. These are only some of the difficulties. We must first generate decentralisation and build up our population before establishing a university in the country.

However it has been accepted that the prime and main reason for the establishment of the university is that we, in Western Australia, should have the fourth veterinary school in Australia. This fact has been admitted by the Government and by the Opposition.

I purposely did not want to mention the argument which the Opposition had with the Government some 12 or 18 months ago. At the time we insisted that there should be no delay in establishing the Murdoch University. The Minister will surely remember that we flogged this matter by way of parliamentary questions and debate. We quite rightly suspected from the answers given by the Minister to questions asked by us that there was some endeavour to delay the establishment of the Murdoch University for budgetary reasons.

We were adamant on this and, indeed, the Leader of the Opposition was especially adamant that this should not happen and that the veterinary school should be established at the scheduled time envisaged by the Brand Government.

I could not agree more with the member for Moore who says that rural interests especially should be represented, because the establishment of a veterinary school is the prime reason for the existence of the

Murdoch University. It is the reason that more financial assistance has been received.

It is absolutely illogical for the Government to say that it does not want rural interests specified because that would restrict the Government in that the Minister for Education may not want this type of representative. Whom would a veterinary school serve most?—the rural interests. I am sure we do not want to establish a veterinary school primarily for pet dogs and cats but for the interests of agriculture and of agricultural exports which, even now despite all the mineral and industrial development, are a very important factor in the State. Members on this side of the Chamber take cognisance of this and we represent the country as well as the city. This is inherent in our policy.

I am sorry to contradict the advice of the board but this is one of my reasons for doing so. I would be happier to hear the reasons of the board so that I could argue against them or bow to them if they are better than mine. These reasons have not been given.

For the reasons I have given, I can only say that a rural representative should not be excluded. Let us look at other established universities in Australia such as Monash and Latrobe. As I have mentioned, I had a long telephone conversation with Sir Robert Blackwood who specifically stressed this principle and said it is a very good one. He specifically said that Monash University adopted this principle because there was a time when only one sector or category was represented, but there should have been representatives for the various faculties. Apparently there have been times at Monash University when the people concerned had only a particular interest and Sir Robert Blackwood said that the interest should be diversified.

The situation is not such in Western Australia that we do not have the people who could sit on the university senate. We do not lack these people and the Minister would not be restricted, as he said, in his choice. The amendment refers to commercial, industrial, or rural interests. There would be many extremely good men to choose from on the recommendation of the planning board or from any other responsible recommendation.

I am indeed sorry that I have to argue one-sidedly without hearing the arguments of the board members whose contention is contrary to mine. Without hearing those arguments I am quite firm in my attitude on this matter.

*Sitting suspended from 12.45 to 2.15 p.m.*

Mr. T. D. EVANS: I have already spoken to the proposed amendment and I have indicated that one must come down on one side or the other in regard to policy. One alternative is to specify in the legislation

particular interests from which persons may be selected by the Government of the day and nominated to the senate by action of the Governor-in-Executive-Council. On the other hand, we may leave the legislation so that the Government is unfettered in exercising its discretion to fill the vacancy in the manner aforesaid.

Mr. E. H. M. Lewis: What interest would the Minister nominate?

Mr. T. D. EVANS: I will come to this point in a moment. In the teacher education legislation passed last year, we sought to provide a half-way house. Some of the personnel to be appointed by the Minister are to come from specific interests in the community, and the other personnel are to remain, so that the Minister can exercise his unfettered discretion.

The Murdoch University Planning Board was charged with the responsibility to prepare draft legislation. After due consideration, it came down in favour of—and strongly in favour of—the latter policy; that is, the Minister should be unfettered in exercising his discretion.

The board has not stated its reasons for this but they are not difficult to discover. Such a choice gives the Government unbounded flexibility in choosing persons who it feels are best equipped to serve on governing bodies, in this case the senate of the university.

As I indicated during the second reading debate, a dangerous tendency arises when persons selected from different areas of interests are nominated to managing bodies such as the senate. Sometimes these people believe they are to represent specific interests and specific interests only.

Sir Charles Court: We have tried to tell you that on a number of occasions in connection with other matters. For instance, where an employee representative is nominated, that is one of the dangers.

Mr. T. D. EVANS: The Leader of the Opposition has not been listening.

Sir Charles Court: I have been listening.

Mr. T. D. EVANS: I have indicated the two alternative policies available, as distinct from the provisions in the W.A.I.T. legislation and the teacher education legislation. The planning board came down in favour of an unfettered decision by the Government.

One real danger I would like to draw to the attention of the member for Moore, who will recall certain experiences when he was Minister, is in regard to the Minister's being called upon to fill a vacancy created by the legislation setting up the W.A.I.T. People representing specific areas of interest were nominated in the legislation as indeed the member for Floreat proposes in regard to this legislation. I

will refer to the proposition put forward by the member for Floreat rather than the W.A.I.T. legislation.

The member for Floreat wishes to lay down that the Government must nominate representatives from professional, industrial, commercial, and rural interests. It is true that these words would not restrict the Government from nominating people outside those interests. However, members of the profession may be offended if the Government nominates people outside those interests, when no specific representation has been nominated from their group. If the discretion of the Government is unfettered, no-one is offended.

If we restrict the interests from which to nominate personnel, the Government may find that only a very few people with a particular interest are suitable representatives.

I have difficulty in filling vacancies on the Supreme Court and District Court as I mentioned in the Chamber the other day, and it could be that the Government may feel that, rather than having to choose someone in a particular field, the senate could be better served by choosing someone from a different area of interest altogether. In other words, if the Government is obliged to choose someone from a particular area the person chosen may not be suitably fitted to contribute to the overall interests of the senate. These reasons have not been put forward by the planning board but they do manifest themselves, and therefore I reiterate that the Government is not prepared to accept the amendment.

Mr. E. H. M. LEWIS: I sympathise with the Minister because of the position in which he may feel he is placed in view of the over-emphasis that is placed on the wording "representing industrial, commercial and rural interests." As he has said, I, too, have been in a similar position. Would the Minister be any happier if the word "representative" were omitted and the words "be selected from" inserted instead? This would not convey the impression among all interests that each representative must represent his particular section.

Mr. T. D. Evans: That would overcome some of the objections but not all of them.

Mr. E. H. M. LEWIS: The Minister has said he may have difficulty in finding someone to represent professional interests.

Mr. T. D. Evans: Not only professional interests; any one interest.

Mr. E. H. M. LEWIS: The Minister said there are areas of professional interest such as those in which architects, lawyers, and so on work, but this provision should not be confined to any one of them. As long as the Minister can say, "he will represent professional interests" there should be no difficulty in finding someone who

can be selected from professional interests. The same argument can be applied to the industrial interests. A representative could represent manufacturers or workers in industry and, anywhere in that range, he could say, "I am in the industrial section". The same argument can be applied to the rural sector.

The Minister has stated that he has had difficulty in filling vacancies on the Supreme Court and District Court, but the legal profession is rather small and restricted when compared with industrial and rural sectors. There are many thousands of people employed in those areas and I am sure the Minister will have no difficulty in selecting someone who has had a good deal of experience in industrial or rural affairs to represent the interests of the people in those sectors.

I suggest that the Minister should have a good look at this proposal. He has stated that both the board and himself would feel restricted. He could say that a housewife is not included in professional, industrial, and rural interests. If the Minister finds that the amendment put forward by the member for Floreat is unacceptable in regard to all four proposals, would he be prepared to accept at least two of them? It is desirable that we should have some concept of these wide interests that are spread all over the State and therefore if he cannot agree to four he should agree that at least two people should be selected to represent these interests.

Sir CHARLES COURT: Because I am interested in another amendment which flows on from this one to a certain extent I consider I should have something to say on the amendment. Perhaps the use of the words "to represent" in the amendment creates the wrong impression. My understanding of the amendment—and I am sure it is the intention and desire of the mover and the member for Moore—is that these people shall be "selected" from these groups and not be nominated in the ordinary way. For instance, it is not suggested that the Employers Federation, the T.L.C., the Royal Agricultural Society, or the Farmers' Union will submit names. The amendment only seeks to ensure that, as far as is reasonably practicable, those selected will ensure the maximum diversity of interests on the senate.

The mover of the amendment, and those who have spoken to it, have no desire to impose restrictions. In fact I believe this amendment is in keeping with the concept of universities; that is, we want the maximum diversity of representation. Also, we have to be careful that if we do not get this type of diversity in the representation we will finish up with people who will have a preponderance of similar opinion and experience on the university, and instead of having the wide, broad approach to life we want it to have, it will finish

up by concentrating—as some universities overseas have done—on courses which are of no great value, at this time, in the development of the nation and, in fact, of no great value to the students themselves.

The Minister will know of the universities in Europe particularly, and, to a certain extent, in America, where the graduates have no chance of following a particular career unless they completely change their mode of life because some of the interests and influences in universities have placed an over-emphasis on a particular type of education and degree.

I sincerely hope the Minister will accept this amendment in good faith to ensure that we achieve what we desired when the idea of the second university was conceived. We would be quite agreeable if the Minister had desired to give a wider coverage, but he just says "No". We all know that the people who run the university will not read *Hansard*.

Mr. T. D. Evans: These appointments will be made by the Government of the day and not by the people who run the university.

Sir CHARLES COURT: We are all grown up enough to know that when the appointments are made a degree of consultation occurs, and no-one will read *Hansard* to ascertain that the members of Parliament in 1973 wanted a wide representation to avoid an over-emphasis of the type of academics we have in the university. It should be in the Bill.

Mr. T. D. Evans: Will you consider the appointments to the senate of the university during the 12 years you were in Government? You were not restricted by a provision such as this and I cannot fault the selection of personnel your Government appointed to that senate during those 12 years. You were completely unfettered and that is how it should be.

Sir CHARLES COURT: I make two points: First of all, the concept in the Bill before us is different from the concept in the University of Western Australia Act. Secondly, with the University of Western Australia we are dealing with an organisation or an institution which has grown up over the years from a series of tin sheds in Irwin Street to the very magnificent establishment it is today. It has produced some wonderful people. Because of the nature of the State as it was then, the university tended to get a great spread of disciplines, and with great credit to all concerned. However, in the case of the Murdoch University we are starting a new university in a new age.

Mr. T. D. Evans: You are trying to limit the discretion of the Government.

Sir CHARLES COURT: We are giving wide discretion. All we are trying to do is to avoid an over-emphasis of certain

disciplines within the senate. This type of provision has been incorporated in the legislation for some of the newer universities, for the very reasons I have given in this instance.

I think the Minister is missing the point which is that we are commencing a new university in a State which is quite different from what it was when the University of Western Australia was established just over 50 years ago. There is now an entirely different social conscience and a much more sophisticated type of industry. We want to ensure that all these factors are taken into account so that we do not finish up with a narrow approach as we could do.

Mr. T. D. Evans: This has not happened with the University of Western Australia.

Sir CHARLES COURT: Another point the Minister has overlooked is that under the amendment many graduates of the University of Western Australia and, in due course, graduates of the Murdoch University, could be considered; and there is nothing wrong with that. In the meantime these people will have had experience in the group suggested by the honourable member. I hope the Minister will go along with the principle as enunciated, even if he wants to give the provision wider scope.

Mr. MENSAROS: I am very pleased with the quality of the debate which has ensued so far. I might remind the member for Mirrabooka that his motion relating to committees was perhaps a little hasty and based on insufficient experience. This is exactly the type of discussion for which the Committee is designed.

I have listened to the arguments of the Minister and the member for Moore. Perhaps the word "representative" could bind the Minister to a certain extent. However, the member for Moore suggested a solution which the Minister said would be more acceptable. I want to emphasise that the amendment is not restrictive. It is purely indicative.

If a Minister wants to ignore the provision he can do so because he is under no obligation in regard to it.

Good reasons exist for the inclusion of an indicative provision. It indicates what the Legislature intended; that is, that there should be a diversity within the group of appointees. If the Minister of the day under certain circumstances feels the provision is restrictive, or that jealousy exists in the various professional or occupational bodies, he can ignore the provision.

I agree with the Minister that the appointments to the Senate of the University of Western Australia have been very good indeed. I notice that the Minister said that on the senate there is a representative of non-Government education authorities. This is an appointment which

I found quite interesting. Father Nester's name was on the list of nominations and this takes cognisance of the fact that he represents possibly the biggest group of non-Government schools and of course, as such, he would have an interest and perhaps a say in the governing body of the university, which is a very good situation. The Minister of the day will take all these aspects into consideration. The amendment would not place a restriction on the Minister, but would give an indication to him that these are the branches he should consider and that he should not forget that the rural interests are vital in this particular case because of the veterinary school to be established.

Consequently, I do not think we can add much more to the argument. Our point of view has been expressed clearly and it is up to the Minister to indicate whether or not he accepts it.

Mr. E. H. M. LEWIS: I move—

That the amendment be amended by deleting the words "to represent" with a view to substituting the words "and selected from".

As the Minister has already stated, this would at least meet part of his objections.

Mr. BRADY: I consider the Minister is on the right track and that the clause should be left as it is printed. So far as the question of representation is concerned the present provision is adequate.

I had a period as a representative on the senate. I was one of six persons to be appointed by the Governor. The system worked well and within the category of people appointed by the Governor there were judges, farmers, doctors, lawyers, members of the clergy, and trade union representatives. Nobody would deny that such people represent a good cross-section of the community.

Mr. E. H. M. Lewis: How long ago was that?

Mr. BRADY: It was in 1953 or 1954. One of the representatives was a pastoralist from the Walebing district whose name I cannot recall at the moment. He was an excellent help to the senate during the period I was a representative.

Mr. E. H. M. Lewis: It was the late Sir Edward Lefroy.

Mr. BRADY: Yes, that is right. Subsequently there were professional men on the senate who were not appointed because of their particular profession. There were doctors and people interested in defence and other matters.

If we single out professional, industrial, commercial, and rural interests in connection with appointments to the university senate then, as the Leader of the Opposition said, we would need to consider the Employers Federation, the Trades and Labor Council, trade unions generally, the

Merchant Navy, transport interests, housewives, and women's organisations generally. These people are just as interested in the university as are professional, industrial, commercial, and rural people.

Sir Charles Court: They could come in under our definition.

Mr. BRADY: I think this is one of the weaknesses of universities today. There are too many people representing these types of organisations. We should have a greater cross-section of the community on a senate body. In this way there would be a better balance in determining what is required to be determined.

I am sure the Murdoch University Planning Board knows what it is talking about in regard to what should be done on the senate. I agree with the member for Floreat in one respect in that there is a great imbalance between internal and external representation. For this reason only I would be inclined to go along with the idea of the member for Floreat. However, I think the difficulty would be overcome by allowing the people appointed by the Governor to represent any interests. The Governor could appoint professional people on one occasion, rural people on another, and commercial and industrial people on another. In this way they would all have a turn. This applied, as I have said, during the time I was on the senate. Judges, farmers, doctors, members of the clergy, women's organisations and even trade unions were represented.

Sir Charles Court: This is what we are trying to do.

Mr. BRADY: It may surprise the member for Floreat to know that there were two trade unionists on the senate at the time. One was the late Mr. Somerville and the other the late Mr. T. G. Davies. The fact remains that a cross-section of people can well represent the interests of all. It is not necessary to stipulate professional, industrial, commercial, and rural interests.

We do not want to have a university senate looking simply at what rural or professional people want. I think there is an imbalance now. We would not have half the industrial troubles in Australia today if universities thought more about dealing with personal relationships between employer and employee. In this way, we would get on top of the difficulties which have arisen in the nation, unfortunately, between the workers and the people with the finance. Germany has overcome this difficulty and combines the talents of both sections of the community.

At this stage in our history we want to see a better approach to human relationships. This is especially appropriate while talking on the subject of universities. It is more than a question of basic education;

it is a question of the humanities and the social conditions of the community at large. Why should industry be especially represented?

The member for Floreat has already said that there is too great a tendency for an imbalance amongst the 22 members by virtue of the fact that 11 will represent staff or convocation. Let me say that to some extent these people will look at matters from the point of view of industry, commerce, and rural interests because of their particular studies at the university and because of the people they associate with from time to time.

I suggest we should allow the Government of the day to appoint people who can be drawn from any category. I do not care what the category is. One which particularly comes to mind is the matter of transport generally. This is becoming extremely important in the community and seems to be neglected by everybody. More regard should be paid for what will happen with transport generally.

I think it is better to leave well enough alone. The Opposition should not take up a great deal of time in the Committee stage in trying to obstruct the Minister on this matter. The Murdoch University Planning Board has given him good advice.

The system which has been laid down has worked extremely well since 1911, which is over 60 years. Let us leave well enough alone and give the Murdoch University Planning Board the opportunity to proceed along the lines suggested. If we feel changes should be made this can be done at a later date.

Incidentally, this university will be quite close to the Port of Fremantle and, consequently, perhaps we could think of a special representative from the maritime industry. I certainly would not advocate that. I say that we should let things stand as they are and proceed with the Bill.

Mr. T. D. EVANS: There is before the Chair an amendment on the amendment. I have spoken to the amendment and I feel I must address myself to the amendment on the amendment.

This amendment on the amendment seeks—and actually would achieve it—to take away part of the objections I earlier raised. I say "part" because a person could be seen—and could possibly see himself—as a representative of a specific interest on the senate.

I could not agree to the amendment and, likewise, I cannot agree to the amendment on the amendment because it would remove only part of my objection.

Anyone listening to the debate might be excused for believing the Government seeks to write into the Bill a formula which will not give the widest possible scope, opportunity, flexibility, and room for manoeuvring to the Government of the day in the



selection of persons who are believed to have the best talents, across the board, to serve the best interests of the governing body of the university. Anyone listening might think we were trying to write in something which would restrict the Government of the day.

In fact, we are seeking to write in something which has been contained in the Statute relating to the University of Western Australia since 1911, and it has worked well. When one considers the persons who were appointed during the term of the Brand Government, using the formula in that legislation which places no restrictions on the discretion of the Government, one finds it difficult to fault the selections that have been made. During the time I have been the Minister I have had the opportunity to appoint two other persons, and I hope I have exercised the same unfettered discretion and selected people of the type who have been appointed over the years.

What we are really doing is defining the areas and restricting consideration to other areas not mentioned. The Murdoch University Planning Board has had regard for counterpart legislation relating to other universities and is aware of the working of that legislation in practice. Experiments have been conducted in some of the modern universities in the Eastern States and this form of approach has been adopted. The planning board has given a considered opinion that the Government should have unfettered discretion and should not be bound to consider the specialised interests proposed by the member for Floreat.

The Government is not disposed to accept the amendment, and despite the fact that the amendment on the amendment removes part of the evil it does not remove all of it. Therefore the Government will not accept the amendment on the amendment, either.

Amendment on the amendment put and negatived.

Amendment put and negatived.

Mr. E. H. M. LEWIS: I move an amendment—

Page 7—Delete paragraph (h).

I regret my amendment is not on the notice paper but I have distributed in a limited way some handwritten copies and I hope the Minister has one.

Mr. T. D. Evans: Yes, I have.

Mr. E. H. M. LEWIS: I would like my proposed amendments to be read as a whole. Although I am now moving for the deletion of paragraph (h) of clause 12, if that is agreed to I intend to move some further amendments to paragraph (i), so my remarks refer to both of those paragraphs.

Paragraph (h) reads—

(h) two members, selected from persons who are members of either House of Parliament, and appointed by the Governor, of whom one shall be nominated by the Premier and the other by the Leader of the Opposition;

During my second reading speech I expressed opposition to this paragraph. I am still of the opinion that members of Parliament have no place on the senate of this new university.

I questioned the chairman of the planning board (Professor Bayliss), who told me that there are 17 universities in Australia and another one in Queensland in the same stage of planning as the Murdoch University, and most of them—not all of them—provide for a member or members of Parliament to be on the senate. I still feel members of Parliament have sufficient to do in the job for which they were elected by the people. I am one who thinks a member of Parliament has no special qualities which are not possessed by many people outside Parliament when it comes to contributing experience representative of the community, generally.

The CHAIRMAN: Order! There is far too much chatter in the Chamber. The Hansard reporter cannot hear the honourable member.

Mr. E. H. M. LEWIS: There are people in ordinary civil life whose experience is just as broad as that of members of Parliament. The Minister suggested perhaps members of Parliament would be more concerned about the interests of taxpayers. That rather surprised me because most people outside Parliament consider that those who have the least concern for taxpayers are members of Parliament. I do not subscribe to that view. I think members of Parliament are concerned about the things that should be done to improve society in many ways, and of course most of the moves in this direction involve the expenditure of a good deal of the taxpayers' money. That is inseparable from progress. But the argument that members of Parliament are more concerned about reducing expenditure of the taxpayers' money than are people outside Parliament is, I think, fallacious.

In regard to the paragraph we have just disposed of, the Minister used the argument that he wanted representation on the senate to be as broad as possible. Paragraph (h) confines or restricts representation to two persons. We will say two members of the senate shall be members of Parliament, whether or not they know anything about the outside world—I am not suggesting for one minute they do not—but it is not suggested they will represent industry, commerce, housewives, or any other section of society. However, it is suggested they will make a special contribution.

I have yet to be convinced that members of Parliament have any special attribute through which they can contribute to the university more than other people can contribute. That is one reason for my seeking to delete paragraph (h), but to justify my suggestion I say that if paragraph (h) were deleted I would be in favour of doubling up the members who will be selected under paragraph (i), which at the moment enables both the Premier and the Leader of the Opposition to nominate a representative who is not a member of Parliament. I would be in favour of giving the Premier and the Leader of the Opposition the right to nominate two such representatives.

Those people could be either members of Parliament or others. This would not restrict the provision. The Premier and the Leader of the Opposition would each be called upon to nominate two people making a total of four. That would cover the position of paragraphs (h) and (i). I would prefer that the Premier and the Leader of the Opposition be unfettered in the nomination of four persons to the senate of the university.

Mr. HARTREY: I oppose the amendment. I do not think so poorly of my parliamentary colleagues as the member for Moore apparently does. I think they possess a specific quality which he denies them. He says they have no special aptitude or qualities that befit them to hold a position on the senate of the university. Speaking in general terms, and with reference to no-one in particular, I deny that allegation on behalf of the members of this Chamber and another place.

I feel members of Parliament have a very special quality; that is, sound common sense. A man must be a reasonably typical citizen of this State to have much chance of succeeding in a political career. It is not necessary for him to be a genius; sometimes it helps and sometimes it hinders his career. In every instance the possession of good, sound common sense is an admirable quality for the promotion of a political career. As this Parliament in the main consists of members who have been a good while in the respective Houses and have acquired a wide experience of public opinion and possess sound common sense, I honestly cannot think of people better qualified to be members of a senate of a university. One thing that an academic institution needs is a strong blast of fresh air and sound common sense coming from outside.

The atmosphere of universities is not very different from the atmosphere of the institutions which gave rise to universities; that is, medieval monasteries. University staff become so esoteric, so highly exalted in their own imaginations, and so remote from practical common sense which politi-

cians must exercise every day of the week, and especially every three years, that we really need such people to bring them back to reality. I am not attacking universities. I have every reason to be grateful to the University of Western Australia; but at the same time I am not blind to its defects.

I recall that in 1923 when I was a fairly senior student at that university a business friend complained to me in private conversation that he and many of his colleagues found it a great handicap that they were unable to communicate freely with fellow directors, shareholders, and businessmen in the English language because they really did not have a sufficient grasp of it. He asked me whether English was taught at the university. I replied that English literature was taught, which is an entirely different thing from teaching one how to read, comprehend, and communicate in the English language. The university did not teach English in the same fashion as it taught Latin and French.

I was asked to propose to the senate that a chair of English be established. The response of the university was to make it compulsory from then on for all science students to take an arts subject and for all arts students to take a science subject, which had no relation to the defect we were endeavouring to remedy. That is the type of attitude adopted by academics towards these things.

The more unacademic people we have on the senate the better it will be. I do not know where one would find a better cross-section of intelligent, but not highly intellectual, and well-informed members of the community than that found in the Houses of Parliament. I sincerely hope two members of Parliament will be nominated to the senate—one by the Leader of the Opposition and the other by the Premier. I oppose the amendment.

Mr. T. D. EVANS: I thank the member for Boulder-Dundas. He rightly anticipated that the amendment is not acceptable for the obvious reason that, having formed a policy regarding whether or not to include express provision for members of Parliament, one must abide by that policy and defend the inclusion of the provision.

The member for Moore raised the point that there is a conflict in policy because a strong desire has been expressed for the Government to have the unfettered right to recommend to the Governor-in-Executive-Council those who shall constitute the senate, and yet provision is made for one member of Parliament to be selected by the Premier and another by the Leader of the Opposition. I cannot see that there is any conflict in philosophy here in so far as the appointments made by the Government of the day are intended to reflect the broadest possible spectrum of interest in the community; whereas the two members of

Parliament will endeavour to ensure that Parliament is fully aware at all times of the affairs of the university.

The member for Moore asked why a member of Parliament is considered better able to look after the welfare of the taxpayer. At least if he did not do that it would be his duty to ensure that the taxpayer receives value for his money. I would not advocate that the members of Parliament be appointed to ensure that the contribution of the taxpayer is kept to a minimum; I think their duty would be to ensure that the taxpayer gets full value for his money.

Mr. E. H. M. Lewis: Don't you think John Citizen would do that?

Mr. Hartrey: Aren't we all John Citizens?

Mr. T. D. EVANS: I see a conflict in the proposals contemplated by the member for Moore. Whilst he wishes to remove the provision that two members of Parliament must be appointed, he still wishes to retain the right of the Premier and the Leader of the Opposition each to select two persons. The Bill has been carefully considered by the Murdoch University Planning Board and a decision has been made. The Government intends to defend that decision.

Sir CHARLES COURT: I find myself in a rather invidious position, because on the one hand I subscribe to most of the arguments used by the member for Moore, but on the other hand I know that the Government with its numbers will insist on defeating the amendment. I have foreshadowed a possible amendment and it is on this point that I seek guidance. If I have interpreted the Standing Orders correctly, after the amendment is defeated it will not be practicable for me to move my foreshadowed amendment. Mr. Chairman, does that particular section still apply?

The CHAIRMAN: This particular section will still stand and the honourable member may move his amendment.

Sir CHARLES COURT: That being the case, I shall put forward my arguments in support of my foreshadowed amendment if the amendment moved by the member for Moore is defeated. Firstly, dealing with the arguments he has put forward, I reacted rather sharply when I heard about a proposal to set out in the Statute definitely that two members of Parliament shall be appointed to the senate. I have nothing against members of Parliament, because I am one myself! It is a matter of working out their merits and their capacity to make a contribution to the deliberations of the university.

I have another reason for not being happy with members of Parliament being appointed to the senate. By doing that we would immediately identify the two members of opposite political persuasions,

as they are to be the representatives of the Premier and the Leader of the Opposition.

Whilst on the one hand I have been advocating the maximum diversity of interests on the senate, on the other hand I acknowledge the university should be given the greatest degree of autonomy possible. This is part of its life and the very basis of its constitution and operations. In my experience I have found that people have been screaming from the highest hilltops that we should not inhibit the universities beyond practical limits of financial and other considerations. In other words, they are saying we should give them maximum autonomy, and opportunity for research, study, and so on.

If we were to appoint two members of Parliament—one with Labor persuasions and one with Liberal persuasions—we would immediately place on the senate two persons who could be identified in their roles. The Government might say that members of Parliament have been appointed members on such bodies previously. I would not question that, but I question whether it is the wise thing to do.

I am reluctant to agree to people so closely identified with party political activities being so appointed. If the Government is insistent on this issue and defeats the amendment, another course can be followed; that is, we could make it optional for the Premier and the Leader of the Opposition to make the appointments from the ranks of members of Parliament. For instance, one could be a member of Parliament and the other not a member of Parliament.

The Premier of the day, for good reason, might take the view that he has in mind a person who could make a greater contribution to the deliberations of the senate than any member who is in his team; likewise the Leader of the Opposition could have the same view.

Another aspect should be taken into account. The senate holds lengthy meetings. This is an important body which has a fairly big budget. It has to make important decisions affecting the students, the life of the university, and the community. It cannot meet for half an hour in a perfunctory manner; it has to meet regularly and for long sittings. Furthermore, it is necessary for the senate to appoint a series of important subcommittees.

How would we get on if we made it mandatory for a member of Parliament to be on the senate when his parliamentary duties conflict with his duties on the senate? I suppose the answer is that the two members on the senate could be paired, because they would both be present at meetings of the senate. However, that is not practical, because often in this Parliament we deal with different Bills and different motions and it would be most

unusual for the two members to have commitments in Parliament which were completely identical.

Senate meetings might extend from late afternoon into the evening, even if the meetings themselves are not held in the evenings. Normally members of Parliament are here for the three sitting days of the week. On Tuesday and Wednesday nights sittings take place, and normally on Thursdays the sitting concludes at tea time. However, late in a parliamentary session the sittings on Thursdays extend into the evenings. I can see some practical difficulties arising. If a member of Parliament has to give priority, it must be to his parliamentary duties. Probably we would be defeating our objective by appointing members of Parliament to the senate even though we might have the best intentions in the world.

I would be more hostile to the clause in the Bill had I not received information from the Eastern States following the work done by the member for Floreat. This information indicates that the provision under discussion has worked reasonably well in one university in Victoria. I place a great deal of reliance on the informant whom the member for Floreat contacted at my suggestion, because he has had great experience in the formation of a comparatively new university.

We should make it optional for the Premier and the Leader of the Opposition of the day to nominate members of Parliament, if they so desire, but if they prefer otherwise they could nominate persons who are not members of Parliament.

One valid argument I could use on the desirability to include a reference to members of Parliament in the Bill while leaving the appointments optional is that if there is a change in attitude from a financial point of view, the appointment of members of Parliament to the senate could be challenged on the office of profit provision. There could be a drastic change in the finances of the university in the years that lie ahead, but if Parliament lays down in the Statute that these persons may be members of Parliament then the appointments cannot be challenged under the office of profit provision. It would then be entirely at the discretion of the Premier and the Leader of the Opposition to nominate members of Parliament or non-members as they so desire.

I can see the situation arising where the Premier finds that all his Ministers are committed, and he does not have a back-bench member who is suitable for appointment to the senate; but he knows of a person, not being a member of Parliament, who is admirably suited to make a valuable contribution to the life of the senate. Similarly, the Leader of the Opposition

could find himself in exactly the same position. Under my amendment it would be left to them entirely to make the choice.

Mr. T. D. Evans: Could I indicate that the Government intends to defeat the amendment moved by the member for Moore. However, I see some virtue in your contemplated amendment.

Amendment put and negatived.

Sir CHARLES COURT: I move an amendment—

Page 7, line 18—Insert after the word "opposition" the passage "provided that the nominee of the Premier and the Leader of the Opposition may at their discretion be a person not a member of either House of Parliament".

Mr. T. D. EVANS: I have indicated that I see merit in this proposition whereby the right is vested in the Premier and the Leader of the Opposition to select the persons to be appointed to the senate, having proper regard for the rationale that I explained previously; that is, their right to select the best persons who have the most to offer.

I want to query the grammar in the amendment before us. As I read the amendment the Premier and the Leader of the Opposition may provide a nominee at their discretion. They would have to come together to exercise that discretion and that would defeat the very purpose of the amendment. I go along with the idea but I do not think the existing wording will achieve the object of the Leader of the Opposition.

I suggest to the Leader of the Opposition that he may have regard for the fact that this Bill has to pass another place and that he might like to have another look at the amendment so that it will achieve what he seeks to do.

Sir CHARLES COURT: I anticipated that the "legal eagles" would get busy on this amendment. I originally drafted it in a more complex way. I understand that the Minister has accepted the principle.

Mr. T. D. Evans: Yes.

Sir CHARLES COURT: I do not like to see words included in a Bill which have not been put forward by a draftsman who applies himself specifically to the task. If the Minister accepts the principle I am quite prepared to withdraw my amendment on the basis of bringing it forward in another place after submitting it to the draftsman for further consideration. I seek permission to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. E. H. M. LEWIS: In view of the fact that the Committee has not agreed to the deletion of paragraph (h) I will not proceed with my further amendments.

Mr. MENSAROS: I was glad to hear the member for Swan and the member for Boulder-Dundas speak and express the same sentiments which caused me to move my amendments; namely, that fresh air from outside, and the external influence or participation, should be emphasised. Instead of trying to rearrange the representation on the senate I attempted to restrict those persons who were to be nominated or selected from other than the university academics. The wording which I propose has been used in two Victorian Acts and in one New South Wales Act. I move an amendment—

Page 7—Insert after paragraph (j) the following new subclause to stand as subclause (2)—

(2) (a) A person whose sole or principal employment is in connexion with his duties as a member of the teaching staff or as an officer of the University is not eligible for election or appointment under paragraphs (f) (g) or (j) of subsection (1) of this section.

(b) A person who is a member of the teaching staff or an officer of the University is not eligible for appointment under paragraphs (h) or (i) of subsection (1) of this section.

Mr. T. D. EVANS: I can sympathise with the member for Floreat in what he is seeking to achieve. He wants to ensure that the minimum number of persons with interests within the university should have representation on the senate. To this end he seeks to restrict the right of a person whose sole or principal employment is in connection with teaching on the staff, or a person who is an officer of the university, to be eligible for election to the senate. However, I cannot agree with him in the case of the provisions of paragraph (f).

I can see virtue in the proposal regarding paragraph (g). If the member for Floreat is prepared to delete the reference to paragraph (f) I am prepared to agree to the amendment.

Mr. Mensaros: Could you indicate your view on paragraph (b)?

Mr. T. D. EVANS: Paragraph (b) is all right. If the honourable member deletes the reference to paragraph (f) we will accept the amendment.

Mr. MENSAROS: If I agree with the Minister I will not achieve what I seek to achieve. The member for Boulder-Dundas talked about a breath of fresh air when I was referring to the composition of the senate and comparing it with other academic bodies. It appears there are to be eight internal members, nine external, plus three who are to be co-opted. In regard to those whom I might call either external

or internal people, there are three who are co-opted and three who represent the convocation. I said that while the Western Australian University Act classifies the convocation members as definitely external because of the composition of the convocation of the university it is quite different from what is proposed in the legislation before us. I know the provision is subject to Statute but there are certain guidelines in the Bill and members of the convocation are not mainly alumni of the university; they could have graduated somewhere else and are on the teaching staff. We have a position where the academic staff and employees of the university have an opportunity to get onto the senate through various channels.

This is the result we seek to avoid. The members can be appointed in their own right and they can also come in under the convocation clause—they have a double right, so we do not achieve the majority of external representation and the breath of fresh air mentioned by the member for Boulder-Dundas.

I am glad the views I have expressed have been expressed from both sides of the Chamber, and I hope that those interested in the affairs of the university will take heed of what has been said in Parliament as an indication of the views we hold. I would be happier if the Minister left the matter as it is but I am prepared to co-operate and give his idea a try.

Mr. RUSHTON: I move—

That the amendment be amended by deleting the paragraph designation "(f)" in line 8 of proposed new subclause (2).

Amendment on the amendment put and passed.

Amendment, as amended, put and passed.

Clause, as amended, put and passed.

Clause 13: Inception of Senate—

Mr. MENSAROS: I refer to paragraph (b) of clause 13. It is difficult to understand how an election will work if the candidate himself has to designate the duration of his office. Under this paragraph three candidates are to be elected and they are to come together and agree among themselves who will seek election for one year and who will seek election for two or three years.

If there is to be an election there must be a difference of interests, otherwise they would not nominate for the same election. I suggest that the person who receives the greatest number of votes should have the longest term and that those who have fewer votes should have the shorter terms. I did not have time to prepare an elaborate amendment but perhaps the Minister will give the matter some thought with a view to implementing my suggestion later.

Mr. T. D. EVANS: For obvious reasons I have had no time at all to make a detailed study of the remarks made by the member for Floreat during his second reading speech. I recall his having made some reference to this provision and because I could not follow his line of thought I queried his comments. I think he said he was probably referring to the wrong clause.

However, I will have the honourable member's comments examined. As I see them at the moment I raise no objection to the proposal and if it is thought desirable I will have the matter attended to subsequently.

Clause put and passed.

Clause 14: Tenure of office—

Mr. MENSAROS: My proposed amendment is in connection with the interim period when members of the senate, excluding those appointed *ex officio*, will not be entitled to sit; that is, after serving two terms. This is a novel arrangement and the Minister gave good reasons for it. He said he wished to rejuvenate the senate and ensure that members do not remain there too long. We know that often no provision is made in regard to tenure of office and frequently members of the Public Service cannot be sacked irrespective of their efficiency. From that point of view I agree with the Minister.

However, I would like to put the other side of the case. I believe it is unwise to restrict exceptionally good men to a six-year term of office. Such people would then have to wait 12 months before they could be re-elected or reappointed.

It has been pointed out to me that exceptional men and women may be lost to the university through this provision. It is unlikely that such people would do nothing for 12 months. Because of their qualifications, they would soon be absorbed by some other organisation.

To meet the argument advanced by the Minister, and to give effect to my views, I put forward my amendment. The provision to restrict the tenure of office will stand, but the senate may resolve to disregard it in an exceptional case. I move an amendment—

Page 10, line 6—Add after the word "member" the words "unless in any particular case the Senate resolves otherwise".

Mr. T. D. EVANS: I can see the point made by the member for Floreat, but I can also see a practical difficulty which would arise in the case of a person who has been elected or appointed but would not necessarily apply to a person who has been co-opted.

Where an appointment has been made by the Governor, the Premier, or the Leader of the Opposition, and the appointee has already served two terms, we do

not know that a suggested third term would meet with the approval of the senate. It could be embarrassing for the senate to say, "We do not want you. You must wait for 12 months." A co-opted member is co-opted by the senate which would then have the opportunity to say, "We will co-opt you for a third term."

Mr. MENSAROS: I do not believe this point would raise a great difficulty. I am sure, with his astuteness, the Minister would be able to administer the Act. If he were the vice-chancellor he could overcome the difficulty with an elected or appointed member.

Mr. T. D. EVANS: The vice-chancellor would not know whether or not the body appointing a person is prepared to appoint him for a third term.

Mr. MENSAROS: I see the point of the interjection. If the senate decides a particular person is an exceptional member, it could say to the person electing or appointing him, "He is a good man. Will you elect him or appoint him again?"

From his remarks I feel the Minister does not altogether disagree with me. He admitted this would work in the case of co-opted members and he will consider it in that case. I do not disagree that my amendment may be imperfect as I had only a limited time to consider the matter. I suggest that the Minister may be prepared to give an undertaking to examine the situation. He may be able to devise a method to achieve the result I desire. It may be that the appointor or the elector may wish to leave such a decision to the discretion of the senate. The Minister or the draftsman may devise a way around the difficulty.

*Sitting suspended from 3.48 to 4.05 p.m.*

Mr. T. D. EVANS: Whilst I can appreciate the "halfway house" proposal put forward by the member for Floreat to overcome the difficulties associated with appointing a person who is to be re-elected and the person who is to be reappointed for the third time, I still cannot accept the amendment.

Amendment put and negatived.

Clause put and passed.

### Progress

Progress reported and leave given to sit again at a later stage of the sitting, on motion by Mr. Harman.

*(Continued on page 1952)*

## QUESTIONS (36): ON NOTICE

### 1. WATER SUPPLIES

*Mandurah: Tank at Halls Head*

Mr. RUNCIMAN, to the Minister for Water Supplies:

(1) When is it intended to erect the reticulation water tank at Halls Head, Mandurah?

- (2) What will be the capacity of the tank?

Mr. JAMIESON replied:

- (1) Present planning envisages commencing construction of the service tank at Halls Head late in the 1973-74 financial year.
- (2) The designed capacity of the tank is 2 million gallons.

## 2. SYNTHETIC MEAT

### *Use of Term*

Mr. W. A. MANNING, to the Minister for Health:

On 21st March, 1972 in reply to my question regarding misleading names for what has been called "synthetic meats" he advised that action would be taken by the Food and Drug Advisory Committee, will he now advise in detail—

- (a) what decisions were made;
- (b) what action has been taken?

Mr. DAVIES replied:

- (a) and (b) Action taken in *Government Gazette* No. 31, 27th April, 1973, adding regulation A12 to the Food and Drug Regulations.

## 3. WATER SUPPLIES

### *Canning Dam-Roleystone Tunnel: Union Ban*

Mr. RUSHTON, to the Minister for Works:

- (1) Is the scheduled programme for construction of the Canning tunnel to guarantee the metropolitan water supply in jeopardy from union bans of anything French?
- (2) Is the construction company Citra under a performance clause?
- (3) If "Yes" to (2), how is this affected by any withdrawal of labour?
- (4) How many employees are involved in this project—
  - (a) directly;
  - (b) indirectly?
- (5) For how long is the McNess Drive access to Canning Dam to remain closed—
  - (a) if normal conditions continue;
  - (b) if withdrawal of labour takes place?
- (6) What negotiations has the Government had with the unions to enable the project to continue?
- (7) What result has been achieved?
- (8) What is the present position and the foreseeable future of the tunnel project as it is affected by French/union confrontation?

Mr. JAMIESON replied:

- (1) Work is currently on schedule and relationships on the project are excellent.
- (2) Yes.
- (3) This is conjecture.
- (4) (a) 80.  
(b) 100.
- (5) (a) Lady McNess Drive is closed until 6th September, 1973, when it will be reviewed.  
(b) This is conjecture.
- (6) None.
- (7) Answered by (6).
- (8) The work is proceeding to schedule and it is anticipated it will continue to do so in the foreseeable future.

I might add that the Citra company has excellent relationships with the trade union movement and, generally, with the Australian Government and the attitude it holds. Indeed, the company has complained, through its parent company, about the nuclear tests that are being continued in the Pacific. Therefore I suggest that the honourable member should get off the back of the Citra company and let it continue to carry on the job it is being paid to do by the Metropolitan Water Board.

4.

## TRAFFIC

### *Gosnells: Speed Limit*

Mr. BATEMAN, to the Minister representing the Minister for Police:

- (1) In view of the ever increasing housing development along Spencer Road, Gosnells, will the Minister adjust the speed limit in this area to 35 miles per hour?
- (2) If not, why not?

Mr. BICKERTON replied:

- (1) 2.5 miles of the 3.3 mile length of Spencer Road is already posted for a 35 m.p.h. speed limit. The remaining 0.8 miles, at present posted for 45 m.p.h., will be reassessed as and when housing development extends to this section.
- (2) Answered by (1).

5.

## EDUCATION

### *Mentally Retarded Children: Hostel Accommodation*

Mr. W. A. MANNING, to the Minister for Health:

- (1) Is there a shortage of special hostel accommodation for mentally retarded children over 13 years of age?

## (2) If so—

- (a) what are parents of such children advised to do;
- (b) what extra provision is being made for suitable hostels in the metropolitan area and in the country?

Mr. DAVIES replied:

## (1) Yes.

- (2) (a) Discuss the position with the Mental Deficiency Division (Irrabene Clinic), 84 Thomas Street, West Perth. Limited short stay accommodation is arranged where possible.

## (b) Metropolitan Area—

## Mental Health Services:

- (1) Epsom Hostel in Dianella providing 18 beds, commenced receiving residents in early May, 1973.
- (2) A 36 bed hostel in Inglewood is in the advanced planning stage.
- (3) An adult day activity centre (on the same site in Inglewood) is being planned to cater for 32 persons.
- (4) A special care centre for 32 persons is also being planned on the Inglewood site.
- (5) Mental Health Services is continuously trying to purchase suitable buildings to provide accommodation for a range of mentally retarded persons.
- (6) A 64 bed unit is under construction at the Fyrton Training Centre.

## Voluntary Agencies:

The Slow Learning Children's Group is planning a hostel in the Fremantle area.

## Country Areas—

## Mental Health Services:

The Mental Deficiency Division of Mental Health Services sends clinical and paramedical teams to the country at regular intervals.

## Voluntary Agencies:

The Slow Learning Children's Group is planning a new hostel at Kellerberrin and has plans to take over Seaton Lodge, Albany, to use as a hostel.

## 6. INDUSTRIAL STOPPAGES

*Lockouts: Number*

Mr. MENSAROS, to the Minister for Labour:

Can he give information of the number of lockouts, their approximate date and the potential number of employees affected by each, which have occurred in Western Australia since the first enactment of the Industrial Arbitration Act?

Mr. TAYLOR replied:

There have been no lockouts reported to the Western Australian Industrial Commission since 1984. As no records are kept before 1964, it is not possible to answer the question for the period from 1912 to 1964, without undertaking considerable research by examining all the *Western Australian Industrial Gazettes*.

## 7.

## AIR TRANSPORT

*Interstate Budget Fares*

Mr. MENSAROS, to the Minister representing the Minister for Transport:

- (1) Is he aware of the fact that the conditions relating to "budget fare" air flights interstate will change on 2nd June so that passengers taking a night flight for the forward leg for their trip will have to return with a day flight leaving not later than 1 p.m. in order to enjoy this concession which saves \$31 and \$40 between Perth-Melbourne and Sydney respectively?
- (2) Is he further aware that these new conditions are most disadvantageous for Western Australian passengers making a one-day trip to the Eastern States, as there are no later return day flights from Sydney and Melbourne than early in the morning and so Western Australian passengers will have no time for business in the city of their destination (as they do now) unless they will go to the additional expense and spend the night there?
- (3) As there are not only private and mainly small business men but also professionals and State Government employees involved, will he make representation with the Commonwealth Minister in charge of Civil Aviation to use his influence to have these proposed conditions so changed that they shall not be discriminatory to Western Australia?



Mr. JAMIESON replied:

- (1) and (2) Inquiries have indicated that this is so.
- (3) No. Inquiries with the Department of Civil Aviation indicate that this is not a matter on which the Commonwealth Minister would have jurisdiction.

It is suggested that direct approach should be made by the Member to the company concerned.

#### 8. SALVADO DEVELOPMENT BILL

*Public Discussion before  
Second Reading*

Mr. MENSAROS, to the Minister for Town Planning:

In view of the fact that the contents and provisions of a Bill dealing with land development and planning of new residential and industrial areas have been the subject of wide discussion in all the media before the second reading was moved and the Bill was presented to Parliament—

- (a) is it his policy to inform the public earlier than Parliament and allow public discussion first on a matter yet unknown to Parliament;
- (b) if it is his policy to generate public debate before his second reading speech, will he let Members have the Bill prior to generating such discussion?

Mr. DAVIES replied:

The "contents and provisions" of the proposed legislation to which the Member refers have not been made known to the public. Such debate as has taken place has been based on Press statements which have indicated in only the most general terms the proposed aims of the legislation. This is not unusual and when important decisions are taken, whether at State or Federal level, I see no reason for withholding that information from the public.

As is customary, Members will as far as possible continue to be the first to be informed of the precise details of the legislation and the detailed explanation of the Government's reasons for submitting it.

#### 9. *This question was postponed.*

#### 10. DONNYBROOK-BOYUP BROOK ROAD

*Widening*

Mr. JONES, to the Minister for Works:

In view of the constant complaints I receive regarding the width of the road between Donny-

brook and Boyup Brook, will he advise if a programme has been determined to widen the road and the dates involved?

Mr. JAMIESON replied:

Improvements including widening of sections of the road between Donnybrook and Boyup Brook have not yet been programmed. However, preliminary investigations and surveys of the Donnybrook-Mumballup section are proceeding. Consideration will be given to the programming of work when these investigations have been finalised.

#### 11. WATER SUPPLIES

*Harris River Dam*

Mr. JONES, to the Minister for Water Supplies:

- (1) Has any firm decision been made to erect another dam in the Harris River area, north Collie?
- (2) If not, will he advise the level of planning reached in view of the position in which farmers in the area find themselves regarding additional capital investment?
- (3) Will he also advise the location numbers of the properties that could be involved?

Mr. JAMIESON replied:

- (1) No.
- (2) Preliminary investigations have shown that sites in the Harris River area north of Collie are not fully satisfactory. While a dam in this area cannot be completely ruled out in the long term, the proposal need not interfere with any normal property development by farmers.
- (3) Answered by (2).

#### 12. PERTH MEDICAL CENTRE

*New Laboratories*

Dr. DADOUR, to the Minister for Health:

Is the Commissioner of Public Health willing to co-operate in the urgent planning for the very essential new laboratories to be built on the top of the mortuary at the Perth Medical Centre?

Mr. DAVIES replied:

Plans for the north wing of the State Health Laboratories were completed two years ago.

#### 13. HOUSING

*H.M.A.S. "Stirling" Personnel*

Mr. RUSHTON, to the Minister for Housing:

- (1) Has it been determined where the Navy homes for the H.M.A.S. *Stirling* personnel are to be built?

- (2) If "Yes" to (1), will he please give the reasons for this decision?
- (3) If "No" to (1)—
  - (a) what negotiations have taken place;
  - (b) when is a final determination expected?

Mr. BICKERTON replied:

- (1) No.
- (2) Answered by (1).
- (3) (a) and (b) The Commonwealth Department of Housing, by letter of 7th December, 1972, to the General Manager of the Housing Commission, confirmed a requirement of seventy-nine houses for Navy personnel from H.M.A.S. *Stirling*. This communication also confirmed the accommodation is required by December, 1975, and hence construction will need to commence in the 1974-75 year. It also expressed a Commonwealth viewpoint that in detailed forward planning it would not be prudent to defer final decisions concerning personnel accommodation until 1974-75.

This letter also asked whether, in the light of the confirmation of programme intention, the commission would be prepared to consider a land exchange and whether it would be prepared to build the Navy houses at Rockingham. When the commission has made its recommendation to me the matter will be finalised with the Commonwealth Department of Housing.

#### 14. IRRIGATION Waroona Area

Mr. RUNCIMAN, to the Minister for Works:

What is the present situation regarding the application of a number of farmers north of Waroona to be included in an irrigation scheme?

Mr. JAMIESON replied:

The Public Works Department is currently carrying out a cost benefit analysis on a proposed scheme.

#### 15. BEACH EROSION Mandurah

Mr. RUNCIMAN, to the Minister for Works:

- (1) Is he aware that despite the thousands of tons of sand being dumped along the Hensman Beach area in Mandurah serious erosion is still taking place?

- (2) What is the Government's planning for this area?

Mr. JAMIESON replied:

- (1) Recent winter storm seas have formed a normal winter profile on beaches along the Western Australian coast, including beaches at Mandurah.
- (2) The Government plans to complete the sand renourishment programme at present in progress at Mandurah.

16.

#### FISHERIES

##### *Research into Resources*

Mr. RUNCIMAN, to the Minister for Fisheries and Fauna:

- (1) What investigations have been undertaken into the fish resources off the Western Australian coast?
- (2) Is there any current research or contemplated research being planned on wet fish resources in Western Australian waters?
- (3) If so, what are the details?

Mr. BICKERTON replied:

- (1) Tuna:  
Aerial surveys off the west and north-west coasts were undertaken during 1967 and 1968 and on the south coast in 1972.  
A three months' ship survey of inshore north-west waters was undertaken in 1971.

Pilchard:

Boat surveys were undertaken by echo sounding between Geraldton and the Abrolhos in 1972.

Prawns:

Boat surveys were undertaken in Western Australian waters off the north-west coast in 1968, 1969, 1970, 1971 and 1972.

The results of these surveys are made available to industry through the department's quarterly publication F.I.N.S.

- (2) Yes, in conjunction with industry on Pilchards and Tuna.
- (3) The department is working in conjunction with the Geraldton Fishermen's Co-operative Society in a Pilchard test fishing exercise.

The department is working in conjunction with Markwell Ross Fisheries Pty. Ltd. in a Tuna test fishing exercise.

In both of these exercises the department's Senior Research Officer (Development) will be closely associated with the development of the programmes and in addition the department will provide some of the fishing equipment.

17.

**DEVELOPMENT***Canned Fish Markets*

Mr. RUNCIMAN, to the Minister for Development and Decentralisation:

- (1) To what extent does his department encourage the development of interstate and overseas markets for Western Australian canned fish?
- (2) Have any investigations been undertaken to determine the feasibility of establishing an integrated fishing industry to produce processed fish for export and fish meal?

Mr. GRAHAM replied:

- (1) The department encourages and assists all local industry to enter export markets overseas and interstate, including the Northern Territory. The assistance includes visits to explore market opportunities, participation in trade fairs, and assistance to firms planning to export. To date, local manufacturers of canned fish have not required assistance in this area.
- (2) A comprehensive study on the feasibility of establishing a fish meal industry in Western Australia has been completed and distributed to interested parties. In addition, information has been prepared on the fish oil industry. The department is also informed by industry, on a confidential basis, of other fishing ventures under consideration.

18.

**WATER SUPPLIES***Samson Dam, Waroona*

Mr. RUNCIMAN, to the Minister for Water Supplies:

- (1) Is there any planning for an increase to the capacity of the Samson Dam, Waroona?
- (2) If not, is it considered that it would be possible to increase the capacity at some future date for the benefit of irrigation farmers?
- (3) If so, to what extent?

Mr. JAMIESON replied:

- (1) No.
- (2) Capacity increase would be possible but consideration of such a proposal would involve a detailed study.
- (3) Answered by (2).

19.

**LAND***Wesbeef Holdings Pty. Ltd.  
Development*

Mr. COOK, to the Minister for Lands:

- (1) Has a company known as "Wesbeef Holdings Pty. Ltd." submitted to the Government a proposi-

tion to develop approximately 130,000 acres of land in the lower south-west for beef farming?

- (2) If so, on what date was the submission made?
- (3) What progress has been made in examining the company's proposal?
- (4) What is the attitude of the Department of Lands and Surveys?

Mr. Davies (for Mr. H. D. EVANS) replied:

- (1) and (2) Lands Department received propositions in February 1972 and March 1973.
- (3) and (4) On 26th July, 1972 and 29th March, 1973 Mr. Maisey was told his proposals were not supported by the Government departments concerned.

20.

**TRUCKS AND UTILITIES***Weights and License Fees*

Mr. W. G. YOUNG, to the Minister representing the Minister for Police:

- (1) Allowing for different body types what is the average tare and aggregate weight of the following trucks—
  - (a) Bedford 5 ton;
  - (b) Ford 6 ton;
  - (c) Ford 7 ton?
- (2) What is the license fee for a 12 month period on each of the vehicles listed in (1)—
  - (a) with farmer's concession;
  - (b) without farmer's concession?
- (3) What is the tare and aggregate weight of—
  - (a) Holden utility;
  - (b) Toyota "Hi Luxe" utility?
- (4) What is the license fee on each of the vehicles listed in (3)?

Mr. BICKERTON replied:

	Cwt.		Kg	
	Tare	Agg.	Tare	Agg.
(1) (a) Bedford 5-ton	60	191	3 048	9 603
(b) Ford 6-ton	65	192	3 302	9 857
(c) Ford 7-ton	80	234	4 065	11 991
	Present 50%		Proposed 66½%	
(2) (a) Bedford 5-ton	56	\$	74	\$
Ford 6-ton	60		77	
Ford 7-ton	71		102.3	
(b) Bedford 5-ton	112		222	
Ford 6-ton	112		231	
Ford 7-ton	142		307	
	Cwt.		Kg	
	Tare	Agg.	Tare	Agg.
(3) (a) Holden utility	26	44	1 321	2 235
(b) Toyota Hi Luxe	22	45	1 117	2 286
	Present		Proposed	
(4) (a) Holden utility	34	\$	38	\$
(b) Toyota Hi Luxe	29		33	

21. **ARMADALE SCHOOL**

*Resource Centre*

Mr. RUSHTON, to the Minister for Education:

- (1) Has the applied-for grant for the Armadale primary school parents and citizens' association been given to establish a suitable resource centre at this school?
- (2) If "No" to (1), why has this financial help been withheld when so many other schools have received resource centres without association contribution?
- (3) What are the present intentions for providing Armadale primary school with a suitable resource centre?

Mr. T. D. EVANS replied:

- (1) The department is prepared to grant approval for a subsidy payment on the basis of \$ for \$ to a maximum subsidy of \$5,000.
- (2) Notification has been withheld in view of the department's policy of providing resource centres. There are clear indications that parents and citizens' associations do not wish to provide such a facility if the resource centre can be provided by the Government. It was therefore desirable that the department finalise its programme before advising schools.
- (3) Unfortunately it was not possible to include Armadale primary school in the current programme but the school will be considered for the 1974-75 financial year.

22. *This question was postponed.*

23. **HOSPITALS AND NURSING HOMES**

*Beds: Construction Cost and Capacity*

Mr. STEPHENS, to the Minister for Health:

- (1) What is the estimated cost per bed for the construction of—
  - (a) State Government hospitals;
  - (b) State Government nursing homes?
- (2) What is the net cost per bed per annum for State Government hospitals and nursing homes for the 1971-72 year and the estimate for the 1972-73 financial year?
- (3) What is the bed capacity of each Government nursing home?
- (4) How many licensed nursing homes (Government and private) are registered with the Western

Australian Department of Health and what is the total bed capacity?

- (5) What is the number of and bed capacity of—
  - (a) private nursing homes licensed outside the metropolitan area;
  - (b) Government nursing homes outside the metropolitan area?
- (6) Has the Commonwealth Minister for Social Security recently prohibited Commonwealth Health Department doctors from visiting private nursing homes in Western Australia for the purpose of signing the admission form N.H.5?
- (7) If "Yes", does not this now result in patients having to wait up to one week for admission while the application is being processed?

Mr. DAVIES replied:

- (1) (a) and (b) No figure can be specified. The cost per bed varies greatly depending on many factors, including locality, existence or non-existence of essential services, inclusion or otherwise of medico-ancillary services.
- (2) The 1971-72 Medical Department's annual report includes figures for that year in table form. See statement 4, pages 17-19. As the estimate for 1972-73 would entail information relating to almost 100 hospitals and nursing homes it is not possible to readily supply figures.
- (3) to (5) Tabled herewith is a copy of lists supplied by the Department of Social Security giving this information.
- (6) and (7) I am not in a position to answer these questions as it is a Commonwealth matter.

If the Member has any particular matter concerning him which he would like to discuss, a cordial invitation is extended for him to talk with the Director of Administration of the Medical and Health Services, Mr. H. R. Smith.

*The lists were tabled (see paper No. 167).*

24. **SCHOOLS, HIGH SCHOOLS, AND TERTIARY INSTITUTIONS**

*Cost per Student*

Mr. STEPHENS, to the Minister for Education:

What is the cost per student to the State Government for—  
(a) primary;

- (b) secondary;
- (c) tertiary,  
education for the years 1971-72  
and 1972-73?

Mr. T. D. EVANS replied:

- (a) 1971-72—\$337.52.  
1972-73—Not available until end  
of financial year.
- (b) 1971-72—\$597.95.  
1972-73—Not available until end  
of financial year.
- (c) Tertiary education involves institutions of many types including Universities, the Institute of Technology, teacher education and aspects of technical education. A calculation of the type requested is complex as it involves both full and part time students. The cost per student of teacher education in 1971-72 was \$2,825.96.  
If the Member is more specific in his question every endeavour will be made to supply the information.

## 25. WATER SUPPLIES

*Quairading: Railway Dam*

Mr. GAYFER, to the Minister for Water Supplies:

- (1) In view of his decision to transfer the former railway dam at Williams to the Williams Shire Council for the purposes of watering the town oval and reserving only the right of the Public Works Department to use the water in case of drought, would he consider the same concession to the Quairading Shire Council with the railway dam at that centre?
- (2) If not, why not?

Mr. JAMIESON replied:

- (1) No.
- (2) The railway dam at Williams would be virtually of no value in the departmental system. In respect of its location, size, water quality and economics of operation, it differs considerably from the railway dam at Qualradung.

## 26. EDUCATION

*Boarding Allowances: Effect on  
Income Tax Deductions*

Mr. E. H. M. LEWIS, to the Minister for Education:

- (1) Is he in possession of information which indicates if taxation deduction of expenses incurred in the education of children will be affected by the boarding allowances now payable by the Commonwealth?

- (2) If he does not have this information, would he seek to obtain it and advise the House?

Mr. T. D. EVANS replied:

- (1) and (2) Section 82B (5) of the Income Tax Assessment Act requires that any Government contribution towards a student's living expenses in excess of \$130 is to be shown as separate net income and subtracted from the deduction claimed on behalf of the student by the taxpayer.

27.

## TOWN PLANNING

*Building Blocks: Karragullen*

Mr. RUSHTON, to the Minister for Town Planning:

- (1) How far has the subdivision of Crown land for building blocks at Karragullen progressed?
- (2) Will he take initiatives to expedite the availability of these blocks?

Mr. DAVIES replied:

- (1) Building blocks will not be released at Karragullen until provision of services is practicable.
- (2) No.

## 28. CROSSWALKS AND SPEED LIMIT

*Kelmscott*

Mr. RUSHTON, to the Minister representing the Minister for Police:

- (1) As Kelmscott is the only large community which is sited on both sides of a highway within the metropolitan area without even one pedestrian crosswalk, will he immediately authorise this facility to protect at least the elderly and very young?
- (2) How can the speed limit of 40 m.p.h. be substantiated through Kelmscott when near similar townships such as Gosnells are deemed to need a speed limit of 35 m.p.h.?
- (3) Will he now authorise a speed limit of 35 m.p.h. through Kelmscott shopping area on Albany Highway?
- (4) If he is not prepared to concede the early installation of a Kelmscott pedestrian crosswalk or reduce the speed limit will he ensure traffic lights at the Albany Highway-Denny Avenue junction are given the highest priority?

Mr. BICKERTON replied:

- (1) No. The Main Roads Department has recently constructed a number of pedestrian refuge

islands which it is considered cater adequately for pedestrian movements over the whole length of the frontage shopping.

- (2) An investigation has established that 40 m.p.h. is a safe operating speed through Kelmscott.
- (3) No.
- (4) At the present time there are many other intersections in the Metropolitan area with a higher priority for signal installation.

## 29. FIRST OFFENDERS

### *Imprisonment and Probation*

Mr. THOMPSON, to the Attorney-General:

- (1) During each of the last ten years, how many first offenders were—
  - (a) committed to prison;
  - (b) placed under probation?
- (2) Of the above, how many have been subsequently sentenced to prison or placed under probation—
  - (a) a second time;
  - (b) more than twice?

Mr. T. D. EVANS replied:

- (1) and (2) Information not readily available.

## 30. DOGS

### *German Shepherds: Registration and Breed*

Mr. THOMPSON, to the Minister for Agriculture:

- (1) How many German shepherd dogs are registered with the Agriculture Protection Board?
- (2) How many German shepherd dogs were registered with the Agriculture Protection Board 12 months ago?
- (3) Is it true that there are no restrictions on the breeding of German shepherd dogs in New South Wales and Victoria?
- (4) Is he in a position to state and, if so, will he state what conditions apply with respect to German shepherd dogs in each of the other States of the Commonwealth?
- (5) How many German shepherd dogs have been destroyed in Western Australia in the past 12 months as a result of order issued under provision of the Alsatian Dog Act?
- (6) Will the Minister introduce a Bill to enable unsterilised German shepherd dogs to be kept in Western Australia?

Mr. Davies (for Mr. H. D. EVANS) replied:

- (1) 1,718 at 17th May, 1973.
- (2) 1,233.
- (3) No restrictions in Victoria but restrictions in New South Wales.
- (4) Queensland—

The keeping of Alsatisians is banned in 54 of the 131 shires in the State.

### *New South Wales—*

Unsterilised Alsatisians may be kept in Sydney, parts of the Newcastle area, the Queanbeyan municipality and in 17 pasture protection districts. In other parts of New South Wales, Alsatisians must be sterilised. The Act has been amended to permit unsterilised dogs to be kept within a prescribed part of a pasture protection district and under prescribed circumstances and conditions, but operative conditions have not yet been agreed upon.

### *South Australia—*

The keeping and breeding of Alsatian dogs is permitted in local government areas. Special discs marked Alsatian must be worn, and there is a fixed registration rate for Alsatisians. Practically all of the South Australian pastoral districts are outside local government areas, and in these and on Kangaroo Island and in the District Council of Hawker, it is an offence to have or keep Alsatisians.

### *Victoria—*

There are no restrictions on breeding, but every Alsatian over the age of six months must be registered and an additional fee of \$15 is charged. This means that with the maximum fees which may be charged for dog registration, the total fee for Alsatisians is up to \$18 for males and \$22 for females. While Alsatisians are outside the premises of the owner, they must be muzzled to prevent injury by biting, and have choker chains around their necks. There is a penalty of \$50 for a first offence and \$100 for subsequent offences in regard to the control of Alsatian dogs.

### *Australian Capital Territory—*

There is no restriction on the keeping and breeding of Alsatisians, provided they are registered with the Canberra Kennel Association and enrolled

with recognised obedience training courses. Cross-bred Alsations must be sterilised.

Tasmania—

No special restrictions.

Northern Territory—

Alsation dog breeding is permitted in Darwin, Alice Springs and Tennant Creek only, subject to the dogs being pure bred and to conditions being met with regard to registration with recognised dog associations or clubs as well as obedience training.

- (5) 10 dogs. However owners of 20 dogs accepted the alternative of sending the dogs out of the State.
- (6) No.

### 31. MARGARET RIVER SCHOOL

#### *Storm Shelters*

Mr. BLAIKIE, to the Minister for Education:

- (1) Have funds been allocated to provide storm shelters on the verandahs of the Margaret River primary school?
- (2) If "Yes" to (1), when is it expected that these works will be completed?
- (3) What is the cost of the project?

Mr. T. D. EVANS replied:

- (1) No.
- (2) Not applicable.
- (3) The estimated cost is a minimum of \$7,000.

### 32. SCHOOL BUS SERVICES

#### *Investigating Committee*

Mr. BLAIKIE, to the Minister for Education:

- (1) Has he or his department a committee investigating school bus services?
- (2) If so, who are the members of the committee and what aspects of school bus services are to be examined?
- (3) When is it expected that the report will be completed?

Mr. T. D. EVANS replied:

- (1) A committee has been formed but investigations have not yet commenced.
- (2) (a) The members are:—  
W.A. Federation of Parents and Citizens' Associations—  
Mr. H. P. Jensen,  
Rev. A. Stubbs,  
Mr. K. A. Lockhart.

State School Teachers' Union of W.A.—

Mr. F. R. Evans,  
Mr. B. Hackett,  
Mr. T. K. Lloyd.

Education Department—

Mr. J. Quinn,  
Mr. J. A. Black,  
Mr. L. A. Harris.

The chairman will be a senior departmental officer.

- (b) All aspects of school bus services will be examined.
- (3) It is expected that the first meeting will be convened shortly. At this stage it is not possible to indicate when the investigation and report will be completed but the committee will be requested to submit their recommendations as soon as possible.

### 33. COURTHOUSE

#### *Busselton*

Mr. BLAIKIE, to the Minister for Works:

- (1) Have plans and specifications been completed for a proposed new courthouse at Busselton?
- (2) When is it expected that works will be—  
(a) commenced;  
(b) completed?

Mr. JAMIESON replied:

- (1) Preliminary discussions between officers of the Public Works Department and Crown Law Department have taken place but no plans and specifications have been prepared.
- (2) Answered by (1).

### 34. POLICE

#### *Missing Girls*

Dr. DADOUR, to the Minister representing the Minister for Police:

What is the number of girls in this State from 13 to 18 years reported missing and not heard of again for each of the past ten years?

Mr. BICKERTON replied:

1963 to 1966—Nil.  
1967—1.  
1968—Nil.  
1969—Nil.  
1970—4.  
1971—Nil.  
1972—8 (including 4 absconders from institutions).  
1973—57 (including 45 absconders from institutions).

## 35. COALMINING

*Collië: Wage Increase*

Sir CHARLES COURT, to the Minister for Mines:

- (1) With reference to the pay rise and other benefits announced in *The West Australian* 16th April, 1973 under the heading "Collië Miners to get Pay Increase of \$4.00" will he please indicate—

the estimated total cost in a full year of the increases that were announced broken up under the several headings of—

- (i) increased weekly wage;
- (ii) increased sick leave entitlement;
- (iii) compassionate leave;
- (iv) time off with pay in the event of "pressing domestic needs";
- (v) increased rates of overtime pay;
- (vi) increased apprenticeship rates of pay and other benefits;
- (vii) any other benefits or allowances?

- (2) What provision is there in the coal contracts for these pay and associated increases to be absorbed into coal contracts with the Government and Government instrumentalities such as S.E.C.?

- (3) What proportion of the total increases in cost to the coal companies will be absorbed by Government and semi-Government instrumentality contracts?

- (4) What is the position under the coal contracts for any other wage and cost increases that take place during the currency of the contract?

Mr. MAY replied:

As the Leader of the Opposition will appreciate, it is difficult to provide firm figures on costs in respect of the questions asked.

The estimates given refer to a full year viz 1st July, 1973 to 30th June, 1974.

- (1) (i) \$166,413;
- (ii) \$7,194;
- (iii) and (iv) These are new provisions in the award and therefore it is not possible at this juncture to estimate cost;
- (v) \$7,264;
- (vi) the cost involved is negligible.
- (vii) \$15,831.

- (2) The price variation clause provides for the price per ton being increased or decreased in respect of all or any of the following things—

- (a) any increase or decrease in the amount of any wages, salaries or margins payable to any of the employees of the coal mining company as the result of a decision of a recognised industrial authority, and

- (b) any increase or decrease in any of the items referred to in Schedule B.

Schedule B includes increases and reductions in pay roll tax, workers compensation premiums, road tax, bus hire, council rates, lease rentals, coal royalty, payments to Coal Miners Accident Relief Fund Trust, Coal Miners Welfare Fund, Coal Miners Pensions Tribunal and variations resulting from the decision of a recognised industrial authority such as—

Variation of hours of work, weekly pays, additional holidays, further sick leave, payments for special work or unusual conditions.

- (3) 98%.

- (4) See (2).

## 36.

## TOWN PLANNING

*Yanchep-Two Rocks: Subdivisions*

Mr. RUSHTON, to the Minister for Town Planning:

- (1) When was approval given for the subdivision of 1,311 lots at Yanchep and Two Rocks?

- (2) What was the zoning of the subdivided area at the time of approval and the present zoning?

- (3) What conditions were laid down for the subdivision?

- (4) Was the local authority consulted and its approval obtained to the subdivision and conditions to apply?

- (5) When did the Public Works Department request the Crown Law Department to investigate the installation and rating of the water reticulation system provided by the Bond Corporation?

- (6) Why is the investigation taking place?

- (7) When will the Crown Law decision be finalised and available?



Mr. DAVIES replied:

- (1) 18th June, 1971; 25th June, 1971; 8th December, 1971; 31st December, 1971; 1st May, 1972; 12th June, 1972; 30th June, 1972; 25th August, 1972; 17th November, 1972; 29th November, 1972.
- (2) Rural.
- (3) Standard Town Planning Board conditions prior to 12th June, 1972. From that date onwards an additional condition requiring a contribution towards sewerage was imposed.
- (4) Yes, the local authority was consulted and its views considered by the Town Planning Board before a decision was made.
- (5) The matter was referred to the Crown Law Department for advice on 27th March, 1973.
- (6) A letter was received by the Public Works Department from an owner of land in the Yanchep-Two Rocks area seeking advice on the legality of a firm, referred to as W.A. Utilities Pty. Ltd, to levy water rates. The Crown Law Department is not carrying out an investigation but is giving legal advice on this matter.
- (7) The question has involved considerable research and it is expected that an opinion will be made available to the Public Works Department shortly.

## QUESTIONS (8): WITHOUT NOTICE

### 1. DROUGHT RELIEF

#### *Wind Damaged Areas*

Mr. W. G. YOUNG, to the Minister for Agriculture:

I realise the Minister for Agriculture is not in the Chamber but is on his way to a meeting of the Agricultural Council. I hope the Minister, who is representing him, will have the answer to my questions which are—

- (1) Did the Minister accept all the recommendations of the Drought Finance Committee in respect of the strong wind damage sustained in the south coastal areas?
- (2) If all the recommendations of this committee were not accepted, in what way did the statement by the Minister differ from those recommendations?
- (3) As a submission from the Gibson area of the Esperance Shire was presented to the Drought Finance Committee, would he include the Shire of

Esperance in the concessions applying to the Shire of Ravensthorpe?

Mr. Davies (for Mr. H. D. EVANS) replied:

The answers have been supplied to me from the office of the Minister for Agriculture and are as follows—

- (1) and (2) The recommendations of the Drought Finance Committee have been accepted.
- (3) The situation in the Esperance Shire is being considered and, if warranted, concessions applying now to the Shire of Ravensthorpe will be extended to affected areas of the Esperance Shire.

### 2.

## DROUGHT RELIEF

### *Pastoralists*

Mr. COYNE, to the Minister for Agriculture:

I hope the Minister representing the Minister for Agriculture will be able to answer my questions which are as follows—

- (1) How long did the Drought Finance Committee take to assess and make recommendations in respect of wind erosion damage to properties in the Esperance district?
- (2) Is he aware that this same committee took nearly eight months to investigate and publish its findings in relation to the drought situation in the Sandstone, Wiluna, and north-eastern goldfields areas?
- (3) How does the Minister reconcile the miserly concessions offered to pastoralists with the extremely generous treatment meted out to the farming industry in what can only be regarded as a temporary setback?
- (4) Why should the pastoral industry which has suffered a catastrophe of major proportions in enduring nearly five years of disastrous drought and in which stock losses of staggering proportions have caused grievous hardship be forced to accept such injustice?
- (5) Could the pastoralists be excused for thinking that political implications have influenced this disproportionate treatment to their extreme disadvantage?

Mr. Davies (for Mr. H. D. EVANS) replied:

Once again, the answers have been supplied to me and are as follows—

- (1) If the honourable member refers to the Ravensthorpe Shire, one week.
- (2) Yes, but that investigation called for the examination by a working party of large areas of pastoral country and involved not only the problem of drought but also the economic future of the pastoral industry.
- (3) and (4) Whilst not accepting that the concessions offered to the pastoral industry were miserly, they were those best suited to put the industry on a sound long term footing.
- (5) No.

### 3. RAILWAYS

#### *Sinking of Line*

Mr. O'CONNOR to the Minister for Works:

- (1) Has the Government selected consultants for a study brief to determine the concept of replacing the central railway with an underground system?
- (2) If so, will he provide details?

Mr. JAMIESON replied:

I thank the member for Mr. Lawley for giving me ample notice of his intention to ask this question, the answer to which is as follows—

- (1) No.
- (2) Answered by (1).

### 4. AIR TRANSPORT

#### *Interstate Budget Fares*

Mr. MENSAROS, to the Minister representing the Minister for Transport:

My question without notice arises from question 7 on today's notice paper.

The SPEAKER: A Minister cannot answer for a Minister in another place.

Mr. MENSAROS: With due respect, Mr. Speaker, I think the Minister will be able to answer the question which is extremely simple. I asked the Minister representing the Minister for Transport in question 7 whether he is aware of the disadvantageous conditions applying to Western Australians in respect of "budget fare" flights.

The Minister said that he is aware of this. I further asked him whether he would make representations to the Commonwealth Minister to use his influence to change those conditions. The reply given was that the Commonwealth Minister has no jurisdiction.

I am fully aware of this. I now ask him to ask his colleague to make representation to the Commonwealth Minister to use his influence. After all, he has more influence than I. I am not asking him to legislate for something which is not under his jurisdiction.

The SPEAKER: What is the question?

Mr. MENSAROS: Will the Minister ask his colleague in another place to make representations to the Federal Minister to use his influence with the companies to change these conditions which are disadvantageous to Western Australians?

Mr. JAMIESON replied:

I do not know whether I should undertake to ask another Minister to use his influence. I will submit the question without notice to the Minister concerned and see what he has to say about it.

5.

### FIRST OFFENDERS

#### *Imprisonment and Probation*

Mr. THOMPSON, to the Attorney-General:

My question arises out of the answer given to question 29 on today's notice paper.

Would he please undertake to have this matter researched and provide me with the information at a later date?

Mr. T. D. EVANS replied:

I trust that the honourable member who is seeking this information will be a little more specific when I draw his attention to some of the difficulties which are being encountered in answering the question in this form. In the first place he asked a question relating to the number of first offenders during each of the last 10 years.

First offenders can be drawn not only from Western Australia but from all over Australia. Indeed, they can be drawn from anywhere else in the world.

The honourable member seeks to know how many such first offenders were committed to prison. Persons can be committed to prison through a police court or

a court of petty sessions. They can also be convicted for a maximum of six months by two justices of the peace.

The honourable member also seeks to know how many such first offenders were placed under probation. This can be effected through a court of petty sessions, a district court, and the Supreme Court.

The honourable member then asked, having regard for those matters, how many of these persons have been convicted or placed under probation for a second time or for more than twice.

If he can be more specific, I will endeavour to obtain the information.

#### 6. DROUGHT RELIEF

##### *Wind Damaged Areas*

Mr. W. G. YOUNG, to the Minister for Agriculture:

Did the Minister inform the Shire Clerk of the Esperance Shire Council by telephone that no official application would be necessary owing to the urgent nature of the case for their area to be declared "strong-wind affected" if the Department of Agriculture recommended that this be done?

Mr. Davies (for Mr. H. D. EVANS) replied:

This information has been supplied by the office of the Minister for Agriculture and is as follows—

Yes. The situation is currently being considered by the Chairman of the State Drought Consultative Committee.

If the affected area is declared "wind damaged" it will receive similar concessions to those approved for the Shire of Ravens-thorpe.

#### 7. RAILWAYS

##### *Sinking of Line*

Mr. O'CONNOR, to the Minister for Works:

With reference to the answer given to my question without notice today which I advised him I would ask yesterday evening, I would like to ask him a subsequent question—

Is the inference to be drawn that no correspondence has been exchanged with the consultants

regarding the study brief for the underground railway concept in the centre of Perth?

Mr. JAMIESON replied:

No. This was not quite the question asked.

Mr. O'Connor: I realise that.

Mr. JAMIESON: Study briefs have been prepared in consultation with the Commonwealth Government, and various consultants have submitted their credentials. A firm has not yet been selected and it will be several weeks, in my understanding, before this is done.

#### 8. TRUCKS AND UTILITIES

##### *Weights and License Fees*

Mr. GAYFER, to the Premier:

I apologise to the Premier for not giving notice of my intention to ask this question. However, I am most concerned by the answer given by the Minister for Police to the member for Roe in respect of question 20. My question without notice arises from that answer. Is the Premier aware of the effect of the proposed legislation to amend the Traffic Act which has been brought about by the proposed repeal of road maintenance tax?

Does he realise that farmers, in spite of the concession of 66½ per cent., will have to meet a 50 per cent. increase on all their licenses? Does he realise that people, other than farmers, will have to meet increases in license fees of 100 per cent. on the figures listed in the answer? These figures have been supplied on the old rate and the proposed new rate.

Mr. J. T. Tonkin: Supplied by whom?

Mr. GAYFER: Does the Premier realise that it will represent an increase of 50 per cent. at least for every farmer's truck and an increase of 100 per cent. for everybody else's truck.

Mr. J. T. TONKIN replied:

On the advice tendered to me it is nothing like what the honourable member is suggesting. I ask that the question be placed on the notice paper.

#### WORKERS' COMPENSATION ACT AMENDMENT BILL

##### *Ministerial Statement*

MR. TAYLOR (Cockburn—Minister for Labour) [4.43 p.m.]: In order to give effect to an undertaking given yesterday in reply

to a question without notice, I ask the permission of the House for leave to make a statement.

**The SPEAKER:** The Minister for Labour requests leave to make a statement relative to the Workers' Compensation Act Amendment Bill. If there is any dissentient voice, leave will not be granted. As there is no dissentient voice, leave is granted.

**Mr. TAYLOR:** In the second reading speech to the Workers' Compensation Act Amendment Bill the Minister for Housing on Thursday last announced my intention to amend the Bill, during its progress through the House, to equate the benefits of the Western Australian Workers' Compensation Act to the best in Australia. The amendments to the Bill which I have placed on the notice paper seek to achieve this objective.

The Bill, in its present form, only increases weekly compensation rates to ordinary time earnings, excluding allowances and overtime. This is the present level operating in Queensland, and compares with other States. Tasmania has now legislated, and the Commonwealth Government with respect to Commonwealth employees has legislation currently in Federal Parliament, to raise the weekly compensation rates in their respective Acts to average weekly earnings, including allowances and overtime. It is considered that Western Australian salaried and wages employees desire the equivalent of the best standards in Australia, particularly as these new standards should shortly flow to other areas.

New amendments now appearing on the notice paper increase weekly compensation rates to the weekly earnings, including overtime, the injured worker would have received if he were not incapacitated as a result of his injury.

There is no monetary limit to weekly compensation with respect to Commonwealth employees or workers in New South Wales and the Northern Territory. The present Bill only proposed to raise the monetary limit on weekly compensation to \$15,000. The new amendments to the Bill now contained in the notice paper will remove the monetary limit on weekly compensation altogether, thus bringing Western Australia, in this respect, into line with the Commonwealth and New South Wales.

It is also proposed, following the example of the amending Bill to the Compensation (Commonwealth Employees) Act at present before the Commonwealth Parliament, to introduce a new standard to be known as the "prescribed amount", to replace the standard of \$15,000 contained in the Bill.

The prescribed amount is defined as the "amount ascertained by multiplying by two hundred and sixty the amount speci-

fied in the last estimate, published by the Commonwealth Statistician, before the date of injury or the date of death, as the case requires of the seasonally adjusted average weekly earnings per employed male unit throughout Australia in respect of the last period of three months that ended before that date in relation to which he published such an estimate".

As the statistician's figure for the December quarter was over \$100, the prescribed amount would currently be over \$26,000.

Benefits tied to the prescribed amount include—

- (1) To a widow upon the death of a worker, at present \$12,208, which was to be increased to \$15,000 by the Bill, now to be 75 per cent. of the prescribed amount, less lump sums paid in redemption of weekly payments.
- (2) The minimum amount payable to dependants of a deceased worker, at present \$2,957, which was to be increased to \$3,250, now to be 25 per cent. of the prescribed amount.
- (3) Medical expenses, at present \$1,812, which was to be increased to \$2,000, now to be 10 per cent. of the prescribed amount.
- (4) The maximum payable for redemption of claims, at present \$12,076, which was to be increased to \$15,000, now to be an amount equal to the prescribed amount.
- (5) The maximum lump sum payable under the second schedule, at present \$12,076, which was to be increased to \$5,000 now to be an amount equal to the prescribed amount, with the lesser second schedule injuries to be the percentages of that maximum contained in the Bill.

Because the statistician's seasonally adjusted average weekly earnings per employed male unit are adjusted quarterly in accordance with wage movements, the prescribed amount is also a variation factor for the benefits to which it is attached. The Government considers the retention of the present variation factor—the basic wage—as well as the prescribed amount, to be clumsy. Because the proposed removal of the basic wage variation factor will leave several benefits without a variation factor—that is, those not tied to the prescribed amount, including child dependants' allowance, spectacles, funeral expenses, travelling allowances, etc.—a comment is in order. As I do not anticipate this Bill being passed prior to the 1973 Western Australian State basic wage decision, these benefits will be updated this year at least. It is to be hoped that then the national compensation scheme will be in operation before the

1973 updated amounts become outdated; however, if this is not so I shall introduce legislation separately to increase these benefits.

## MURDOCH UNIVERSITY BILL

### *In Committee*

Resumed from an earlier stage of the sitting. The Chairman of Committees (Mr. Bateman) in the Chair; Mr. T. D. Evans (Minister for Education) in charge of the Bill.

The CHAIRMAN: Progress was reported after clause 14 had been agreed to.

Clause 15: Resignation, disqualification and vacation of office—

Mr. MENSAROS: I have not prepared an amendment to this clause but I mentioned during my second reading speech that I would like the Minister to consider whether it would be advisable to include at least some age limit for membership of the senate. The Act relating to the University of Western Australia has an age limit of 21 years, except for students for whom the age limit is 18. In view of that legislation, I do not think the age limit should be omitted from this Bill.

Mr. T. D. EVANS: I think it goes without saying in the year 1973 that there is no real need specifically to spell out that a person must be an adult. In drafting the legislation we were confronted with a similar difficulty in determining those classes and situations which would not act as bars to a student being enrolled. The question arose whether reference should be made to sexual discrimination. It was believed that reference to sex being no bar was unnecessary and, in this day and age, offensive.

However, if the honourable member wishes to amend this provision, having regard for the Age of Majority Act, by stating a person must be an adult within the meaning of that Act, I shall be quite happy to agree to it but I do not believe it is necessary.

Clause put and passed.

Clause 16: Appointment to casual vacancies—

Mr. MENSAROS: The Minister has indicated he is prepared to accept this amendment and I gave reasons for it during the second reading debate. I move an amendment—

Page 11, line 26—Delete the word "three" and substitute the word "six".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 17 and 18 put and passed.

Clause 19: Convocation—

Mr. MENSAROS: My amendment to this clause again relates to the general contention that we should have more ex-

ternal representation. The constitution of convocation includes, in paragraph (c), all persons who are members of the academic staff of the university on a full-time basis and such other members of the staff of the university as may be prescribed by statute. This is strange in comparison with the rules of convocation of other universities and I feel it would dilute the constitution of convocation. My amendment is not restrictive. It is almost an indicative amendment because paragraph (d) gives ample opportunity for all those people to be members of convocation if the senate so desires. It says—

(d) such other persons as may be prescribed by Statute.

The statutes are made by the senate, and if the senate thinks every member of the teaching staff should automatically be a member of convocation, well and good; but I hope and trust the senate will not think so.

If we delete paragraph (c), staff members who are not graduates of the university may apply to be members of convocation under paragraph (d), so the original intention will remain—that members of convocation are mainly the graduates of the university. I move an amendment—

Page 13, lines 9 to 14—Delete paragraph (c).

Mr. T. D. EVANS: This amendment is not acceptable. Clause 19 deals with the establishment of convocation and provides—

(2) Convocation shall consist of—

- (a) all persons who are or have been members of the Senate;
- (b) all persons admitted to a degree awarded by the University of the status of a Bachelor, a Master or a Doctor;
- (c) all persons who are members of the academic staff of the University on the basis of their full-time employment by the University, and such other members of the staff of the University as may be prescribed by Statute; and
- (d) such other persons as may be prescribed by Statute.

Paragraph (c) is the one the member for Floreat seeks to delete. In subclause (3) of clause 19 are contained the functions of convocation. We should be guided by those functions in order to make a proper determination whether the body of convocation should be deprived of members of the full-time academic staff and such other members of the staff—not necessarily academic—as may be prescribed, bearing in mind that the statutes are made by the university senate which can be expected to be

a responsible body which will exercise proper caution and discretion in passing statutes and selecting the type of personnel who may sit on convocation.

I have here the explanatory notes submitted by the Murdoch University Planning Board, and they say—

The main function proposed for Convocation is an electoral body for members of the Senate. This is regarded as a useful way of ensuring the appointment of informed and interested persons while it will also maintain the interest of graduates in their university—

There is no question about that. The notes continue—

—and give the Senate the opportunity to recognise and make use of other individuals.

That is, other people on the staff and not necessarily academic staff. The notes continue—

The Board has also recommended that Convocation should have the right to submit for the consideration of the Senate suggestions concerning the welfare of the University and to report to the Senate on any matters referred to it.

The welfare of the university can be inner welfare as well as outer welfare—that is, flowing from the university to the community. I cannot agree that convocation should be deprived of the benefit of the full-time academic staff members and other staff members who may be invited to join as prescribed by statute—the statute having been passed by the university senate. The amendment is not acceptable.

Mr. MENSAROS: I am obliged to reply to the Minister's comments. I think it is a pity he has taken that attitude. I will explain how this amendment ties in very much with my general principle. The convocation of the proposed university is quite different from the convocation of the University of Western Australia as we know it.

It is very much watered down and is not like the convocation of other universities, which is what we understand a convocation should be. It should include the alumni of the university and not all sorts of other people. If we accept that this was the intention we must go a step further and realise that the convocation will send three members to the senate. When referring to the senate I purposely said that three members of the convocation would be either internal or external members of the senate, but that most likely they would be internal members if the Bill remains as it is.

Mr. T. D. Evans: The convocation is basically a domestic piece of machinery within the university itself.

Mr. MENSAROS: Yes. If the convocation does not consist mainly of graduates of the university who are separated from the university but still maintain an interest in it, but consists principally of academic and other staff who quite obviously would be employed full time at the university, then those members by the nature of their employment will invariably conduct the whole affairs of the convocation. So I am afraid we will not have a convocation in the right sense of the word but rather a staff association. The graduates, being in various professions, would act in an honorary capacity, and the full-time members of the staff would have more opportunity to influence the functions of the convocation.

The Minister said the structure of government at the university will be novel inasmuch as it is a two-tiered system of the senate and the academic council. I believe that is different from the University of Western Australia. The Minister has taken from the convocation an important power which is available at the present university, because the two-tiered system of government there rests with the senate and the convocation. In this case it will rest with the senate, which is already loaded with internal representatives, and the academic council, which is composed of purely full-time professional staff.

Then we have a third organisation, the convocation, which is concerned with the welfare of the university. This is already becoming an internal organisation by the very nature of the matters I have explained. So we are getting away from the intention which was so well put by the member for Boulder-Dundas and the member for Swan, and we will have three organisations all of which will be inbred. We will finish up with an institution which is an ivory tower or, to use the words of the member for Boulder-Dundas, like a Buddhist monastery.

The organisations will be all for themselves and not for the public; they will not allow any fresh wind to blow through the windows; and they will not build up those functions which, when I spoke to the second reading, I said are so desirable to indicate to the public what is being done to educate the young people of this State by way of the provision of extension services, theatres, museums, and libraries.

I am afraid if that is the case—and I say this having some experience of universities—more and more students will go to Murdoch as a purely academic institution and they will be taught to be teachers. An endless circle will develop; the teachers will

educate the students who will in turn become teachers at the university. Once commenced, this problem is self-generating and self-supporting and the university will lose its value in the community.

Amendment put and negatived.

Clause put and passed.

Clause 20: Guild of Students—

Mr. MENSAROS: Although my proposed amendment to this clause appears to be small a very important principle is contained in it. I do not wish to waste the time of the Committee.

Mr. Graham: Oh!

Mr. MENSAROS: The Deputy Premier laughs, but I remind him that when introducing the Bill the Minister said this is the most important legislation of the session, and therefore it is worthy of the debate it is receiving.

Mr. Jamieson: Most Ministers say that at some time during a session.

Sir Charles Court: I think the Minister will agree we have been keeping our remarks to the minimum.

The CHAIRMAN: Order!

Mr. MENSAROS: That is true. Once again we are confronted with the situation of the liberty of the individual. I despise all rules and regulations which provide for undue compulsion. The remarks of the member for Karrinyup yesterday in respect of trade unions ring in my ears; he said that those who want voluntary unionism are the first to hold out their hands for pay rises. This is not uncommon. However, many organisations and people do not offer help only for reward. I know the member for Subiaco or any other doctor would stop and help any person irrespective of whether or not he has any connection with him. If any person requires the services of the St. John Ambulance Association, he will receive them without being asked for fees in advance or whether he is a member.

I think it is vitally important, not only in view of the complaints we have received but also in view of the principle enunciated by the United Nations, that we should not include in the Bill a compulsion upon students to be members of the guild.

At the present university the guild is controlled by a minority and is condemned by the vast majority of those who are compelled to support it financially. Recently the guild was fined \$40 for publishing an obscene publication, and a spokesman of the guild laughed at the fine and said, "What is \$40 compared with the millions of dollars we receive in income?"

Mr. T. D. Evans: I am sure they would not receive million of dollars.

Mr. MENSAROS: That is what he said. If one multiplies \$40 by 8,000—

Mr. T. D. Evans: How do you arrive at the base of \$40?

Mr. MENSAROS: I understand that is the yearly subscription fee.

Mr. T. D. Evans: Then it is coincidental that that was the sum of the fine?

Mr. MENSAROS: The guild should be given an incentive to produce something for the welfare and interests of the students which is not provided by the university itself. If it did that it would be appreciated and supported just as any voluntary membership organisation would be supported.

However, this principle is embodied in other measures; I have no doubt the Government will argue that it was included in the case of the Institute of Technology, which was established by the previous Government. I sat behind that Government and protested at the time and I am not ashamed of having done so. In that respect I am unlike some members of the present Government who advocate something and then do not support it. In a conciliatory move I suggest that exemption from compulsion should be allowed to conscientious objectors. I do not anticipate the Minister will agree with me because I realise the principles to which the Labor Party subscribes. However, I feel the principle of the amendment is of cardinal importance. I move an amendment—

Page 14—Insert after subclause (3) the following subclause to stand as subclause (4)—

(4) The conditions of membership prescribed by Statute shall include a condition permitting exemption from Guild membership on the basis of a conscientious belief whether of a religious character or otherwise.

Mr. T. D. EVANS: During the second reading debate the member for Subiaco addressed himself to this question. While he said a person should be able to opt out of membership in certain circumstances, he was adamant that where a body exists for the general welfare of a students and provides facilities for a students then, generally speaking, all students should be expected to contribute to the body.

If I recall correctly, the member for Subiaco instanced the case of a levy charged over and above the normal guild fees and applied towards a certain cause and not paid into the general fund providing facilities for all students at the university—with which persons being called upon to pay the levy did not agree. I

raised the point that whilst he was adamant that all students should be expected to pay a common fee to provide common benefits for all, there should be some provision to enable students to opt out of any levy directed towards some special purpose with which those students do not agree.

I indicated to the honourable member that I would be prepared to consider the matter and that probably an amendment along those lines would be acceptable. However, I cannot accept the narrow amendment moved by the member for Floreat, because it provides that a student may claim exemption for any reason at all.

A person with a conscientious belief would be permitted to enjoy the facilities provided by the fund and these facilities are commonly available to all students; but for a narrow pecuniary reason he could decide not to pay the fee and opt out.

All students should be required to pay the common fee which goes into the common fund to provide common benefits for all students. Where the guild of graduates calls upon students to pay a particular levy for a particular end—and this is not to be paid into the common fund—and a student does not agree to such payment then I think he should be allowed to opt out. For those reasons I cannot agree to the amendment.

**Dr. DADOUR:** I want to correct a statement made by the Minister. If the fee at the Western Australian Institute of Technology is \$9, and the \$1 that has been mentioned is part of the fee, then where a student is prepared to pay the \$8 he should not be required to pay the \$1 levy as a contribution to North Vietnam. I agree that the greater part of the fee is used to provide facilities for the students.

**Mr. T. D. EVANS:** I did not grasp fully the significance of what the member for Subiaco said. I thought he was referring to a levy over and above the fee. However, the principle remains the same. I am adamant that all students shall be required to pay a fee which will go into a common fund to provide common benefits for the enjoyment of all students. If it can be shown in any particular case that a part of a fee has been earmarked for a cause or objective with which a student disagrees, then I am prepared that he should be permitted to opt out.

**Sir CHARLES COURT:** In order to facilitate the debate and assist the Minister, because one of his colleagues wants to introduce another matter, I would point out that we on this side are very much opposed to the provision in the Bill and we strongly support the amendment. We could go on for hours elaborating on our support, because we do not believe in this form of compulsion.

The Minister has attempted to clarify the situation, but it would be an exception in this organisation if a distinction is made between the base subscription and an amount to be contributed to a particular cause. Generally these bodies raise the money by membership subscription which is paid into a common fund, and from that fund the donations are made. These could be made to causes with which some students who hold strong views on the matter do not agree. This is common to very many of the arguments we have advanced on other occasions.

We desire the amendment to be passed to clear up any doubt about the legal entitlement of students to opt out of such arrangements. There are some people who hold strong moral views, and it does not surprise me that in respect of issues to which they are opposed they have a desire to opt out. They would not be permitted to do so capriciously, and they must have very strong conscientious beliefs for opting out.

Amendment put and a division taken with the following result—

## Ayes—22

Mr. Blaikie	Mr. Mensaros
Sir David Brand	Mr. Nalder
Sir Charles Court	Mr. O'Connor
Mr. Coyne	Mr. O'Neill
Dr. Dadour	Mr. Ridge
Mr. Grayden	Mr. Runciman
Mr. Hutchinson	Mr. Rushton
Mr. A. A. Lewis	Mr. Sibson
Mr. E. H. M. Lewis	Mr. Thompson
Mr. W. A. Manning	Mr. W. G. Young
Mr. McPharlin	Mr. Gayfer

(Teller)

## Noes—22

Mr. Bertram	Mr. Hartrey
Mr. Bickerton	Mr. Jamieson
Mr. Brady	Mr. Lapham
Mr. Brown	Mr. May
Mr. Bryce	Mr. Moller
Mr. Burke	Mr. Norton
Mr. Cook	Mr. Sewell
Mr. Davies	Mr. Taylor
Mr. T. D. Evans	Mr. A. R. Tonkin
Mr. Fletcher	Mr. J. T. Tonkin
Mr. Graham	Mr. Harman

(Teller)

## Pairs

Ayes	Noes
Mr. I. W. Manning	Mr. H. D. Evans
Mr. R. L. Young	Mr. Jones
Mr. Stephens	Mr. McIver

The **CHAIRMAN:** The voting being equal, I give my casting vote with the Noes.

Amendment thus negatived.

Clause put and passed.

Clauses 21 and 22 put and passed.

Clause 23: Vice-Chancellor—

**Mr. MENSAROS:** Having lost the amendment which is consequential to the one appearing in my name to clause 23, I shall not proceed with it.

Clause put and passed.



### Clause 24: By-laws—

Mr. MENSAROS: It is worth while for the Minister to consider the land mentioned in paragraph (a). There could be some ambiguity. The clause deals with by-laws, traffic regulations, traffic offences, and the like. The intention is that these by-laws should relate to the campus of the university.

However, the university might own other land through acquisition or bequests. That would be regarded as land belonging to the university. Without moving any amendment I would point out to the Minister that it is desirable for his legal advisers to consider the import of this provision.

Mr. T. D. EVANS: I thank the honourable member for drawing attention to this matter, and I shall have it examined.

Clause put and passed.

### Clause 25: Statutes—

Mr. MENSAROS: I understand the Minister has no objection to the amendment appearing in my name on the notice paper. The Minister has given a lot of thought to ensure that the statutes of the university are brought down properly. Hence he allowed for the time span for the statutes to be initiated by the senate, and for a certain period to elapse before their adoption.

In practice what could happen is that a committee proposes a statute. It is then recorded in the minute book, the period of time elapses, and then it is further dealt with. There is, in fact, no virtue in allowing for the time span, because interested people are not informed about the proposed statutes. I want some method to be devised so that the people interested in these statutes may be notified.

At the University of Western Australia there is the convocation which is the second tier of government. All the 3,000-odd members of the convocation have to be notified about the proposed statutes. These statutes are sent out to them so that they may be considered. The convocation has to make a submission to the senate which, in turn, considers the matter again.

Because the convocation of the Murdoch University does not have this role to play I desire to bring about some method of notification. The Parliamentary Draftsman has prepared an advertisement which should be inserted in a newspaper, but the Minister thinks it is cumbersome. For that reason I agree to the notification appearing on the notice board of the university, and so I will only move part of my amendment.

I move an amendment—

Page 20, line 19—Insert after the word "if" the passage "after the contents thereof have been displayed in

a conspicuous place within the University for a period of not less than three weeks, it is".

Mr. T. D. EVANS: You may be surprised, Mr. Chairman, but delighted to know that my reaction is "Yes; I agree."

Amendment put and passed.

Mr. MENSAROS: I am sorry to see that no extension services are included within the scope of the statutes, as is the case with the University of Western Australia.

The regulatory powers of the proposed university, as set out in clause 25 (5), are very wide. It seems that everything that can be done by statute will also be able to be done by regulation. Despite the fact that the statute legislation is set out the clause allows tremendous regulatory power.

Clause, as amended, put and passed.

Clauses 26 to 28 put and passed.

Clause 29: Financial provisions and dealings in land—

Mr. MENSAROS: It is the considered opinion of many that the leasing powers of the proposed university are fairly restricted. It is thought that the approval of the Governor should not be necessary if the university leases a piece of land for a term longer than 99 years. Paragraph (h) provides for housing assistance for the staff, and I think it would be worth while to consider an amendment to allow housing assistance for students.

Clause put and passed.

Clause 30: Special powers of investment—

Mr. MENSAROS: My comments will apply to clause 31 (2), also. It appears to me that not enough thought has been given to the capital gain of the trust moneys. In today's inflationary trend, the trust should receive some portion of any capital gain which should occur, and should not be restricted to the fixed interest which accompanies investments. There should be some equity in capital gain.

Clause put and passed.

Clause 31: Trust moneys—

Mr. MENSAROS: I can see some problems arising in connection with subclause (3). I would like to know the reaction of the Minister as to whether or not this first charge would be contrary to any other statutory provisions.

Secondly, I do not quite understand why the charge shall run with the land. It appears to me that if there is any charge on the land it should be registered.

Mr. T. D. EVANS: I think it is reasonable that if trust money is not restored to the extent of the deficiency there shall

be a running charge with the university land. I think section 68 of the Transfer of Land Act covers the situation, and subject to the exceptions contained in that Act the title is inviolable.

As far as I can recall there is no provision in section 68 of the Act relating to a charge on land connected with the Murdoch University, so any charge created because of a deficiency in trust money would be shown as an encumbrance on the certificate of title.

Clause put and passed.

Clause 32 put and passed.

Clause 33: University Superannuation Scheme—

Mr. MENSAROS: It is not unimportant to mention that the determination of the senate relating to the superannuation scheme is not subject to the hierarchy of rules; that is, it will not be subject to the statutes, by-laws, and regulations. The Minister said the endeavour was not to proliferate the statutes of the university. However, I think this provision is sufficiently important to be the subject of a statute. The rules governing superannuation should be the product of lawyers and financial experts. I query, again, the superannuation provision.

Mr. T. D. EVANS: I will have the comments examined.

Clause put and passed.

Clauses 34 and 35 put and passed.

Title put and passed.

### *Report*

Bill reported, with amendments, and the report adopted.

## **JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL**

### *Returned*

Bill returned from the Council without amendment.

## **ACTS AMENDMENT (ROAD SAFETY AND TRAFFIC) BILL**

### *Returned*

Bill returned from the Council with amendments.

### *Council's Amendments: In Committee*

The Chairman of Committees (Mr. Bate-man) in the Chair; Mr. Jamieson (Minister for Traffic Safety) in charge of the Bill.

The amendments made by the Council were as follows—

#### **No. 1.**

Clause 5, page 3, line 27—Insert after the word "district" the words "or part of a district".

#### **No. 2.**

Clause 6, page 5, line 22—Delete the word "five" and substitute the word "seven".

#### **No. 3.**

Clause 6, page 5, lines 27 to 29—Delete paragraph (d).

#### **No. 4.**

Clause 6, page 5, line 27—Insert new paragraphs as follows—

(d) A person appointed by the Governor from a panel of three names nominated by that body known as The Local Government Association of W.A. (Inc.);

(e) A person appointed by the Governor from a panel of three names nominated by the Executive of that body known as the Country Shire Councils' Association of W.A.;

(f) A person appointed by the Governor from a panel of three names nominated by that body known as the National Safety Council of W.A.; and

(g) One other person appointed by the Governor.

#### **No. 5.**

Clause 6, page 6, line 17—Delete the word "three" and substitute the word "five".

#### **No. 6.**

Clause 6, page 6—Delete all words from and including the word "deferred" in line 24 to and including the word "Authority" in line 25 and substitute the words "resolved in the negative".

#### **No. 7.**

Clause 9, page 7, line 32—Insert after the word "district" the words "or part of a district".

#### **No. 8.**

Clause 9, page 7, line 33—Delete the word "wholly".

#### **No. 9.**

Clause 16, page 11, line 28—Delete the word "amended" and substitute the passage "amended—(a)".

#### **No. 10.**

Clause 16, page 11, line 32—Add the following passage—

; and

(b) by adding after the word "conducted" in the last line, the passage "the Minister shall not so

grant permission or temporarily suspend the operation of any regulations unless he has first obtained the consent of the council of the municipality of the district within which the place or locality concerned is situated".

The CHAIRMAN: I believe the Minister intends to accept the amendments. He will comment on the amendments and then any member who so wishes may speak to them.

Mr. JAMIESON: I have indicated that I intend to accept the amendments proposed by the Council.

The first amendment concerns the situation where a local authority is partly in the metropolitan area and partly outside of it, such as applies in the case of the Swan local authority.

The next three amendments deal with the enlargement of the committee, and the specific appointments to it, as set out in the appropriate amendment. The committee will be increased from five to seven members, and we take no strong exception to the proposal.

Amendment No. 5 also deals with the increase in membership of the committee. Amendment No. 6 concerns voting at meetings, and instead of a matter being considered "deferred" and then considered at a future meeting, if there is a tie in voting it will be resolved in the negative. The procedure will be similar to that followed in comparable situations.

The next one refers to part of a district and is complementary to the first amendment as is No. 8.

Amendments Nos. 9 and 10 incorporate suggestions made before the measure left this Chamber. The provision is concerned with the Minister's permission to allow car races, etc. through town sites. I thought it was desirable that this permission should be given by the Minister only after the local authority had first given its approval. The effect of (b) will be to provide for that prior authority to be given before the time any such permission is granted by the Minister. This was requested when the measure was debated in this Chamber. The others are simple amendments and do not need explanation. I move—

That amendments Nos. 1 to 10 made by the Council be agreed to.

Mr. O'CONNOR: I do not wish to waste time by going through each amendment individually. However, I want to give the Minister the opportunity to look once again at the last amendment, No. 10, which refers to clause 16, page 11, line 32.

Mr. Jamieson: Probably you are confused because it is definitely necessary to refer to the Act to clear this up. At the moment it looks as if it does not fit in.

Mr. O'CONNOR: It does not seem to fit in and I was going to comment to this effect. I wanted to give the Minister the chance to clarify the position.

The rest of the amendments are in line with our thoughts and with some of the suggestions made when the Bill was debated in this Chamber. For example, we suggested that there should be an increase in the number of persons on the board to include local government representatives. This suggestion is embodied in amendment No. 4.

We also suggested that the permission of local authorities be obtained before the Minister gave permission to allow motor racing—or anything else of a nature which could cause interference to the residents—through a town. The Minister undertook to look at our suggestion and to have the Bill amended, if he thought it necessary, in another place. This has been done.

I am quite happy about the amendments and if the Minister can satisfy me with respect to No. 10 I will have no objections to any of them.

Mr. JAMIESON: When the message first came into my hands I could not quite follow amendment No. 10. It is necessary to refer to the Traffic Act. I refer to section 52 (1) which, at present, reads—

52. (1) Whenever any number of persons, or any club or clubs, intimate to the local authority that they desire permission of the local authority to hold race meetings or speed tests in any particular place or locality on a day to be fixed, the holding of which will necessitate the temporary suspension of the operation of any regulations under this Act, the local authority may refuse permission, or may grant permission and by notice published in the *Government Gazette* temporarily suspend the operation of any regulations under this Act for such purpose, and may define the conditions under which such race meetings or speed tests shall be conducted.

The key word is "conducted", after which we are to add the passage—

but the Minister shall not so grant permission or temporarily suspend the operation of any regulations unless he has first obtained the consent of the council of the municipality of the district within which the place or locality concerned is situated.

Mr. O'Connor: If the Minister is satisfied with this, we are quite happy.

Mr. JAMIESON: It clarifies the position.

Question put and passed; the Council's amendments agreed to.

**Report**

Resolution reported, the report adopted, and a message accordingly returned to the Council.

**LOCAL GOVERNMENT ACT  
AMENDMENT BILL (No. 2)**

*Second Reading*

**MR. TAYLOR** (Cockburn—Minister for Labour) [5.50 p.m.]: I move—

That the Bill be now read a second time.

This Bill contains only one effective clause which is to amend section 533 of the Local Government Act to provide a new basis of valuation of leases under the Mining Act other than coalmining leases.

At present, goldmining leases under the Mining Act come within the scope of section 533 (3) (e) which provides that the valuation will be 20 times the annual rental value of the property.

The recent increase to the lease rentals under the Mining Act has automatically resulted in a four-fold increase in the valuation and consequently a corresponding increase in the rates.

The Chamber of Mines claims that the future development of Western Australia is heavily dependent upon the discovery of new mines and it believes that the Government should do everything possible to ensure that exploration continues at a satisfactory rate.

The Chamber of Mines also claims that the rates collected from mining leases as a result of the increased valuations is out of all proportion to the value of services rendered by the shires to the holders of mineral leases.

The Bill contains a new paragraph under section 3, namely (eb), specifying a specific valuation per acre for leases rented under the Mining Act. The figure selection \$10 per acre is that suggested by the Chamber of Mines and will bring the valuation to the same level as before the Mining Act rentals were increased.

The proposed amendment will have the effect of stabilising the valuation for rating purposes of mineral leases and they will not in future be subject to any variation because of changes in lease rental.

This is believed to be a most equitable basis of contribution to municipal funds and is more in keeping with the services provided by the shire councils.

Representations have also been made seeking a reduction of the rating impact on holders of leases under the Mining Act by the Country Shire Councils' Association. The association suggests \$20 per acre, thereby halving the present rate burden.

The Council of the Shire of Coolgardie has also expressed concern at the hardship caused in many instances by the increases which have occurred in the rate accounts of holders of mineral leases.

I have received a submission from the Kalgoorlie Branch of the Prospectors' Association advising that at a meeting of the association it was resolved to defer payment of rates until a more equitable basis of rating is provided. This association suggested that some form of levy on the value of the gold produced from the leases would be preferable. This, of course, would entail an entirely new approach to municipal finance.

The Prospectors' Association has emphasised that the municipal services provided in respect of mineral leases are insufficient to warrant the present rates levied, and that prospectors will be forced to forfeit their leases and cease prospecting.

A similar submission has been made to me by the Coolgardie Branch of the Amalgamated Prospectors and Leaseholders Association and by individual prospectors.

One correspondent expressed the view that the goldmining industry is experiencing difficult times and the increases in municipal rates and lease rental could bring about the closure of State batteries and that resulting unemployment could be detrimental to the economy.

I commend the Bill to the House as a means of giving relief to a deserving section of ratepayers and in view of the support of the Country Shire Councils' Association, the Chamber of Mines and the Prospectors' Association.

Debate adjourned, on motion by Mr. W. G. Young.

**SICK LEAVE BILL***Second Reading*

Debate resumed from the 15th May.

**MR. THOMPSON** (Darling Range) [5.55 p.m.]: I had not planned to speak to the measure but, unless a member on this side speaks now, the Minister will reply, before the Deputy Leader of the Opposition has the opportunity to return to the House. For the reasons I have mentioned, my speech will be an interesting exercise.

The measure under discussion is one of four Bills which are related to industrial matters and, in connection with which, there has been considerable public debate. This is one of the measures mentioned in the campaign waged by the Trades and Labor Council in its efforts to have the measures passed through the Parliament.

I was rather disappointed with the attitude of the Trades and Labor Council in issuing and distributing the circular which

it called *The New Deal*, setting out its guidelines for the campaign. I took strong exception to the suggestion that people should pry into the personal aspects of the lives of members of Parliament. What was being sought was not the kind of thing one expects to be sought by a group of people who propose to lobby members of Parliament to obtain support for a measure which they hope will pass through the Parliament. It was suggested that people should look into the private aspects of a member's life. It has been suggested that they probably want to know something of the nocturnal habits of members of Parliament. I hope my nocturnal habits will not be investigated.

Mr. Graham: You hope! How are they?

Mr. THOMPSON: I see that the Deputy Leader of the Opposition has now returned to the Chamber and I conclude my remarks by saying that I support the views expressed by members of the Opposition on this subject.

Mr. O'Neill: I do not intend to comment!

MR. TAYLOR (Cockburn—Minister for Labour) [5.57 p.m.]: The second reading of the Bill was debated on Tuesday last, I think, when the member for Floreat and the Deputy Leader of the Opposition spoke to the measure. I would like to thank them for making some contribution to the debate and I particularly thank the member for Darling Range for his excellent impromptu contribution. I may be a little unfair in saying that his speech was roughly at the same level of the other two speakers although it was somewhat shorter.

This is a short measure which basically seeks simply to allow for certain conditions to apply in respect of sick leave for workers. From the tenor of the debate and the attitude taken by members opposite, it is obvious the Opposition rejects the measure. The attitude taken to this measure was also taken in respect of the Long Service Leave Act Amendment Bill and, as we learnt last night, the Industrial Arbitration Act Amendment Bill, all of which the Government has brought down in all sincerity.

Mr. O'Neill: We gave them a second reading.

Mr. TAYLOR: The attitude taken basically is that such matters are not the prerogative of Parliament. It has been claimed that these matters are, and I quote—

... historically and traditionally the responsibility of the arbitration commission.

I have attempted to point out in the other two debates that it is not right to say that such matters are necessarily the prerogative of the Industrial Commission in this State or anywhere else for that matter and,

particularly, it is not right to say that they must remain the prerogative of the Industrial Commission.

The claim has been made that Western Australia has never had sick leave legislation before and, so, why should we have it now? The claim has also been made that the Government is, in fact, removing one more facet of working conditions from the jurisdiction of the Industrial Commission.

Another claim put forward was that bit by bit and little by little the Industrial Commission is being torn down. This is the Opposition's approach to the legislation. The tenor of the Bill is to assist the worker. I must say, the tenor of the arguments put forward was not opposed to increased sick leave provisions. This was made very clear by both speakers.

Mr. Mensaros: If they are proven and proper examinations are made.

Mr. TAYLOR: Yes. Let us look at the claim that the Industrial Commission is being torn down. Members may recall my speech last night when I commented on matters presently contained in the arbitration legislation which tend to inhibit the commission. An example of this is that prior to 1963 the Industrial Court was able to set hours. This was done when the bakers submitted a claim for a five-day working week. With the passing of the new Act in 1963-64, the commissioners were prohibited from making amendments to working hours. Nevertheless, the Deputy Leader of the Opposition said that the Government is in fact removing one more facet—that of working hours and conditions—from the jurisdiction of the commission. In actual fact, one such right was taken from the commission in 1963.

The point is made that Parliament is the body responsible for the provisions in arbitration legislation or any other Act. This is a concrete example of a provision inserted in an Act by the Government for the purposes of government. I am not questioning the decision; apparently it was considered necessary for the purpose of government.

The claim is made: Why should the Government take a duty from the commission which it wishes to perform? One of the comments was that the Minister, by simple Imperial decree, wants now to legislate for sick leave. I can only repeat what I have said many times on this matter; this legislation does not take anything from anyone in an underhanded or even an overhanded way.

Parliament is the legislating body. This measure takes nothing from Parliament. For over 70 years Parliament has traditionally given and taken from the arbitration legislation as it saw fit. Parliament, and not the commission, is responsible for the legislation. It allocates to the commission those things it feels come within

the authority of the commission, and it takes from the commission or keeps to itself, those matters it believes come directly within its authority. Obviously, in presenting this measure, the Government believes sick leave and long service leave are matters to be decided by Parliament.

The member for Floreat made the claim that we needed to put up some sort of case. Had he read my second reading speech, he would see I referred to a certain submission made in regard to these provisions in Queensland and Victorian Statutes.

In Queensland the arbitration commission—and I concede the point he made that the decision was made by the commission and not the Government of the day—admitted to having no real evidence as to the incidence of absences through sickness, but on the question of improving sick leave entitlements in the light of trends revealed by other awards—Queensland and elsewhere—the commission said, “There is clear evidence before us that significant numbers of employees receive more liberal sick leave benefits than this State’s standard provisions.”

In regard to a case before the Victorian Industrial Appeals Court, it was submitted for the employers that the only proper ground for any increase in the quantum of leave would be a demonstrable need. That was the argument put up by the member for Floreat. The employers also submitted that the incidence of absences occasioned by genuine illness exceeded the present prescriptions. Rejecting this, the court stated its decision was a response to an improvement in the general standard and was intended to apply a benefit only where it was genuinely needed.

Both these decisions were made by the court, which claimed it could not obtain adequate evidence or could not accept the evidence which was submitted. It took a general standard and in Queensland and Victoria this new standard accepted was partly based on decisions made by Governments in regulating sick leave entitlements for its workers. It transpired that another standard was set in the industrial field.

Despite the arguments put forward, we believe workers in Western Australia are entitled to conditions similar to those provided for other workers. Part of that standard was set by Governments in all States for their own workers, and the claim that a case must be first presented does not stand up to analysis.

This is a small Bill, but as I mentioned before it is a very important one. It contains only two major provisions. I will not delay the House further at this time. I note that the member for Floreat has two amendments standing in his name on the notice paper and presumably he will still move these. I commend the Bill to the House.

Question put and a division taken with the following result—

**Ayes—22**

Mr. Bateman	Mr. Graham
Mr. Bertram	Mr. Hartrey
Mr. Bickerton	Mr. Jamieson
Mr. Brady	Mr. Lapham
Mr. Brown	Mr. May
Mr. Bryce	Mr. Moller
Mr. Burke	Mr. Sewell
Mr. Cook	Mr. Taylor
Mr. Davies	Mr. A. E. Tonkin
Mr. T. D. Evans	Mr. J. T. Tonkin
Mr. Fletcher	Mr. Harman

(Teller)

**Noes—22**

Mr. Blaikie	Mr. Mensaros
Sir David Brand	Mr. Nalder
Sir Charles Court	Mr. O'Connor
Mr. Coyne	Mr. O'Neill
Dr. Dadour	Mr. Ridge
Mr. Grayden	Mr. Runciman
Mr. Hutchinson	Mr. Rushton
Mr. A. A. Lewis	Mr. Sibson
Mr. E. H. M. Lewis	Mr. Thompson
Mr. W. A. Manning	Mr. W. G. Young
Mr. McPharlin	Mr. Gayfer

(Teller)

**Pairs**

Ayes	Noes
Mr. H. D. Evans	Mr. I. W. Manning
Mr. Jones	Mr. R. L. Young
Mr. McIver	Mr. Stephens

The SPEAKER: The voting being equal I give my casting vote with the Ayes.

Question thus passed.

Bill read a second time.

*In Committee*

The Chairman of Committees (Mr. Bateman) in the Chair; Mr. Taylor (Minister for Labour) in charge of the Bill.

Clauses 1 to 13 put and passed.

Clause 14: Medical certificates—

*Progress*

Mr. MENSAROS: I move—

That the Chairman do now report progress and ask leave to sit again.

Mr. TAYLOR: I oppose the motion.

Sir Charles Court: I thought you wanted to report progress.

Mr. TAYLOR: No, I am prepared to agree to the amendments proposed by the member for Floreat if he wishes to continue with them.

Mr. O'Neill: Look at the time.

Motion put and negatived.

*Committee Resumed*

Mr. MENSAROS: The Minister asked why we have proposed amendments when we were entirely opposed to the second reading. We did so purely for the practical reason that the Government has the numbers. As a safeguard I wish to move the amendment I explained during the second reading debate. I move an amendment—

Page 6, line 20—Delete the word “three” and substitute the word “two”.

Mr. TAYLOR: The member for Floreat referred to this matter in his second reading speech. I think the amendment is an unwarranted reflection on the workers concerned. However, I am prepared to agree to it.

Amendment put and passed.

Mr. MENSAROS: I move an amendment—

Page 6—Insert after paragraph (a) the following paragraph to stand as paragraph (b)—

- (b) a period of one working day where that day immediately precedes or immediately succeeds a day on which the worker is not required to work; .

Mr. TAYLOR: The comment I made in respect of the previous amendment still applies. However, I am prepared to accept it.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 15 to 39 put and passed.

Title put and passed.

### Report

Bill reported, with amendments, and the report adopted.

*House adjourned at 6.15 p.m.*

## Legislative Council

Tuesday, the 22nd May, 1973

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

### BILLS (5): ASSENT

Message from the Governor received and read notifying assent to the following Bills—

1. Taxi-cars (Co-ordination and Control) Act Amendment Bill.
2. Government Employees' Housing Act Amendment Bill.
3. Traffic Act Amendment Bill.
4. Distressed Persons Relief Trust Bill.
5. Resumption Variation (Boulder-Kambalda Road) Bill.

### QUESTIONS (19): ON NOTICE

#### 1. TRANSPORT

##### Salvado

The Hon. W. R. WITHERS, to the Leader of the House:

Will the Minister advise of plans for the proposed transport to radiate from the proposed city of Salvado?

The Hon. J. DOLAN replied:

In reply to questions 1, 3 6, 7, 8 and 9—  
The many questions submitted on detailed aspects on the planning and implementation of Salvado, indicate that the proposal has been misunderstood. The questions appear to envisage an immediate start to the development of the area. This is not however contemplated, and the planning being undertaken at this time is essentially long range and strategic in character.

The immediate requirement is an overall planning framework to ensure that co-ordinated development can take place when demand is created by industry, or when additional urban living areas are required within the Metropolitan Region.

For these reasons it is not possible or feasible to provide the range of detailed information asked for on these questions.

It is expected however when current negotiations between the Commonwealth and State on the development of the area have been completed that further information will be available.

I would further add in explanation in respect of questions 1 to 11 that a number of the questions which will be dealt with today appeared on the notice paper on Wednesday, the 16th May. When answers were sought from the relevant department, a check was made with the Crown Law Department which advised that it was not usual to give detailed information in regard to matters which would be involved in pending legislation.

The Hon. A. F. Griffith: We can read it in the Press.

The Hon. J. DOLAN: To continue my answer: This has been the practice over the years—indeed as far back as the 11th November, 1959, when The Hon. L. A. Logan, on behalf of The Hon. A. F. Griffith, said, in reply to a question—

It is not usual to disclose details of legislation before its introduction into Parliament.

The Hon. L. A. Logan: Was not information concerning the contents of the Bill published in the Press before the question was asked?

The Hon. J. DOLAN: I could not say.

The Hon. A. F. Griffith: Mr. Logan is referring to the Salvado Bill, I think.