

Legislative Assembly

Tuesday, the 31st October, 1978

The **SPEAKER** (Mr Thompson) took the Chair at 4.30 p.m., and read prayers.

PORNOGRAPHY

Exploitation of Children: Petition

DR DADOUR (Subiaco) [4.32 p.m.]: I present a petition from 338 residents of Western Australia which reads as follows—

The honourable the Speaker and members of the Legislative Assembly of State Parliament assembled:

The humble petition of the undersigned citizens of Australia, Western Australia respectfully sheweth:

That we the undersigned, having great concern at the way in which children are now being used in the production of pornography **CALL UPON THE GOVERNMENT** to introduce immediate legislation:

1. To prevent the sexual exploitation of children by way of photography for commercial purposes;
2. To penalise parents/guardians who knowingly allow their children to be used in the production of such pornographic or obscene material depicting children;
3. To make specifically illegal the publication and distribution and sale of such pornographic child-abuse material in any form whatsoever such as magazines, novels, papers, or films;
4. To take immediate police action to confiscate and destroy all child pornography in Australia and urgent appropriate legal action against all those involved or profiting from this sordid exploitation of children.

Your petitioners therefore humbly pray that your honourable House will protect all children and immediately prohibit pornographic child-abuse materials, publications or films. And your petitioners as in duty bound will ever pray.

The petition conforms with the Standing Orders of the Legislative Assembly, and I have certified accordingly.

The **SPEAKER**: I direct that the petition be brought to the Table of the House.

(See petition No. 39).

QUESTIONS

Questions were taken at this stage.

CONTROL OF VEHICLES (OFF-ROAD AREAS) BILL

Introduction and First Reading

Bill introduced, on motion by Mrs Craig (Minister for Local Government), and read a first time.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE ACT AMENDMENT BILL (No. 2)

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Labour and Industry) [5.02 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill before the House is twofold—

to provide for a positive adjustment to water consumption for residential properties to cater for the introduction of the pay-for-use system; and

to permit the continuation of the allowance and charge for water consumed beyond allowance being applied to the consumption year.

Together with rates and charges, the water allowance and the price of water consumed beyond that allowance are fixed by the Metropolitan Water Board in June for the ensuing financial year.

The allowance and the price are applied to the "consumption year"; that is, the period of 12 months ending on the date fixed by the board for the final meter reading. This reading may be between the 15th January and the following 29th June. In practical terms, since all meters cannot be read on the same day, the districts within the metropolitan area are assigned reading dates determined by a continuous reading programme and the board's staff resources.

Consumers have always entered a new consumption year without knowledge of what the water allowance and the price will be for that year. This has not been brought about with the introduction of pay-for-use.

It appears to be accepted generally that pay-for-use is in the long-term interest of the community, but its introduction has had an impact on the public. People feel there is an injustice in the respect that the charging method has had an effect on the cost of water they used

over a period prior to the 30th June when the new system was announced. Many say that if they had known of the change beforehand they would not have used water to the extent they did. In other words, people believe their consumption would have been less.

There is a very reasonable counter-argument to this. Because of restrictions on garden watering during that period, and because of the extensive education campaign aimed at reducing household use, water consumptions were kept to a minimum. Consequently, even if the new system, with the unchanged retroactive application, had been fully understood from the commencement of the consumption year water usage probably would not have been reduced to any significant degree.

Nevertheless, people do feel they have been disadvantaged. It is for this reason that a proposal is now before the House to ease in pay-for-use with a concession to those domestic consumers affected. Since the basis of criticism is that householders would have used less water had they known in advance of the change to the new system, the appropriate means of compensation in this transitional stage is to apply to residential properties a special and once-only rebate by way of a reduction in water consumption recorded between the commencement of the consumption year and the introduction of pay-for-use on the 1st July, 1978—the period the retroactive aspect of the new system applied.

The most equitable arrangement is a *pro-rata* reduction in consumption. This ensures immediate relief to the 10 per cent of consumers who used water beyond the standard allowance during the first half of their consumption year, and provides for the reduced liability of all other domestic consumers. It is proposed that recorded consumptions be reduced by 12½ kilolitres per month, or part thereof, for each month between the final reading date of the 1977-78 consumption year and the 30th June this year, when the new scheme was announced. In cases where accounts have already been received for water consumed beyond the allowance, consumptions will be adjusted and credited on the next account.

In addition, the Bill presently before the House sets out to make clear that the water allowance and the charge for consumption beyond the allowance, both of which become operative on the 1st July each year, are to continue to apply from the commencement of the consumption year which, in each individual case, is a date between the 15th of the preceding January and the 29th June. This will remove any uncertainty that the existing provisions of the principal Act do not fully cover such retroactive application.

It is imperative that the powers conferred on the board in this matter are made perfectly clear to all to avoid any recurrence of the present confusion over pay-for-use that may hamper its efficient operation. Obviously there must be a time variance between the commencement of every individual consumption year and the 30th June determination of the water allowance and charges for the ensuing financial year. The alternative is that some 250 000 water meters are read each year on the day prior to the determination, and, of course, this is an impossible task.

Both aspects of the Bill—that is, the provision of a rebate on consumption for residential properties during the transitional period, and the clarification of the retroactive application of the allowance and charges for water consumed beyond the allowance—are proposals to remedy problems emerging from the introduction of the pay-for-use system.

I therefore sincerely commend the Bill to the House.

Debate adjourned, on motion by Mr Jamieson.

BILLS (8): ASSENT

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

1. Betting Control Act Amendment Bill.
2. Teacher Education Act Amendment Bill.
3. Abattoirs Act Amendment Bill (No. 2).
4. Stock Diseases (Regulations) Act Amendment Bill.
5. Local Government Act Amendment Bill (No. 3).
6. Marine Navigational Aids Act Amendment Bill.
7. Liquor Act Amendment Bill (No. 2).
8. Fire Brigades Act Amendment Bill.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE ACT AMENDMENT BILL (No. 2)

Message: Appropriations

Message from the Deputy Governor received and read recommending appropriations for the purposes of the Bill.

PENSIONERS (RATES REBATES AND DEFERMENTS) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th October.

MR DAVIES (Victoria Park—Leader of the

Opposition) [5.10 p.m.]: This Bill tidies up a number of situations which have become apparent as needing attention since the legislation was introduced in the last Parliament. I think at the time I suggested we might see it back here within 12 months, and possibly as time progresses we will see it back again because of certain circumstances of which we are not now aware or of which we were not aware at the time the legislation was introduced.

There are always exceptional circumstances which require sympathetic consideration, and this Bill does give sympathetic consideration to some of the circumstances which we find have arisen because of the way the legislation is written and the need to apply it in accordance with the law.

There are one or two matters in regard to the Bill which concern us. I wish to make a few remarks about the application of the rebate which has been granted. I was hoping the Government would have increased the rebate to approximately 50 per cent as some of the more progressive States have done, but it has not opted to do so at this time. There seems to be a feeling abroad that pensioners are not very happy with their lot and are always looking for some concession.

Let me say that in the past several years, pensioners have probably been hit as much as if not more than any other section of the community. Indeed the latest amendment to the provision for pensioners as forecast in the last Federal Budget means they will be worse off in the next 12 months—or until an understanding Government gets to Canberra—than they have been in the past 10 years. It seems we are pushing them back into the situation where they receive a miserable handout once a year, almost at the whim of the Government, and they will never catch up with the cost of living and the inflation rate as we would expect.

We expect our wages to be adjusted in accordance with the decisions of the Industrial Commission. That is written into our conditions of employment, if I can use that phrase in regard to politicians. The working man expects to receive adjustments periodically because of inflation, and the pensioner should be able to receive an adjustment to his pension no less often than the working man or the politician. But, of course, that will not be the case in the future.

I believe pensioners have been let down and that the Fraser Government has broken a number of promises to the pensioners. That Government is famous for breaking promises. We are rather surprised these days if it keeps a promise, because we are so used to it breaking promises.

One of the changes which have had an effect on pensioners was the alteration of the taxation laws in 1976, which resulted in all service pensions being taxed. Prior to that there were exclusions from the taxing of pensions. In 1975-76 only war pensions paid to people of pensionable age—that is, invalid pension age of 65 for men and 60 or more for women—were taxable. Service pensions are granted five years earlier than standard invalid age pensions; that is, to men aged 60 and over, and to women aged 55 and over. Tax is now to be applied to those pensions where it was not applied previously.

I remind members that in 1975 Mr Fraser said in his policy speech—

We stand by our commitment to abolish the means test on pensions.

For as long as I can remember there has been a desire within the community to abandon means tests on pensions. Many people expected early in their working life that by the time they retired at 60 or 65 they would at least be able to get a basic pension free of means test.

Of course, at the present time this applies only to persons over 70 years of age; indeed, that is another broken promise of the Fraser Government because instead of providing a free-of-means-test pension to persons over 70 years, it is applying a means test to all further increases in pensions paid to that section of the community. So a breaking down of conditions has occurred in regard to pensioners. Surely the Australian community is not so poor that it cannot properly acknowledge and reward in some way the senior citizens of the community. We will all reach that stage one day, and not all of us have been in the position to make provision for ourselves.

I have little time for people who say that pensioners deserve what they get because during their working lives they should have been able to make provision for themselves. There are dozens and dozens of situations in which, with no fault attributable to anyone, a person who is now a pensioner has not been able to make proper provision for himself. I suspect some people might say, "All right, there are dozens and dozens of situations in which these people should have done something for themselves", and I would have to agree with that. However, I do not think that situation applies to all.

In this day and age surely we should be able to acknowledge that persons who have reached retiring age should be entitled to some reward, miserable as it may be, and we should give them that reward without having to inquire into their

means, their incomes, and their general financial situations. However, that is only by the way.

I simply want to point out that in respect of pensions there has been a swing away from that which was promised by the Fraser Government, and this does little to enhance the standing of that Government; nor does it make people confident they can expect any better deal in the future.

So if there is in this Bill a modicum of relief for some pensioners, we welcome the measure. We suggest it does not go far enough and it could be more generous, but before turning to that aspect of my address I want to say a few words about some further matters relating to pensions as they are applied by the Commonwealth Government. Whilst you might say, Mr Acting Speaker (Mr Watt), this is not directly relevant to the Bill, it is in fact relevant because we are talking about a section of the community who, because of their situation, are being given some concession. Perhaps if they were given a greater concession we might not need to be generous at all or to be amending the Act now before the House.

I want to point out that the Fraser Government has made pensioners poorer by replacing six-monthly adjustment of pensions and benefits based on movements of the Consumer Price Index with one annual adjustment, to be made in November of each year.

As I have already said, the income-testing in respect of pension increases for persons over 70 years of age is to be deplored. I have also mentioned the taxing of repatriation service pensions and the pensions paid on account of unemployability or pulmonary tuberculosis to persons under pension age, and that also is to be deplored. Of course, every pensioner must cope with increases in direct and indirect taxes and charges. These directly increase the cost of most goods and services and further erode the purchasing power of the pension dollar.

In those four respects we must be particularly considerate of the position of pensioners.

In November, 1975, Mr Fraser said—

The real value of pensions will be preserved.

In March, 1977, Mr Fraser added—

We are committed to take politics out of pension increases by giving automatic increases in line with price rises twice a year.

The ACTING SPEAKER (Mr Watt): The Leader of the Opposition is quite right. I suspect he is straying somewhat from the provisions of the Bill. I would ask him to relate the points

regarding Federal policy to the provisions of the Bill.

Mr DAVIES: As you will appreciate, Sir, pensioners have to live on a pension which the Commonwealth Government gives them. If they did not receive that pension they would not be classified as pensioners. Under the Act we are debating a pensioner is described as a person who is a pensioner under the National Health Act as distinct from the Social Security Act. If we take our definition of "pensioner" from an Act of the Federal Parliament, if the Federal Government provides the money to pay pensions, and if we are now discussing how a pensioner may benefit from a measure before the House, I can only say that I cannot agree with you, Sir, if you are indicating that we should not discuss the attitude of the Federal Government to the pension it provides. However, if on any specific point I stray I would be delighted indeed to be stopped, and I will be happy to discuss the matter further with you.

I think it is worth repeating that the pensioners we are talking about were assured by Mr Fraser in November, 1975, that the real value of pensions would be preserved. In March, 1977—just some 16 months later—pensioners were delighted to hear Mr Fraser say his Government was committed to take politics out of pension increases by giving automatic increases in line with price rises twice a year. Both those promises have been broken in the recent Budget.

As from November, 1978, all pensions will be indexed relative to movements in the Consumer Price Index only once a year instead of twice a year under the present practice. Pensions will be increased according to the movements of the Consumer Price Index for the 12 months ending in June each year, but the increases will not be granted until the following November—four months after the increase becomes due. This means the value of pensions will be up to 16 months behind increases in the cost of living before adjustments are made. Pensioners could find themselves caught up to 16 months behind the real cost of living.

They could face a 16-month delay before receiving an adjustment to their pensions. That is the meaning of the assurance given to the pensioners by the Prime Minister.

In November, for example, the standard or single rate of social service pensions and benefits will rise by \$1.75 to \$53.20 a week, while the combined married rate will rise by \$2.90 to \$88.70 a week. In 12 months' time, by November, 1979, inflation will have effectively reduced the purchasing power of the single pension from

\$53.20 a week to around \$48 a week—a loss of about \$5. Similarly, the standard combined married rate will be reduced from \$88.70 to around \$80 a week.

As pensions will be adjusted to the retrospective movement in the Consumer Price Index, pensioners will always receive increases in payments behind the increases to which they are actually entitled. Of course, the pensioners of Western Australia will be further behind their counterparts in other States because our rate of inflation is higher than that of the rest of Australia.

Mr Clarko: But our cost of living is nearly the lowest, and that is of great importance when you talk about pension rates.

Mr DAVIES: No. The member for Karrinyup has said that before. However, statisticians' figures say we have the greatest increases in cost of living.

Mr Clarko: My point is that an increase of \$5 in \$200 is half the percentage of an increase of \$5 in \$100; so it varies around Australia.

Mr DAVIES: I wish the member for Karrinyup would go into the marketplace and try to convince housewives of that.

Mr Clarko: Average wages in Western Australia are amongst the lowest in Australia.

Mr DAVIES: Surely the member for Karrinyup is not suggesting that we should relate the average wage to the cost of living or that everyone receives the average wage?

Mr Clarko: That is how you work out the inflation rate.

Mr DAVIES: I wish the member for Karrinyup would go into the marketplace and try to convince housewives in this State that they are better off than those in other States. I am quite certain they would not believe him.

Mr Clarko: A Commonwealth public servant in Western Australia is far better off in terms of living expenses than a public servant in Victoria or New South Wales because it is dearer to live over there but they receive the same pay.

Mr DAVIES: I suppose the member is suggesting this is the real answer to the problem; but the fact remains that if a single pensioner loses \$5 a week within 12 months he will not be convinced by that argument; and to suggest that because the inflation rate is higher in Western Australia than in other States, we are better off than the rest of Australia is a curious argument which I have yet to understand and accept. Perhaps at some stage the member for Karrinyup may be able to convince me. We may have a quiet

talk later, and I will be pleased to receive a lesson in economics from him.

However, let me point out for the third time that it has yet to be proven to me that housewives in the marketplace will be convinced that the cost of living in Western Australia is lower than the cost of living in the rest of Australia.

I am trying to point out that whilst the general rate of inflation will reduce the value of pensions, pensioners will be paid increases due to them up to 16 months later, and they will be far worse off under the Fraser Government than they were under the previous Whitlam Government; because under the Whitlam Government, for the first time ever, pensioners received a better deal which they greatly appreciated.

Another matter about which we could probably ask the Government to do something at the moment is in respect of obtaining some money for pensioner housing. Rents in this State are as high as those anywhere in the country, and pensioners are being forced to pay higher rents. At the moment in funds for pensioner housing we are about \$1.2 million in real terms behind the amount we received previously. This means that waiting lists for this type of cheaper accommodation are growing longer and longer. I am sure all members receive representations about this every week from people in their electorate.

In Bunbury the waiting list now numbers 204; in Albany it is 38; in Geraldton it is 16; in Merredin it is 17; and in Port Hedland it is four.

In addition, pensioners must meet all the other increases which persons on full wages must meet. They receive no concessions. They do receive a negligible concession in respect of electricity charges, but they must pay full food prices and all increases in transport costs. They must pay all increases in electricity costs, but they receive a concession in respect of their water rates. Even that concession means less to them now as a result of the nature of the application of the pay-for-use system adopted by the Metropolitan Water Board.

Previously if a pensioner's water rates amounted to \$60 he would save \$15; and probably he would not use all the water allowed to him for that amount of rate. Now all people must pay a water rate of \$36, so the pensioners' 25 per cent reduction means they will save \$9. They will not save as much, but they will also pay more because, as has been demonstrated time and time again, even persons living by themselves will use more than 150 kilolitres of water a year. So, for every kilolitre over the allowable 150 kilolitres

there is going to be a charge of 17c. The concession which has been provided is not a large one; the Government is providing a concession on the one hand and taking it away with the other.

Mr Acting Speaker, remembering what you have already said to me, I turn now to the actual Bill itself.

The ACTING SPEAKER (Mr Watt): That sounds like a confession to me.

Mr DAVIES: I am always willing to confess if I am in the wrong. I just felt I should point out to the House the position in regard to pensioners and the fact that, once again, they are getting a very raw deal.

Of course there are pensioners who are well off, and well able to afford to pay full charges. However, I imagine that would be about 0.01 per cent of all pensioners in Western Australia because, generally, a person who has been a worker all his life has very little behind him to assist him once he goes onto the pension and even that is being rapidly eroded by inflation.

The purpose of this Bill is to apply this concession to war widows, provided they meet the means test. The means test, of course, is one which applies to pensioners under the National Health Act; namely, that one must hold a medical entitlement card to be considered a pensioner. A person can hold that card only if he passes a certain means test. The same means test will apply to war widows, irrespective of the war widows' pension they are receiving. We are quite happy about this provision; naturally we are pleased with it. We do not think we should discriminate between ordinary pensioners and war widows. It is simply unfortunate that the war widows receive their pensions because of a particular set of circumstances. It always has been acknowledged that it should be a special pension.

No means test will apply to those we generally refer to as TPI pensioners and to people who receive a pension for being blind, or for suffering from tuberculosis. Here again, we certainly would not argue with the Government; we believe special conditions should apply to these people because they are receiving their pension as a result of special conditions.

It is quite reasonable such provisions should have been written into the Act; in fact, they should have been included much earlier.

It is strange that no-one from either side of either House picked up the fact that the initial legislation could provide for a reduction in rates where pensioners own more than one property. The Premier indicated in his second reading

speech that it was never intended the concession should apply to more than one property, and we agree with that principle. The person concerned must specify to which property he wants his rebate to apply; I suppose that, naturally, he will pick the highest-rated property. I do not think he will have the option to specify one property for his local government rates concession and another property for his water rates concession. Indeed, under the new system of valuations which we put through this House recently I cannot see there would be any advantage in splitting the rates in such a manner because the one value would apply to both properties.

There have been some circumstances where it was felt the owner of a property had a legitimate reason for being allowed the rebate but, because of the application of the Act, he was precluded from receiving a rebate. The Premier outlined several such instances in his introductory remarks. I am sure most members have had similar cases brought to them; because a person is outside the provisions of the Act, although he might reasonably expect the concession to apply he must pay the full amount of rates. I do not know how many such cases there are; obviously, there would be a few, but I do not think there would be very many.

The Premier indicated that in these "borderline" cases the Minister is to be given the discretion. I do not envy the Minister his job. If he is in a good mood one day he could say, "Yes, that seems to be a very reasonable case; I allow the concession" whereas on another day he might be feeling meaner and decide the case does not warrant a concession. This could create some difficulties, and I do not know how we are going to get around it.

I suppose that if an application is refused, a person then has the right to approach his member of Parliament. Certainly, he would not have the right to go to the Ombudsman because ministerial decisions are not subject to investigation. Of course, he can ask the Minister to review his decision but I do not know whether the Minister would be prepared to look favourably upon such applications.

A discretion is to be given, but the area of discretion is not outlined. I think it is the Minister for Community Welfare who is to exercise this discretion; I sympathise with him. We do not oppose him having such a discretion because we believe him to be an eminently fair man. However, Ministers change; in fact, they change quite dramatically from time to time under the present Government.

I would like to see established guidelines which would give members of Parliament at least an idea as to whether or not an applicant should pursue a request for a reduction in rates. I appreciate the enormity of such a task; there must always be additions to and deletions from such guidelines. Nevertheless, the Minister having this discretion must work within certain guidelines and I do not think it is unreasonable to suggest that those guidelines should be established and then passed on to members of Parliament.

This is an unusual way of applying the law. I do not think I can recall anything like it before. Some circumstances may arise where the Minister has the discretion. The Government is going to a lot of trouble to amend the Act to set down who shall be entitled to a rebate and who shall not, and then saying, "Although the Act says that, there will be situations where, to be fair, the law must be bent a little bit and we are bending the law this time by giving a discretion to the Minister."

If the Minister were too wide in his discretion in regard to, say, water rates, I do not know whether the Metropolitan Water Board would take the matter to court as I believe it would be entitled to, and say, "The Act says this but the Minister has done that. We believe the Minister has broken the law."

Mr Young: There are a number of precedents for this. I do not know whether you remember the land tax legislation a couple of years ago. A very similar discretion was written into that legislation and it was deliberately written so that the person making the application would not be placed at a disadvantage by that discretion. In other words, it was a discretion for advantage. Similar provisions are contained in Commonwealth income tax laws.

Mr DAVIES: I do not remember the Western Australian land tax laws, although I know the Commonwealth taxation legislation contains such a provision.

Sir Charles Court: When we were rewriting the legislation we had a grey area. We had to give the commissioner some discretion to appeal to the Treasurer.

Mr DAVIES: The Minister had discretion with an appeal to the Treasurer?

Sir Charles Court: There was to be an appeal to the Treasurer in certain cases. I concede it is not a good taxing law, but there was no other way of getting over the grey area.

Mr DAVIES: I do not think this really is a grey area. I now recall the Western Australian land tax legislation, although not in great detail; I can

remember the phrase coined by the Premier at that time.

Whilst I am not averse to the Minister being given some discretion, I feel he will need to apply it very carefully, as situations can differ. There are cases where we feel particularly sorry for the owner of a property who has been denied this rebate for a reason which does not seem reasonable to him or to us; in such situations, I am sure the Minister will use his discretion wisely.

The Bill also provides for the payment of deferred rates on the sale or transfer of a property or the death of the owner. The Act also is to be amended to provide that deferred rates shall be paid when a property becomes income producing. On the face of it, that seems fairly reasonable. However, let us consider in depth. The original Act providing for rebates and deferrals has been in operation since 1955, and it would not be unreasonable to assume that the deferred rates on a property could be of the order of \$1 000. In fact, this would be the minimum they would be because very few properties are rated by local authorities at only \$100 a year, and the deferral of this amount of rates for a period of 10 years would give the total of \$1 000 to which I have just referred. So, it is likely to be in excess of that figure.

Let us take the case of a person who has resided in a property and who now must move into a nursing home. Rather than leave the property idle, he decides to rent it out at, say, \$40 or \$50 a week. At that point, he will be called upon to pay the total amount of deferred rates. I believe in such instances we must consider the capacity of the pensioner to pay that amount of money. He has deferred his rates since 1966 simply because he did not have the capacity to pay them. Upon moving into a nursing home and renting his property, he is to be required to find the \$1 000 or \$1 500 he owes to the local authority in deferred rates.

I am just wondering what would be the situation in such cases. Will the local authority say, "You owe us \$1 000 in rates and we want you to pay that money forthwith otherwise we will sell up your property on you"?

This person also may have been deferring his water rates. It is not inconceivable he could owe \$1 000—and probably more—to the local authority and \$1 000 to the Metropolitan Water Board. The minute he rents his property, on the face of it he will be required to find \$2 000 or more in deferred local authority and water rates. This seems to be an anomalous situation; perhaps

the Premier when replies to the debate can tell us just what is intended.

I do not think it is unreasonable to ask a pensioner who has means to pay his deferred rates once his property becomes income producing. However, a pensioner who deferred his rates because he did not have the means to pay them could be put in serious financial difficulties if he were called upon to pay more than \$2 000 to various authorities.

Apart from that, the Act is to be amended to make it quite clear that the payment of rates will be due only on the sale or transfer of the property or upon the death of the person who had the rates deferred. This is more reasonable; it makes this section of the Act easier to understand.

There is to be a new definition of "owner" to include "a person entitled to possession of the land as a beneficiary or life tenant under a deceased estate". Once again, the Premier detailed the situation under which those persons should be allowed to enjoy the concession and we have no argument at all with the proposed definition.

There is one matter which has really worried the Opposition—I am sure every member in the House has been approached in this regard—and it concerns persons who have not been aware that these concessions were available to them. These people have gone ahead and paid the full amount of rates and at a later stage have found they could have enjoyed a 2½ per cent reduction. On application to the Water Board or local authority they have been told they could not receive a refund; they had paid the full amount of rates and that was all there was to it. This is despite the fact that had they known at the time they would have applied for the refund by registering as pensioners and so be in a position to enjoy the benefit.

I suppose a lack of knowledge of law is no excuse at any time but there are a lot of people—probably members in the House have had pensioners come to them to seek some redress on these matters—who have been in this position and found there is no redress whatsoever available to them. Strange to say, I believe the country water board, if it is found that a person has mistakenly paid his rates when entitled to a refund, will give a refund. There is a difference between the country water board and the Metropolitan Water Board, but I do not know why this is so. Again, perhaps the Premier could tell me what is proposed in this regard.

I know that once a person is registered as a pensioner ratepayer and has applied for the rebate or to have the rates deferred, each year with his

pension notice there is a declaration which must be completed and returned at the same time as the payment of rates. That is acceptable and understandable, but I repeat: There are people who have never taken advantage of the concession because they have been unaware that it is available to them.

I believe that at least for the current year, if not for years gone by, people who have paid the full amount of rates should be entitled to a refund once they find out they have overpaid their bill. Mr Acting Speaker (Mr Watt), if you or I found we had overpaid our water rates we would expect to receive a credit for next year if no refund was made immediately.

I am surprised that people are not aware that some pensioners do not realise they are entitled to a concession although the fact is widely circulated. It must be remembered that we are dealing with senior citizens who might not be as aware as younger people in the community. It is understandable they might have missed seeing that a concession was available to them.

Is the Government prepared to include an amendment in this Bill, at least for this current year, to cover the situation where a pensioner has overlooked a concession? It should be possible for them to get a refund or a credit made for next year's rates once it is found by the pensioner that there is a concession applying to the rates.

Mr Shalders: I think some local authorities include notices with their rate assessments for the information of pensioners and I think the Public Works Department in the country also includes a notice.

Mr DAVIES: Apparently this is not done by the Metropolitan Water Board, although I believe there is to be an inclusion of a note in future. However, there are people this very year who have overpaid their rates and one can imagine their chagrin when they find out they could have saved \$15 or \$20, which is a very real amount to them. I understand there will be a note on the rate notice indicating that under certain conditions concessions are available, but this will not overcome the situation of which I have spoken.

I wish to query the application of this Bill as it states the Act shall be deemed to come into operation on the 1st July, 1978, which is several months ago. In the meantime, many people will have paid their rates. Indeed, I paid one pensioner's water rates myself and on her notice there was a note to the effect that to enjoy the concession the rates had to be paid by the 31st August. This means if all pensioners are to enjoy

the rebate they have to pay their rates by the 31st August and so there will be very few, if any, able to enjoy the benefits this Bill will provide, despite the fact it has retrospective application. I am not happy about Bills giving retrospective application, but in this case I am prepared to make an exception.

The fact remains that most pensioners will have paid their water rates by now because of the requirement which is stated on the notice—the requirement stamped on their rate notices referring particularly to those enjoying pensioner concession rebates—to the effect the rates must be paid by the 31st August. I remember that date because it was on the 30th August that I paid the rates of the pensioner to whom I referred. There had been a delay in finding the form which stated she was a pensioner.

What is the reason for making this Bill apply from the 1st July, 1978, if 99 per cent of the pensioners have already paid their rates? Is there to be a section of the community who will enjoy a concession because they failed to pay their water rates? One can pay water rates in two moieties, with the last paid at the end of March—I am speaking only from memory now. This applies to every citizen who is required to pay water rates, but he has to make a certain payment by a certain date.

I would like to know why this Bill is going to apply from the 1st July, 1978, and what is going to be the position of those people who could have enjoyed a concession. I refer to people such as war widows, TB, blind, and TPI pensioners, all of whom have probably paid their rates in full, but who next year will be able to enjoy a concession.

I believe it is a sleight of hand by the Government. The Government should be prepared to give a credit or make the necessary refunds available to all those people entitled to a concession once this Bill becomes law. Unless the Government is prepared to grant a concession to all those eligible people who have paid their bills it will be a miscarriage of justice. There is no need to have the Bill apply as from the 1st July, 1978.

Finally, it is unfortunate that a concession does not apply at local government level to the collection of rubbish rates. I think if we are to apply a concession in one direction we should apply it to all rate notices and not exclude rubbish collection.

Pensioners have been asked to pay more than their fair share of increases in the community. I repeat what I have said on several occasions: The fixed charge for electricity and gas should be

discontinued as far as pensioners are concerned because it throws their whole account out of reasonable comparison with persons who have an average domestic account.

Although this is not related to the Bill, I suggest we could assist pensioners by reintroducing the free travel scheme in the metropolitan area. Its removal has been a bone of contention. In the few months after the scheme was withdrawn, pensioner travel dropped by something like 18 000 journeys in the metropolitan area, which is a fair number. It indicates how much the concession was appreciated.

In this day and age, even with our alleged position of financial restraint, it would not be unreasonable in the metropolitan area to reapply the free travel concession to pensioners. Pensioners are worse off than any other section of the community, particularly because of what the Federal Government has done to them. They are worse off because they have to meet all the increases that every person on a full salary has to meet. They are certainly not getting an average wage, which the member for Karrinyup has so often quoted as a comparison and standard by which we must judge these matters. When we judge what applies to pensioners we should judge by what applies to their pension, not by an average wage of \$200 a week or whatever.

This highlights the position I have been trying to explain in that there are plenty of people in the community who deserve special attention. I am pleased we are giving this consideration in this instance and tidying up the Act to remove some of the anomalies which have occurred. I do not know what the likely position will be when the word gets out that people who have not paid their rates are now going to be entitled to a concession, whereas those who have done the right thing and paid their rates will not be able to enjoy the concession because there will be no refunds. I would be delighted if the Premier would tell us what is to happen in regard to this matter.

I would like to see a provision for a refund included in the Bill in cases where the reason for a lack of application for a refund has been perfectly genuine. As the Bill stands, the Opposition is prepared to support it, but we would like to see it go further so that pensioners get a better deal.

DR DADOUR (Subiaco) [5.57 p.m.]: I support this Bill which, as the previous speaker has said, tidies up problems which have occurred in certain areas of need under the present system and because it includes other people who are needy,

such as war widows, and TPI, TB, and blind pensioners.

The Bill allows for ministerial discretion and this is good because, as we have so much unemployment and the cost of having old people put into nursing homes is high, it would be much better if we could arrange for unemployed people to act as companions for many of these people. The pensioners would be greatly benefited merely by having a companion in the house with them. This is quite often all the support that is needed for the pensioner to remain in his house. Ministerial discretion will help in this matter and I feel this is one area where help is needed.

One thing which worries me and about which I have often badgered the Premier, is that this State gives only a 25 per cent rebate on water and sewerage rates. In other States a 50 per cent rebate is given; South Australia gives a 60 per cent rebate. This has been the situation for a number of years now. A few years ago I did a little homework and compared our State's rebates, applying in various fields for our pensioners, with rebates applying in other States. I compared items such as ambulance services, spectacles, transport, drivers' licences, car registration fees, land tax, water rates, local government rates, and electricity charges. It worked out that the Western Australian Government gave a percentage reduction of 31.6 per cent, whereas South Australia gave a total reduction of 53.3 per cent.

In Tasmania it is 52.4 per cent; New South Wales, 44.2 per cent; and Queensland 49.5 per cent. It can be seen we are still by far the meanest State with our concessions to pensioners in the fields I have mentioned. I wonder why we have not increased the rates concessions to 50 per cent. After much battling we gave a 25 per cent rebate but it should be now increased to 50 per cent.

Under the Bill some concessions are being extended to TPI pensioners and some war widows, and the cost will be \$50 000 a year. Very little extra is being granted. I feel the time has come for the concession to be increased to 50 per cent. The 25 per cent which has been granted over the last two years has been absorbed already because local government rates were increased by about 12 or 13 per cent last year and this year they have been increased by 14 or 15 per cent. Therefore that 25 per cent has gone. In addition, water rates have been increased. If people use the same amount of water they used last year they will pay 20 per cent more for water. Therefore the concession granted to pensioners has been already absorbed.

Believe me, some pensioners require help. Why are we the only State to give so little? I have written to the Premier about the subject and the last time the under secretary indicated that my letter should go into the suggestion box. I soon told him where not to put it. However, the Premier kindly answered my letter, but I still believe we should increase the concession to 50 per cent because it would not cost us very much. The present scheme will involve about \$1 million or maybe a little more. If the concession is increased to 50 per cent it will cost only \$2 million which would be only double. When we consider that the gross expenditure of the State is well over \$1 billion, we realise that \$2 million is very little in comparison.

I keep harping on the Government's bad housekeeping and the amount we waste in some areas. The Government's housekeeping is very poor. We should give the same concession as is granted in the other States. Victoria has been giving 50 per cent on local government and water rates for two years. Prior to that Victoria granted 25 per cent. We will be the last State to grant the 50 per cent and our average concessions are much lower than those applicable in the Eastern States.

Maybe the reason is that the circumstances are different here or something, but I cannot see any real difference. We are being a little mean about the matter.

Another aspect I wish to emphasise concerns those people who are just not quite eligible for the concession, and the Leader of the Opposition mentioned this matter. These people are very badly off, especially when they require medical attention. When they visit their medical practitioner they usually require two or three lots of tablets and each prescription costs them \$2.50. The prescription usually lasts them for a month. Consequently they must pay about \$10 a month just for prescriptions and this is because they are just out of the concession range. These people should be considered and given some help. I am referring to those who have a small superannuation. Because they have been given a \$2 rise, they are no longer eligible for the concession and they are disadvantaged to the tune of something like \$10 to \$15 a week or, for a married couple, \$20 to \$30 a week.

I believe some sliding scale should be devised so that these people could enjoy some of the concessions given to pensioners. I have mentioned this before. The Federal Government has been playing difficult to get and will not increase the maximum amount a pensioner can earn per week before he loses his entitlement. This is a cruel provision. Unfortunately the idea of a sliding

scale does not seem to have got across to the Premier. He states that such a scale would be difficult to administer. Nothing is difficult to administer if one puts one's heart into it. These things can be worked out.

The Federal Government was able to draw up some graphs to show people how easy it was for them to assess the pension they will get based on their capital and their income. Therefore I am sure it would not be beyond the ability of the Government to work out a sliding scale. It would be possible to work out from one's income tax returns just how much was earned by a person and therefore there would be no difficulty in administering a sliding scale.

I support the Bill but the Government is remiss in not going further. The Bill has cleared up a few points and has provided concessions in some areas of need, particularly in regard to pensioners who have an invalid child living with them, etc. As I say, the Bill contains some good provisions, and I support it, but it does not go far enough.

MR SHALDERS (Murray) [6.07 p.m.]: I want to join other members who have supported the Bill, and particularly the Leader of the Opposition who was more generous perhaps in his praise of it than was my colleague, the member for Subiaco, in his comments. I want to support the Leader of the Opposition in his comments on the actions of the Federal Government. I totally disagree with the way the Federal Government has changed the adjustment of pensions so they are made only annually. I stand publicly in support of the pensions being adjusted quarterly in accordance with changes in the CPI. If that brings me into conflict with my Federal colleagues, then so be it.

It would be specious for me to go into details on the provisions of the Bill because they were covered adequately by the Premier during his second reading speech when introducing the Bill and also by the remarks of the Leader of the Opposition to some extent. The Bill has been introduced as a result of a review promised by the Premier when the initial legislation was introduced. At that time he said that a review would be made and changes effected if necessary. I am pleased that under the Bill before us the Premier and the Government have fulfilled that promise.

The Leader of the Opposition raised two queries which interested me and, in particular, he indicated that the Premier had stated that the provisions of the Bill were to take effect as from the 1st July, 1978. He wanted to know the position of those people who had paid their rates

between the 1st July this year and the time when the legislation finally is proclaimed. I believe that the provisions of the Bill will apply to those people also and that any people who have paid their rates will be entitled to a rebate. I do not envisage any possible alternative, and I wonder why the Leader of the Opposition raised the query because the situation is perfectly clear.

If the Leader of the Opposition had not raised the second query, I would have raised it myself. I am referring to pensioners who have to leave their homes and enter a nursing home. If their home is rented I would like to know what the position will be with regard to back rates. I hope the situation will be that the income from the property, less a small amount for maintenance purposes on the home, will be used gradually to pay off the outstanding rates.

Overall the changes in the Bill—and I have canvassed them thoroughly with the leaders of the senior citizens in my electorate—are most welcome. The people with whom I have discussed the Bill have asked me to convey their appreciation to the Government for the prompt manner in which it has introduced the legislation. As an ex-school teacher, I have been inclined to want things in black and white, but I think the flexibility—

Mr Pearce: Not all ex-teachers have the same simplistic approach to things.

Mr SHALDERS: I appreciate that, but perhaps as I was a maths teacher I am inclined to believe that something is either right or wrong. It is comforting to see things in black and white. However, I am pleased that the Bill does provide for flexibility whereby individual cases can be examined and if found to be deserving, concessions can be allowed. That is a good provision and I hope it will be applied sensibly.

I therefore wish to indicate my strong support for the Bill.

Sitting suspended from 6.12 to 7.30 p.m.

SIR CHARLES COURT (Nedlands—Treasurer) [7.30 p.m.]: I thank members for their support of the Bill, even though in some cases it has been tempered with criticism. I think I made it clear when I introduced the Bill that it was not intended to be a major revision of the entitlements; in other words, it was not classed as a Budget Bill but was intended mainly to tidy up some of the problems we have run into in the course of experience. I undertook 12 months ago, when the legislation was introduced, to keep it under review and sort out anomalies as they arose. We have in fact done just that and we intend to continue doing it.

One matter to which the Leader of the Opposition referred was discretionary power. Discretionary power in taxing measures is used with great care.

Mr Davies: You said the other day that water rates were not a taxing measure.

Sir CHARLES COURT: I am not talking about that but about taxing as such. We introduced discretionary power into the Land Tax Bill because we found a grey area which we could not with any certainty define legally without having a cumbersome provision; so we decided in that particular case to allow some discretion.

It is not abnormal. Discretion has been allowed in plenty of cases. In fact, the Commonwealth Income Tax Assessment Act has contained, ever since I can remember, a very diabolical section where the absolute discretion of the commissioner prevails and nothing can be done about it. It is intended to overcome the problem with people using tax evasion devices, and the matter has been dealt with in that way over the years because it is the only way that type of situation can be dealt with. However, that does not mean to say we should seize on discretionary powers whenever we find a difficult area of definition.

It so happened, when we were dealing with this rebate for pensioners, that we found on drafting the amending Bill some areas which it was well nigh impossible, without being too restrictive, to spell out in terms of pure law. So it was decided to give some discretion to the Director of Community Welfare. It was thought his department would be the one most closely in touch with the day-to-day problems of pensioners and best able to exercise judgment. Other discretion is left to the Minister. I think it will work fairly well.

In answer to the specific query of the Leader of the Opposition about how the provision would be administered when the discretion had to be exercised, my understanding is that as far as the discretion of the Director of Community Welfare is concerned a basis will be worked out in a broad way between that officer and the Treasury. It will not cover every case and we will have to wait until we get some precedents, but over a period of years I think we will build up a series of precedents which will be clearly understood. With representations from the Pensioners League, members of Parliament, and citizens themselves I think we will devise a very nice, easy working arrangement which will be fairly clearly understood, bearing in mind that when one thinks one has all the precedents one needs, another one always comes up. That is what was intended, to

give that degree of flexibility which permits some relief where a case deserves relief.

Mr Davies: Could you imagine a situation where the Metropolitan Water Board would take the Minister to court?

Sir CHARLES COURT: Never.

Mr Davies: Don't forget that the Water Board is autonomous.

Sir CHARLES COURT: The board would find it extremely difficult to justify a case of that kind where the judgment of the Minister had been used within the discretionary power given to him by the Parliament. If the Minister sought to use an administrative discretion which he had given to himself or which the Cabinet had given to him, without a statutory provision for it, it would be a different matter. In this case where the Minister exercises his discretion he is exercising a discretion which has been given to him with the full support of the Statute and of the Parliament, so the Water Board or any other authority which sought to defy him would be looking for trouble and could not succeed. Therefore I do not regard it as a possibility.

The other point the Leader of the Opposition mentioned was the question of the uninformed pensioner; in other words, the person who, extraordinary though it might seem to us, all of a sudden finds after three or four years that he has not been getting deferment or a rebate.

Mr Davies: A rebate rather than deferment.

Sir CHARLES COURT: My understanding has always been that if a financial year is completed, that is that; but within a current year there is sufficient flexibility administratively for this circumstance to be dealt with. For instance, in this case we have actually legislated to make the Bill retrospective; and—to clean up the point raised by the Leader of the Opposition—the 1st July, 1978, was chosen so as to enable these new entitlements—in other words, the people who are newly entitled to the benefits of this legislation—to be retrospective to the 1st July, 1978.

When I raised this matter once before, I was assured by the Treasury that administratively there is no problem in dealing with it—if in fact people have paid their accounts, as many of them will have—because of the authority given in the Bill now before us, which we hope will become an Act.

I also refer members to the fact that in my speech I gave an estimate of the cost of this legislation in the current year. In other words, we expect the additional people to be paid in this

financial year out of the Budget which is currently before the Parliament. I do not want there to be any doubt about that. It is intended that people such as war widows who become eligible, TPI pensioners, blind pensioners, and tuberculosis pensioners, if they have paid their rates, will get the benefit of this legislation in an administrative way. I am assured there is no problem because of the financial entitlement in the Budget and the financial entitlement that is written into the legislation by using the retrospective date of the 1st July, 1978.

Another question was raised in regard to possible hardship when payment of arrears has to be made because of a changed situation, as set out in the Bill. Here again I understand there is no problem because administrative machinery exists to deal with these people if they have a genuine case, as in the case of probate duties and a host of other things. The department will look at the case sensibly to see how it can best be handled. There is no fear of anyone being treated in a punitive way and being placed under the hammer because a changed situation means they have to pay back a concession they have had. In the case of an estate following death there is no problem because it is automatically administered as part of the estate and the person concerned will not be inconvenienced or embarrassed because of death and the method by which the estate is administered.

Mr Davies: Or if they sell it.

Sir CHARLES COURT: Yes. It was the intention that it would be a deferment, and when the proceeds of the estate or a sale became available they would be used firstly to pay for the deferment.

The member for Subiaco referred to the percentage. I have made it clear that the Government will keep it under review. Last year we started at 25 per cent. Had we started at 50 per cent someone would have wanted it to be higher.

I think it is not a bad thing, when introducing legislation of this kind, to move along in steps. We have opted for 25 per cent. We have now opted for cleaning up some of the anomalies and situations which produced unfairness, and we seek to generally improve the legislation. We will then be looking at the extent to which, within our budgetary competence, we may be able to give further concessions. I would not like to foreshadow when and how much they will be.

When we look at the kind of concessions given in this State compared with those given in other States, it is important to consider the total

package deal of everything that is done for pensioners and the circumstances of pensioners in all the States. In my experience, it is not possible to do just an arithmetical or statistical calculation to compare the treatment of pensioners in the several States. In fact, pensioners here will say that in many ways they have benefits which are superior to those operating in the other States. On the other hand, the other States have certain benefits which are superior to ours.

Mr Davies: I do not think the report showed much along those lines.

Sir CHARLES COURT: I hope at some time we will have uniformity because of the mobility of pensioners these days. This was evident in the fact that we were able to agree to some transport reciprocity recently—just another of the steps along the road, where we are acknowledging the greater mobility of pensioners. Eventually we will reach the situation where, as far as the States are concerned, a pensioner will know what his or her entitlements are, regardless of where he or she lives. In fact, we could reach a situation where matters relating to pensioners become national and we get away from the bargaining and the legislative manipulation, for want of a better word, that goes on in one State as against another in an endeavour to cope with a situation which could better be dealt with on a broader basis.

Mr Davies: Have you made any approaches for standardisation recently?

Sir CHARLES COURT: I got such a cold shoulder the last time, just over 12 months ago, that I let the matter rest for a while; but I intend to raise it again. In the present budgetary situation and economic climate I do not hold out much hope from Canberra, but it is a matter which I do not think we should let rest. We have a good basis from which to start and I think we should keep plugging away.

I thank members and commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr Blaikie) in the Chair; Sir Charles Court (Treasurer) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Commencement—

Mr DAVIES: I thank the Treasurer for his general comments in regard to the queries I raised, but I still have some apprehension regarding the matter of refund where a payment has been made before the Bill becomes law.

The previous Act, No. 5 of 1977, which dealt with this subject, also contained a similar clause saying the legislation would come into operation on the 1st July, 1977. The Bill was finally assented to on the 30th September, 1977, and many people would have paid their rates at that stage. I think it was generally known that the rebate would apply and payment of rates at the reduced rate was expected.

The Treasurer has given us an assurance that there is ample provision under the various Statutes for people who have paid the full amount of their rates to become entitled under this Bill to a 25 per cent refund, and that they will be able to get that refund or have it credited to next year's account.

This has not been the practice in the past. The Water Board has refused firmly to make a refund. In effect it has said, "You have paid your rates, you did not know you could have had a rebate so it is bad luck. There is nothing we can do about it." I am sure if I had the time I could find some of these cases in my own correspondence, and recently the Hon. Roy Cloughton, a member in another place, brought such a case to me.

If the Treasurer is able to give us an assurance that people who will now become liable for a rebate will be able to obtain a refund, and that there is ample legislation to cover that situation, I will accept his word. However, before the Bill goes to another place I would like him to look into this and to tell us under what conditions the refund will be available.

As I said earlier, the measure passed in 1977 provided that the rebate should be retrospective to the 1st July, 1977, but the Metropolitan Water Board has said that if a person has mistakenly paid the full rate when he was entitled to a rebate, then that is bad luck. If the Treasurer will give an assurance that the matter will be investigated and that in another place we will be told the details, I will let the matter rest at that point.

According to one of our members who represents a country area, the Country Water Supply does grant a refund where an overpayment has been made because the ratepayer was not aware he was entitled to a rebate. So we seem to have two policies operating, one in the metropolitan area and one in country areas. Whenever a person overpays a bill, surely he is entitled to a refund. However, up to the present time the Metropolitan Water Board has been quite firm on this matter. It may have to alter its policy when this measure is passed, but I do not know how it will determine who is entitled to a

refund. Will it be up to the person concerned to make an application?

Sir CHARLES COURT: I cannot do any more than to convey to the Leader of the Opposition what I have already conveyed. I checked his point with the Treasury because this Bill will not be assented to for some time. It must be passed by both Houses of Parliament, and then it is subject to Royal assent. I have accepted the assurance given by the Treasury that people who may become eligible for a rebate as from the 1st July, 1978—and I emphasise not before that—can claim a benefit under this legislation.

The people who have approached me about their eligibility for a rebate under the 1977 legislation wanted to go back a year further. That is the only type of case I have had referred to me. Perhaps there are other cases that some members want to bring to my attention. Before the rebate system prevailed, the only system in operation was the system to defer the rates. Some ratepayers who deferred their rates under that system now want to pay the rates that were deferred less the 25 per cent rebate.

I know that some of us have parents who would not seek to defer the payment of rates on principle. When they die they wish to hand over the family home free of debt, and they feel it would be a black mark against them if all the outstanding debts were not paid. People such as these will welcome the rebate system. However, at the moment I am dealing only with those people who have become newly eligible for the rebate. We have estimated an amount to cover this in the Budget, but I point out that this is only a calculated guess. We will have a better idea of the amount involved after the system has had a year's trial.

Mr DAVIES: Once again I believe the Treasurer is speaking from the Treasury's point of view. I would like him to check with the Minister for Water Supplies about the way in which the board operates. We have his assurance that once the Bill becomes law the newly eligible will be able to apply for a refund if they so desire, and I imagine it will be the ratepayer's responsibility to make the application. However, we still have the situation of a person who is entitled to a rebate but who unwittingly paid the full amount, and who now seeks a refund of the amount overpaid. I have pointed out in such circumstances the Country Water Supply will grant a rebate but the Metropolitan Water Board has consistently refused to do so. We should not have different policies operated by these two bodies.

Surely this would not amount to more than several hundred dollars in one year, perhaps up to \$1 000 maximum. Obviously there will be some people who never wake up to the fact that they could obtain a refund. If I were to overpay my water rates by \$10, \$20, or \$30, perhaps by filling in a cheque incorrectly, I imagine I could obtain a refund. In the same way I feel the people to whom I have referred are entitled to a refund.

I ask the Treasurer to look at this matter and to have it cleared up in another place. It may be necessary to amend the legislation to provide for such a situation. I do not argue with what the Treasurer has said, but he is speaking from the point of view of the Treasury. I know he has tried to do the right thing and he has been assured by his Treasury officers that there is no difficulty in arranging a refund. However, what he is saying will happen as far as the Treasury is concerned is not what is happening as far as the Water Board is concerned.

Sir CHARLES COURT: I want to make it clear that only those people who apply will gain a benefit from the measure. If people do not apply, we cannot do anything to help. I do not believe we should go back more than one year; any applications for refunds would have to be made within the financial year that the payment was made.

Mr Davies: I agree with you.

Sir CHARLES COURT: My understanding is that when an application is made, and when the application is a genuine one, there will be no administrative problems about a refund. People will have to establish their eligibility.

So far as the other amount is concerned, I am not distinguishing in my mind between the amounts payable through a straightout refund from the Treasury to local government, and amounts rebated by the Metropolitan Water Board. There is no need for it to be referred to the Minister if the Treasury makes its own arrangements. In matters of this kind, it would be a very foolish department that sought to fly in the face of the Treasury.

Mr Davies: But it has been doing so.

Sir CHARLES COURT: I asked this specific question as to whether we need to write some machinery into the Bill and I was advised it is best left as it is. I remind the Leader of the Opposition that this situation is partly answered in clause 4 on page 4 of the Bill.

Mr Davies: I did not know which clause to raise it on.

Sir CHARLES COURT: This clause differentiates between pensioners who were eligible up to the 30th June, 1978, and pensioners who become eligible from the 1st July, 1978. This gives a clear line of demarcation so that the newly eligible pensioners cannot go back beyond the 1st July, 1978, and the people covered in the legislation passed last year cannot go back before the 1st July, 1977. That is the reason we distinguish between the 1st July, 1977, and the 1st July, 1978, in proposed new subsection (4) (a) and (b) in paragraph (c) of clause 4.

Mr DAVIES: I thank the Treasurer for his comments. I think we now have enough in *Hansard* to answer our question clearly. The Metropolitan Water Board should have no qualms about making a refund in the circumstances I have mentioned because the Treasurer has said that this money will be recouped by the Treasury.

Sir Charles Court: No I did not. I said that the local government will be recouped by the Treasury.

Mr DAVIES: Will the Metropolitan Water Board miss out altogether?

Sir Charles Court: It will make its own arrangements with the Treasury. At the present time this is part of its own budgetary situation which is worked out very much in conjunction with the Treasury because of the board's dependence on Treasury for loan funds, subsidies, and the like.

Mr DAVIES: That is good enough for us. It clearly states the position. What the Treasurer thinks should not be a problem has been a problem in the past, and I am sure it will be a problem in the future. What he is saying is fair, and what we are saying is fair. When a person overpays a bill in one year, there should be no difficulty in obtaining a refund. This is not the case of a person who becomes a pensioner half way through a year and who approaches the board to say, "I paid my rates earlier, but as I am now a pensioner I am entitled to a refund." That situation is clearly understood. However, the Treasurer is saying that a person who overpays his rates mistakenly should have no difficulty in obtaining a refund from the Water Board.

Sir Charles Court: That is if he were entitled to the rebate at the time payment was due.

Mr DAVIES: Yes, that is clearly understood. That is quite fair, but it is not the situation I have been concerned about. I was approached recently by a person who had been granted a rebate on his rates. He then sold his house in the December and the Water Board said, "You were given a rebate for the 12 months and now you must pay us the

amount you were rebated." The Minister told us that the board could not do this under the legislation, but the board kept writing to this person to say that as he had sold his house he must pay up the rebated amount.

Last week I wrote to the Metropolitan Water Board and I pointed out what the Minister had told us in this place. I received a reply the next day to the effect that I was quite correct. The board apologised for the mistake made and it said that no such claim should have been made once the house was sold.

Difficulties must be encountered with any new Act. This is an opportunity for us to make clear that Parliament believes that if a person mistakenly overpays his rates when he is entitled to a rebate, the rebate should be forthcoming if a claim is subsequently made.

Mr WILSON: I wish to raise a query through you, Mr Deputy Chairman (Mr Blaikie), to the Treasurer. My query is in respect of the application for rebate for water rates. It seems to be an unnecessary imposition on people to be required to apply afresh each year for the rebate. It is unnecessary officialdom to impose this. The Department of Social Security, with all of its strictures on people, requires pensioners only to notify changes in income which necessitate adjustments to be made. It would be sufficient in respect of applications for rebates of water rates to be made once and not have fresh applications made each year. Persons should be required to reapply only when there is an alteration in the circumstances of their income. I ask the Treasurer whether any consideration has been given to this matter. It is of concern to pensioners.

Sir CHARLES COURT: It would be fine if we could have an inbuilt provision so that once an entitlement was established, it continued forever. However, I remind the honourable member that incomes change very dramatically—

Mr Wilson: I have not said that.

Sir CHARLES COURT: One cannot rely on people advising of changes in income.

As people become older, it is not unusual for them to move out of their homes and for their families to move in. All sorts of things happen. If land tax is any criterion, our experience is that the notification is honoured more in the breach than in the observance. Therefore it is not unreasonable for people to have to make this request annually.

Pensioners have to pay the accounts, so there is no great hardship on them each year to restate their entitlement. It should be borne in mind that pensioners can alternate between deferment or

rebate if they wish. That fact in itself makes sense of the annual notification.

As pensioners have to pay only once or twice a year, it is not unreasonable to restate their entitlement. They have the responsibility each year of declaring, and being conscious of the fact that they are declaring, that the entitlement still exists.

I personally know how irksome it can be when one has to do these things. However, I cannot see that a good case has been made out for giving any direction that there be an automatic continuation once the entitlement is established. I can see many cases where the purposes of the scheme would be defeated, not necessarily wittingly but because of forgetfulness or because of people becoming too old to be bothered. The relatives of elderly people could take over their properties and not take action in relation to the entitlement and thus take advantage of the rebate.

I understand the reasons behind the honourable member's question. However, I do not think we can make out a case for a change.

Clause put and passed.

Clauses 3 and 4 put and passed.

Clause 5: Section 5 amended—

Mr DAVIES: I raise the question of a person's capacity to pay in the situation where the property is rented out or becomes income earning. I instanced the case where an owner could owe \$1 000 in municipal rates and \$1 000 in Water Board rates. The amounts could even be more than that if the owner had taken full advantage of the Act since 1966.

The Treasurer said there was no concern about this problem as there is provision for arrangements to be made which would allow the property to remain in the hands of the owner. He said there would not be any immediate demand made for a full refund. If the owner is in a situation to pay, I do not think it unreasonable that he should be required to pay. However, I am a little fearful in relation to the situation where the owner cannot pay.

The owner might be obtaining \$50 a week. It would take a lot of amounts of \$50 each to pay off \$2 000 in rates owing. Whilst the Treasury or Water Board may be agreeable to some arrangement being made, I do not know that there is any authority for the local authority—the shire, the town, or the city—to say that it will overlook the situation for the time being. There may be some provision somewhere; but I wish to have it made quite clear that no-one will have his property sold up for the payment of rates when

the situation has developed where the property is income earning. I can see a situation where there may be problems.

I have had people coming into my office who have had land sold for non-payment of rates. Because those people have moved from one address to another, they have not even been notified that the sale was going to take place. They have not been notified until some considerable time later. In one case, a man had returned to Singapore. The son who remained here thought that his father was paying the rates, and the father thought that the son was paying the rates. In the meantime, the land was sold, and the father did not learn of that until three years later. A very valuable piece of land in the hills was sold for little more than the amount due for the rates.

That was a situation which should not have developed, but it did develop. We would hope the situation would be that we would not expect a property to be sold, or any other action taken in relation to it, for recovery of rates just because it had lately become an income-earning property. If it becomes income earning over a period, and there is money coming to the owner, there is no reason that the current rates should not be paid.

I accept the Treasurer's assurance that this situation would not arise; but I do not know that he is in a position to give that assurance. I do not know where it is spelt out in any Act that protection must be provided if the local authority or the Water Board is of a mind to enforce its claims. Whilst I accept the word of the Treasurer that the property would never be sold in these circumstances, I envisage we could find ourselves in a situation where, if the authority wished to sell the property for recovery of rates, under the existing law it could.

If the Treasurer can tell me where that sort of thing is provided for—that it is more than a matter of goodwill or moral right—I will accept it. If not, we will still allow the Bill to be passed, but perhaps by the time it reaches another place the Treasurer will have been able to give some kind of firm assurance that there is protection for people who are unable to pay deferred rates where the situation develops that the property suddenly becomes income earning.

Sir CHARLES COURT: I think the Leader of the Opposition is overreacting to the situation, and is shying at shadows.

Mr Davies: It is our job to look at these things.

Sir CHARLES COURT: When there is legislation of this kind, one cannot spell out to the last word how matters will be administered. If

that is tried, one invariably puts the matter in a straitjacket. The lawyers become busy, and there are so many whereases and wherefores that one eventually finishes up strangling the very concession it was intended to give.

The situation we are now dealing with is where the pensioner ceases to be in occupation of the land concerned, and another person becomes entitled to occupation of the land, or the pensioner dies. That is in this particular clause we are dealing with. It is not the only clause relevant, but it is the one we are dealing with. If there was a situation where the property passed from the possession of the pensioner and another person became entitled to the occupation of the land, there is an entirely new ball game and the purpose of the whole scheme is defeated.

I can offer no more assurance than any previous Treasurer would have offered in respect of other legislation, that cases of this kind are handled with good sense. Many members will have had experiences where they have had to refer to the Commissioner of State Taxation in respect of probate matters. If the probate was enforced strictly under the law, there could be some unfortunate circumstances. I defy anyone to state a case where the Commissioner of State Taxation has not handled a case with good sense and with a very generous approach where the case has been genuine. The commissioner usually works out something that avoids hardship and avoids precipitating a sale.

I have complete confidence in the people administering this legislation. They would not be precipitous in the type of matter we are dealing with. It is the reverse of the case. This is a situation where a pensioner had died, and the old provisions would have prevailed, or the pensioner had lost possession of the property. Therefore, we are not imperilling in any way the abode of the pensioner.

Before the Bill was brought to the Parliament, I gave it great scrutiny and made my own research. I have had discussions with Treasury officials since the Bill was introduced. They have said that in circumstances of hardship the cases would be dealt with generously and fairly.

Mr DAVIES: Perhaps I have had the advantage of reading the Treasurer's speech more recently than he has.

I agree that where the property is sold or where a death occurs the estate is probably sold up and there is no problem whatsoever. The Treasurer can disabuse his mind of any arguments in those two respects.

The question I am concerned about—and it is not a case of shying at shadows or being extreme—is the very real situation which can easily arise. It is no good rushing through a piece of legislation to try to fix a situation at a later date when we are aware of the situation now.

This Act is being amended now because, when it was enacted last year, the definition of "pensioner" was altered. If one was a pensioner under the Social Security Act, one obtained the concession previously. The definition was altered from that under the Social Security Act to that under the National Health Act.

It immediately disfranchised approximately 12 000 people who were entitled previously to enjoy the deferment of rates. That in itself was bad enough, but now, because it altered the definition of "pensioner", additional classes of pensioners are included. I point out that some of the people who do not hold a medical benefit card will be receiving more per week in total than some of the people who are not allowed to enjoy the benefit of the rate, because they do not hold a card. I refer to war widows, TPI pensioners, and invalid pensioners as against the definition of "pensioner" under the National Health Act.

The Government is trying to be all things to all pensioners and that is partly why the Bill is before us on this occasion. It is not a matter of taking the roof from over the heads of pensioners. I am trying to point out there can be situations where a pensioner lives in his own house, enjoys the concessions provided, and is no longer able to live in his house for a short period, long period, or for the rest of his life. He continues to live in a nursing home perhaps, but does not want to sell his property. Most of these people are certain they will return home, although the doctor and their relatives may realise they will spend the rest of their lives in the nursing home. The house is lying idle and, rather than let it lie idle, the pensioner may decide to rent it. The property then becomes income earning and at that stage the local authority and the Metropolitan Water Board are able to claim all rates which have been deferred against that property. That is the single situation about which I am worried. I am not referring to a situation where death occurs or where the property is sold, but I am referring to the situation where the property remains in the possession of the owner but becomes income earning for some reason or other.

In the second reading speech the Premier said—

However it should be noted that the Bill makes provision for one further condition,

which, although being of no significance to most pensioners, is important in the consideration of equity in the scheme.

This condition is aimed at requiring the payment in full of past deferred rates in the case of income-producing properties.

In circumstances where a pensioner ceases to occupy a property and the occupation is taken up by others on a rental basis, or some other commercial basis, it would be quite unreasonable to allow continued deferment of rates accumulated in the past. Accordingly, the Bill provides for payment to be required in such circumstances.

It is worth noting that the proposed new conditions on payment of deferred rates are to apply not only to deferments under the concessions scheme in its current form but also to deferments claimed under the scheme since its inception.

The Premier stated the point I am raising quite clearly. Where a property becomes income earning he says it is fair and equitable that deferred rates assessed against it be paid.

I am saying the situation could be that the rates are in the region of \$2 000 and the pensioner has not the capacity to pay them. The Premier assures me that under such circumstances no punitive action—I do not know whether that is the right word—should be taken against the pensioner. I have asked whether a law is laid down anywhere to say that no punitive action should be taken against such a pensioner. The Premier says it is difficult to write such matters into law and that we just have to trust authority. Some people do not just trust authority or bureaucracy. The Premier has said he is sure the Commissioner of State Taxation in such circumstances would take a reasonable attitude. We must remember, of course, the pensioner is probably living with his or her daughter or in a nursing home and the house is rented. Of course, under those circumstances the pensioner would not be eligible for any further deferment.

In that situation the Water Board or the local authority can claim accumulated deferred rates. I am looking for an assurance that no property will be sold under those circumstances. I am taking the extreme situation, but it can develop. We have a responsibility to point out such matters and to seek an explanation. That is the job of Parliament.

I am not prepared to accept the Premier's explanation that it will be all right. Premiers change and Governments change. Certainly situations can change and a different attitude

altogether may be taken. I want an assurance that the Premier will have the matter researched to see whether legislation exists which will protect people in such a situation. Failing that I should like an assurance that a clause will be written into the Bill to ensure no-one suffers hardship in the particular case I have mentioned.

I agree if a genuine case is put to the Taxation Department the officers are generally very helpful. However, I do not believe this is a taxation matter. As the Premier has said so often, water rates are not taxes, they are charges. I do not agree with him. In this situation the Commissioner of State Taxation would not be making the decision. The local authority would want the rates to be paid and it would be entitled to claim them under this amendment. The Water Board is in exactly the same position. If the Premier says he will have the matter researched I will be pleased to let the item slide. Indeed, I will have to because I have spoken three times on the matter and I have used up the time available.

Let us not confuse this situation with any other. I have detailed it quite clearly and the Premier himself referred to it in his second reading speech. The Premier says the situation can arise, but he does not look at the position in which the pensioner concerned will be placed if he does not have the capacity to pay the rates.

Sir CHARLES COURT: This matter has been repeated numerous times. I direct the attention of members to the amendment contained in clause 5. We have removed certain words and inserted others which cover the situation. I can only reiterate that we have to deal with the situation where people do in fact depart from the spirit of the scheme. They either cease to be entitled pensioners or alternatively they break away from the intention of the scheme by allowing the property to be leased and someone else is entitled to occupy it. In those circumstances I cannot imagine the honourable member would want to allow the property to remain under this scheme.

Mr Davies: We agree it should not remain under the scheme.

Sir CHARLES COURT: The property did remain under the scheme until we introduced this amendment. An arrangement would be worked out with the parties concerned in circumstances of hardship where the deferred amounts could not be paid, so that the burden would be manageable.

Mr Davies: But are you in any position to give an undertaking on behalf of the Water Board or local authorities?

Sir CHARLES COURT: Of course we would give that undertaking. It could be spelt out in

more precise terms if the honourable member wishes. I warn him, however, that when one starts to spell out these types of situations one creates all sorts of conditions which can be self-defeating. When one starts to write in words, one must be very precise. I should like to warn members about this.

Mr Davies: You are just dodging the issue.

Sir CHARLES COURT: I am not dodging the issue. I am saying I cannot imagine a case of hardship. If the pensioner is in difficulty and the rates are no longer deferred, although a tenant is paying an economic rent for the property, it is up to somebody to point out the situation to the authorities and appropriate action can be taken. At a given time an arrangement has to be made to enable the deferred rates to be paid. That is fair enough and I think the Committee and most people would accept that.

The Commissioner of State Taxation does not come into this at all.

Mr Davies: You have mentioned him before.

Sir CHARLES COURT: I mentioned him only because we were referring to discretionary power in relation to a taxation measure and relating it back to land taxes. I was quoting him as an example only. In this case the Treasury would intervene and would work out a suitable arrangement if a pensioner was likely to suffer hardship. I cannot imagine a case where there would be hardship. It is important that this clause be included, because changed situations have occurred but the person concerned has not seen fit to advise the authorities and to face up to the deferred rates.

Mr Davies: You are providing a penalty.

Clause put and passed.

Clause 6 put and passed.

Clause 7: Section 14 added—

Mr DAVIES: I refer members to the wording of the clause. I presume the "administrative authority" is the local authority in one case and the Water Board in another, because they are the two authorities concerned.

We have no objection to this clause, because unfortunately some people in the community would continue to take advantage of the concession offered, forgetting that other people have to make up the shortfall. As has been said frequently by the Premier, there are no free lunches. If we lose money in one direction, we have to make it up somewhere else. In this case the Treasury is making up the difference as far as local authorities are concerned and the Water

Board will come to some arrangement in regard to the shortfall resulting from the concessions.

We do not agree that people should take advantage of the concession and not advise the administrative authority when changed circumstances occur. We support the Bill. However, I should like to point out, as I did previously, that the situation to which I referred can develop. It is not difficult for the clause to be amended or for a new clause to be inserted to give protection to the people I have mentioned. I have great faith in the attitude of local authorities and in the attitude of the Treasury. However, the situation can still arise where the administrative authority will demand its pound of flesh. This will inhibit people who do not want to be truthful with the administrative authority.

We are prepared to support the Bill, but I should like to say I am not satisfied with the explanation given earlier by the Premier in relation to the particular case cited. Once the year is over, the concession should no longer apply and the person concerned should have to make a declaration. I still want to sound the warning that we will arrive at a situation where a person is likely to be distressed and then I will say, "I told you so."

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Sir Charles Court (Treasurer), and transmitted to the Council.

COLLEGES BILL

Second Reading

Debate resumed from the 19th October.

MR PEARCE (Gosnells) [8.31 p.m.]: The Colleges Bill is one of those interesting measures which crop up from time to time and, like the curate's egg, is good in parts.

The Opposition has no objections to the essential objectives of this Bill which is to abolish the Western Australian Teacher Education Authority, and to give the individual colleges, which formerly operated as teacher institutions under the auspices of the Western Australian Teacher Education Authority, separate and independent entities under the Western

Australian Post-Secondary Education Commission, in the same way that the two universities and WAIT now operate.

We do not oppose that proposition because we feel that the duality in the tertiary education sector—that is, the two universities, and WAIT compared with the teacher education institutions—is something which ought not to be preserved. There does not appear to be a coherent policy which covers all post-secondary education institutions although the Western Australian Teacher Education Authority is responsible for co-ordinating the activities of some of those institutions. Nevertheless, I feel there are some aspects of this Bill which are less than desirable, and some which I would have to be ambivalent about, particularly the clauses which allow the Minister to close colleges.

The tertiary institutions which will be affected by this Bill are the Churchlands Teachers' College, the Graylands Teachers' College, the Claremont Teachers' College, the Secondary Teachers' College and the Mt. Lawley Teachers' College. Of those five colleges two are old, well-known establishments—at Claremont and Graylands. The other three colleges are more flashy, and much better equipped with a lot of technological equipment, good buildings, and plenty of other equipment. As a result, a layering in the teacher education area has developed.

Graylands is well known as having been constituted in the years immediately following the Second World War, and it has continued to operate in the old buildings. The buildings of the Claremont Teachers' College are well past their lifetime, and they are more like a 19th century institution in many ways.

It is sad that the Minister has indicated that the Graylands Teachers' College will be closed in the very near future. It appears the Bill now before us will give him that power. It also has been indicated that the Claremont Teachers' College is to be closed, and that the use of the buildings in the future is open to debate and argument. Both institutions have had a long and honourable history in the teacher education field in Western Australia. I think the Minister will agree that in his own department at the moment it is well known that in the employment of primary school teachers some preference is given to graduates from the Graylands Teachers' College. It is the least equipped of the four colleges, and I think it is of interest to comment on that aspect of teacher education. Two of the other primary colleges are much more modern and better equipped. Nevertheless, the Graylands Teachers' College has turned out a tremendous

number of very good primary school teachers, and it continues to do so; so much so, I have been informed it has a better record of graduates obtaining employment within the Education Department than has any of the other three colleges.

An interesting question to ask is: Why is that so? I think there are two reasons. The first would have to be the very nature of the primary education system. At the teachers' colleges at Churchlands and Mt. Lawley there is the latest technological equipment to train teachers, whereas at Graylands the trainees have to learn in wooden huts. It seems that particular fact reflects the state of primary education in this State. It could also be said that because of the smallness of the Graylands Teachers' College and the team spirit built up amongst the students and many of the staff, the graduates which it produces achieve a considerable dedication to teaching in this State. That dedication has paid off and the graduates have given a great service to Western Australia over the decade the college has been in operation.

I am very sorry to see that the Graylands College will close, although I accept that the wooden huts could not survive forever. However, I am sorry that the proposal for the staff to be moved together, to some other location, has not been accepted. We are all aware of the proposal that the Graylands Teachers' College, and its administration as an entity, should be moved to the Cockburn area and set up as a college of advanced education. In essence, the expertise which has been built up at Graylands could be moved to another location and could continue to operate to the benefit of the State. I am sorry the Government, for one or another reason, has not been prepared to go along with that particular concept.

I also feel that the same thing will happen with regard to the Claremont Teachers' College when that institution is closed and ceases to operate. It had been suggested that the buildings will be used as a college for the performing arts or as a museum. I will be very sorry that the expertise, the team spirit which has developed, and the academic and administrative staff will not be carried over to another institution or that the college will not be rebuilt on another site.

I will be sorry, also, if some effort is not made to establish some sort of college of advanced education in a country centre, because the decentralisation of tertiary education seems to be an essential requirement of this State.

None of what I have been saying is specifically in opposition to the provisions of the Bill before us. However, I am reflecting a little on the actions which I believe the Government intends to take when it receives the power contained in the Bill under discussion. Some of the administrative action will be necessary in the best interests of the State.

Adverting briefly to the provisions of the Bill, I indicate that the Opposition is not in agreement with several clauses. In particular, I refer to the clauses which will constitute the councils of the colleges. We note that a number of things have been done. In the original draft of the Bill the representative previously put forward by the non-academic staff of a college was to be abolished. I note the Minister has an amendment on the notice paper to reinstate a non-academic staff member on the council of each college. I am pleased to note other amendments, but I am sorry they are not as thorough in other matters dealing with the constitution of the councils. I congratulate the Minister on the one hand, because with hindsight he has recognised an error in the original draft. I indicate we would prefer our own amendments, and I hope that due consideration will be given to them.

The second matter I am not pleased to see is that the student representation on the councils is to be reduced by 50 per cent. Instead of the two representatives normally elected by the students to the college councils, under the old constitutions of those councils, the student representation is to be reduced to one. That is something I am not happy to see.

I believe there is a move throughout the world towards greater representation and involvement by staff members and student members in the administration of educational institutions. During the Committee stage I will move to reinsert the provision for two student representatives on each council. That will give the academic staff and the non-academic staff a combined number of five representatives.

That seems to us to be common sense when one looks at the operations of these institutions. It is all very well to take people off the street, or from Liberal Party branches, and allow those people to constitute the majority of a council. Those people would not have the faintest clue about the operations of a tertiary institution or the role of education. They would be ignorant of tertiary education and will not ensure that an institution will operate at all effectively. We would like to see the Bill amended in this regard also.

I might say that we will be looking to ensure that the principle which the Tonkin Labor Government established when it constituted the Murdoch University Senate—which was subsequently taken out by amendment during the course of this session—is continued. We believe that where the Premier has the right—or the Government has the right—to nominate individuals to a board or an authority, a similar right ought to be given to the Leader of the Opposition. When the Tonkin Labor Government established the Murdoch University Senate it allowed a combination of parliamentary representatives to be nominated by the Premier and the Leader of the Opposition. The Labor Party was in government when we took that action, so the Premier's nominees equalled the nominees of the Leader of the Opposition. The Liberal-National Country Party—

Mr Stephens: The National Country Party, as distinct from the Country Party—the other Liberal Party.

Mr PEARCE: The other Liberal Party—the two Liberal Parties—together were able to nominate the same number of representatives as the then Labor Government. Since then, the Government has changed, as happens moderately regularly. In fact, one can see a change of government coming up quite soon! When that happens the incoming Government looks at the thousands of boards which have been constituted around the State and prepares a death list of hundreds of people appointed to those boards who, as their terms expire, have the knife duly inserted into their backs.

Those people are despatched, and new Government appointees are put into their places. That does not provide a balance for continuity of purpose of those boards which is desirable. It is sensible to have a balance of continuity because when there is a change of members the nominees can continue to operate despite the change of Government.

For that reason, of the seven appointments which it is proposed will be made to the council, we will be looking for two appointments to be made by the Premier and two by the Leader of the Opposition. The remaining three we propose should be nominated by the Government. We understand that the remaining three will be nominated, in fact, by the Government or the Premier. That will give the Government versus the Opposition a five to two balance, but it will give some chance of continuity. In the event of a change of Government, four of those seven people may be expected reasonably to continue on the board of the respective college. That seems to be

perfectly reasonable, and I hope members opposite will go along with my proposed amendment during the Committee stage.

Perhaps I could summarise by saying that the Opposition does not oppose this Bill in its entirety. We do see a need for some rationale in the operations of the colleges in the tertiary sector of education to bring them all under the umbrella of the Western Australian Post-Secondary Education Commission which we think is paramount.

The Western Australian Teacher Education Authority is to be disbanded, and we do not disagree with that. We join with the Minister in applauding its efforts during its term, and we also applaud the efforts of the executive officers over the past years. They have done a tremendous job. We also agree it is in the best interests of this State that the former teachers' colleges should become colleges of advanced education, and that they should operate in an independent manner. That independence may have to be curbed; they cannot be allowed to compete willy-nilly with each other either for academic staff or for students. However, we are agreeable with the proposal that the Western Australian Post-Secondary Education Commission should undertake the necessary co-ordination and ensure that an overlap of resources does not occur.

On the other hand we mark with some regret the imminent passing of the Graylands Teachers' College, and I prophesy that very soon the Claremont Teachers' College will be closed. I was once a student of that college, and so were half the members of this Chamber. I might note that I was the captain of the debating team when a particularly rebellious young man was president of the student council. This gentleman has since become a respected member of the establishment, and he is about as quiet a rebel as one could imagine. I am referring to the Hon. Norman Moore who is a member of another place. I knew him when he was a young larrikin; I thought he was great then but I might add I am not quite so impressed with him now. I see that he is standing behind the Speaker's Chair and listening to my comments. This shows that despite a promising beginning anyone can come to a bad end!

Mr Sodeman: He is not impressed either.

Mr PEARCE: We do not intend to oppose the Bill. We would like to move a number of amendments to it during the Committee stage, and we hope these will be acceptable to members. I indicate also to the House that our approval of this measure does not mean we will accept in absolute silence the administrative arrangements

made under the provision of this Bill. I have indicated already that we will be watching the operation of this legislation, and we will endeavour to bring the Minister into line if he uses the power given to him in a way contrary to the spirit of the legislation, or contrary to the good of education in this State.

MR SODEMAN (Pilbara) [8.47 p.m.]: Because of the almost immediate impact that one of the provisions of this Bill will have on the Pilbara, I feel it is appropriate that I should make some comment on it.

It is acknowledged that the Bill will give increased autonomy to the State's five teachers' colleges; also, it repeals the Teacher Education Act, and in the process abolishes the Western Australian Teacher Education Authority. It is the last of the three main aspects of the Bill to which I wish to direct my comments, and that is the fact that the legislation will enable post-secondary education colleges to be established.

In his second reading speech the Minister made the comment that the Bill was a landmark in post-secondary education legislation within Australia, and as far as we in the Pilbara are concerned, he by no means overstated the magnitude nor the import of the measure. He went on to say that it would provide the vehicle by which all aspects of post-secondary education, including technical and further education, may be developed and extended to the regional areas of Western Australia. It is of major consequential benefit owing to the undertaking by this Government that the establishment of self-governing post-secondary education facilities is to take place in Karratha and Hedland.

In short, the Government's action in this regard results from a report prepared by the Western Australian Post-Secondary Education Commission on the assessment of higher education needs in the north of this State. Of course it is of import to acknowledge that the report was prepared as part of the State Government's policy for the north, a policy announced prior to the last election.

Mr Jamieson: These promises about tertiary education were made prior to the 1971 election.

Mr SODEMAN: I would like to put forward questions to the Minister, but as a prelude to that, with your indulgence, Mr Acting Speaker (Mr Watt), I would like to quote a number of important recommendations in the report to which I have referred. These are as follows—

That the colleges at Karratha and Port Hedland be regional institutions with responsibility for the post secondary

education needs of the corridors in which they are located.

That with a view to promoting and encouraging the advancement of post secondary education and of cultural and leisure activities in their respective corridors, the colleges at Karratha and Port Hedland should have the objectives listed in paragraph 73.

That in the immediate future the prime functions of the colleges at Karratha and Port Hedland should be—

to develop facilities to provide for day release training for apprentices in the immediate vicinity of the colleges and intensive training for apprentices from surrounding areas;—

That recommendation raises a particular query which I will put to the Minister after I have quoted more of the recommendations. To continue—

—to develop technical and further education courses in the science, engineering, management, business and commercial studies areas and perhaps some other vocational and post-trade areas;

to cooperate with high schools and employers in the provision of year 11 or year 12 terminal courses;

to develop pre-apprenticeship courses; to administer, provide and coordinate evening technical and further education classes in the region;

to coordinate Technical Extension Service correspondence studies programs and university and advanced education external studies programs in the region and to provide students with tutorial assistance through arrangements made with the Perth institutions;

And finally—

—to provide a focus for university and advanced education extension courses; and

—to provide a focus for educational and cultural activities within the region.

As members can see, the recommendations are very widely based and they are virtually all-embracing. It is clear that the promise made recently that two post-secondary education colleges will be constructed at Karratha and Hedland has had a major impact on most families in the Pilbara electorate. Because of that impact a considerable amount of attention is being focused currently on the Government's intentions and

progress as it is planned to commence construction of the colleges in 1979-80.

I would like to ask the Minister in his reply to comment on several factors. My first query is about the actual siting of the colleges in these two towns. This is an important matter to the local governing bodies and others involved in the planning.

Secondly, I would like to ask him how long does he think it will take to appoint the interim planning committees. These committees will have very heavy responsibilities, the first of which is to ensure that by the 1st January next year a principal and other appropriate senior academic staff have been appointed. Also, the committees will have to prepare submissions for capital and recurrent funds for the period 1978-79 and beyond. So as we see it, it is rather important that the interim planning committees are appointed as quickly as possible so that they can achieve their objectives. The planning phases must be completed rapidly to allow these facilities to commence operation as soon as possible.

The third query I wish to raise relates to the intensive training of apprentices. I ask the Minister whether any provision has been made during the preliminary planning stages in regard to accommodation facilities to be provided on the coast at the two centres. Obviously intensive planning is being undertaken within various departments at this stage. The Pilbara is a very large electorate, roughly equal in size to the State of Victoria. It contains 16 towns, and the two coastal centres will be servicing most of those towns.

The parents and young people who will be wanting to utilise services provided are concerned about whether those living in the inland towns will be able to make major use of the facilities. This applies particularly to apprentices who will wish to take part in the intensive training mentioned as one of the objectives.

Finally, because of the very wide aspects of this legislation, it will make a tremendous contribution to family and individual stability in the Pilbara. Any members who have visited the area will be aware that as the young people grow up and reach the end of their high school years, either the family must split up or the whole family moves out of the Pilbara. This is a contributing factor towards instability.

The legislation represents another major link in the education chain, and it is a very timely move. It is welcomed by all residents of the Pilbara who see it as a vital step. It is one on which I, as the local member, certainly congratulate the

Government. Because of the impact it has already had, it is extremely important that we, as a Government, and the Minister in particular, make regular progress reports so that those in the area can plan accordingly. The residents can work out their family programme in regard to education, particularly in regard to the education that these colleges will embrace. Many people will be able to plan to stay in the area.

The earlier the residents know what to expect, the better off we will all be as far as the contribution the facilities will make to decentralisation is concerned. The legislation represents a real and tangible decentralisation implement, and it will contribute tremendously to family stability in the Pilbara. With those few remarks, I have pleasure in supporting the Bill.

MR SKIDMORE (Swan) [8.57 p.m.]: I rise to give my conditional support to the Bill. Perhaps I am in a position to comment on it because for some years I was a member of the board of the Mt. Lawley Technical College. It was always the desire of that college, its board, and its members, that the college should have autonomy to look after its own affairs in what board members felt would be the best interests of the people attending the college.

I attended the seminar at Bunbury where the report on the subject of secondary education was discussed. Subsequently, I was able to deliberate at college board level on this question of autonomy. I believe it is a good step, and certainly one in the right direction. However, in the Minister's second reading speech I detected a rather irksome attitude. The Minister still feels he ought to impose some restrictions on the college boards. He does not trust the boards to the extent he would like us to believe he will.

In this context I would like to refer to an incident that happened during my period on the college board. We carried a resolution that all people who wished to study at the college must become members of the student guild. At that particular time the Minister took great pains to see that the appropriate legislation was amended in such a way to ensure—in the words of the Minister at that time—that there would be no compulsion for students to join the student guild. Even the employment of staff by the college council will be subject to the dictates of the Minister. In his second reading speech the Minister said—

Each college council will employ its own staff; and, subject to the Act and any relevant award and agreement in force under the Industrial Arbitration Act, 1912, the

terms and conditions of employment of staff of the college shall be such terms and conditions as the Minister for Education, on the recommendation of the council, approves.

I suggest to the Minister that this is unnecessary verbiage and that the control is not needed because under the Industrial Arbitration Act any agreement or award is bound by common rule.

In that situation if one college accepts certain standards or conditions for its employees, those standards or conditions are by common rule binding on all other colleges. That is the case unless each college has an individual agreement which is not registered.

Mr P. V. Jones: That is right.

Mr SKIDMORE: The Minister should be very careful if he is saying the agreements will not be registered, because he could face all sorts of problems associated with the terms and conditions of employment.

Mr P. V. Jones: That is right.

Mr SKIDMORE: To my mind this provision is unnecessary. It seems to me to be an infringement of the basic structure of the Industrial Arbitration Act because it says, "I do not trust the Industrial Commission."

Mr P. V. Jones: That is not right.

Mr SKIDMORE: I cannot draw any other inference from it.

Mr P. V. Jones: Would you like each college staff association to register its own award?

Mr SKIDMORE: They do not do that.

Mr P. V. Jones: I know, but would you like them to?

Mr SKIDMORE: No, it is not necessary.

Mr P. V. Jones: That is right, and nor does the Academic Staff Association want that. The association does not want to register agreements individually.

Mr SKIDMORE: What I am saying is that if they do not want to register each individual agreement, they must intend to go before the Industrial Commission and obtain an award.

Mr P. V. Jones: I did not say they do not want to register. I said they do not want each college to register. They want one to do it.

Mr SKIDMORE: That is exactly what I am saying: if one college sets up an award, then under the common rule of the Industrial Arbitration Act all colleges are covered. If the Minister is saying that will become part and parcel of the legislation, then surely there is no need for him to have overriding control of the conditions of those people the colleges employ. It seems to me that

whilst the Minister said this was a recommendation of the councils concerned, it is unnecessary for him to have the power of veto. He suggested it will stop competition between colleges. I say nothing is further from the truth because the common rule of the Industrial Arbitration Act will apply as it does at the moment.

Like my colleagues I am concerned at the sudden change in the election of board representatives, whether they be elected by Government appointment, by community interests, or by college boards, which are now to be known as college councils. I cannot understand why it is necessary to change a system which has worked so very well and has been accepted by all of the colleges as being the best system.

In fact, I find it rather strange that some representation has been reduced. I am also aware, as my colleague from Gosnells has indicated, amendments have been proposed which will overcome some of the problems. However, I am surprised provision has not been made for two students to be appointed to college councils. Only one student is to be on the council, and I do not know the rationale for the removal of the other student.

During my period of membership of a college board I found the student representatives made a tremendous contribution and certainly did not in any way create any great hassles or problems. Bearing in mind the number of students they represent, as distinct from the numbers represented by other board members, I feel it is necessary to have two student representatives.

I suggest when in the Committee stage we move an amendment to enable another student to be elected to councils. It should receive the approval of the Minister because this representation has been tried and tested over the years. The contribution of student representatives has been tremendous. We have even had differing opinions from student representatives, which is an indication of their desire to represent all sections of the community at the college.

To sum up, I am disappointed that the Minister still sees fit to interfere with the industrial affairs of colleges and their employees. I see no room in the area of industrial relations for interference by Ministers in this way. I certainly do not see any reason that the student representation should be reduced. With those few remarks, I give my conditional support to the Bill.

MR CLARKO (Karrinyup) [9.05 p.m.]: I spent four years at a teachers' college as a student; I was the president of the student council of my

teachers' college; I lectured at a teachers' college for a fairly long time; and I am currently a member of the board of a teachers' college. Therefore, I have had quite a lot to do with teachers' colleges. I welcome this Bill because it is a tremendous step forward.

It is important that those people who are prone to talk about the need to give educators a greater say and greater freedom should realise this is the greatest step forward ever made in respect of teacher education. If we consider the reports presented in the past by teacher educators and others we find they have never before gone this far. For example, if we consider the Sanders report of 1972, we find it proposed that a Western Australian council for teachers' colleges be set up, and that it should operate in a manner similar to the recommendation of the Partridge report of 1976 which simply chose a different title for the body—the Western Australian college of advanced education.

In each case those reports of 1972 and 1976 recommended the creation of an umbrella arrangement—some have earlier used the term “a board of teacher education”—which would sit above the five colleges. Certainly it was not proposed that the five colleges should have the individual freedom they will have under this Bill. I commend the Minister for Education for taking this course; it is a course which should be welcomed by everybody involved in teacher education.

This Bill is also a vote of confidence in those associated with teacher education. In the past some people have felt it was necessary to have an intervening body between the Tertiary Education Commission—as it was in the old days—or the Western Australian Post-Secondary Education Commission now, and the colleges. This was supported, for example, by the Australian Labor Party in 1972 when it introduced a Bill to set up the Western Australian Teacher Education Authority, or WATEA, as it is referred to by those who refer to it often.

WATEA was a body which, with respect, represented a clear underlining of a lack of confidence that individual teachers' colleges would act responsibly. Some outstanding people have managed and administered WATEA, and I think all members of the Opposition have given credit to those people. I, too, give credit to them for the job they did, but they represented control or additional policemen.

The legislation before us, this wind of change, is sweeping away the policemen who have been

looking over the shoulders of the principals and members of teachers' colleges.

Mr Pearce: I do not quite accept your policemen role. Would you accept that the main role of WATEA was in fact to negotiate with the Education Department on matters such as the entrance of students into schools for teacher practice, and things like that?

Mr CLARKO: When I used the word “policemen” I did not use it in a nasty way. I have great regard for policemen and I did not use the term in any denigratory manner. However, WATEA did have a policing role. For example, when we consider the new Bill we find the new councils will be able to select and appoint the principal or the chief executive officer of their institutions. Certainly that was not the case in the past. I am sure the member for Gosnells will agree with me there is a tremendous increase in the freedom and responsibility of the colleges.

Again, under the previous system the five colleges were to be a multi-campus arrangement, closely related. That system took away from them the sorts of things we on this side of politics regularly espouse and are putting into action by this Bill. Under the measure each of the colleges will have the opportunity to continue to act separately and to continue to perform as well as it has in the past.

I would like to refer to the point made by the member for Gosnells when he spoke about the closure of the Graylands institution. I certainly regret that. Those of us who know about and have some experience of teacher education would agree—and I am sure the Minister for Education would agree—that probably the Graylands institution turned out the best teachers, taken by and large, of any of the colleges.

Several members: Hear, hear!

Mr Skidmore: No, Mt. Lawley college.

Mr CLARKO: No, with respect, I would say to the member for Swan that people who are closely involved in education in this State have never made a single criticism of graduates from Graylands Teachers' College. Certainly, I have never heard one.

Mr Laurance: Hear, hear!

Mr CLARKO: I have heard criticism of graduates from other colleges, but in my experience I have never once heard a criticism of a graduate from Graylands. In fact, one hears universally high praise for the job they are doing.

Mr Pearce: Did you go to Graylands?

Mr CLARKO: No, I went to Claremont Teachers' Training College. I say very seriously to

those people interested in teacher education that although it may appear to be something of a contradiction that the college which is turning out the best students is closed down, in fact it had to go. It could not continue; the place was crumbling around everybody's ears.

From time to time the people at Graylands Teachers' College would put up a strong effort to have a new building erected. They believed the place was substandard; certainly, in a material sense, it was. However, the product was excellent. I think perhaps that says something about attitudes rather than buildings. Certainly, education is not just about fine buildings.

When many of us were privileged—of course, I go there quite often—to go to the Western Australian Secondary Teachers' College last Wednesday I am sure we were all very impressed with the amount of material located in that building. The new colleges are fairly comparable with that. Large sums of money necessarily must be spent on teachers' colleges. It was interesting to hear Dr Vickery point out how much more economical teacher education is in this State than in other States. I have only his word for those statistics, but I totally accept them.

In Western Australia there is greater economy at our teachers' colleges, which is something I applaud.

I mentioned in the House last year that I supported the end of WATEA because I felt it was a duplication of effort. I preferred to see something like WAPSEC, which in my opinion was more removed from the day-to-day running of colleges than WATEA.

Mr Pearce: On this point that you preferred WAPSEC to WATEA, would you accept that in 1972 when WATEA was introduced by the then Labor Government it represented a step forward from what previously existed, where the teachers' colleges came under the Education Department with no independence at all?

Mr CLARKO: I was not trying to be critical of the Labor Government of the day; overall, it was an improvement on what existed and represented a forward step. However, we have now taken a major step beyond that. WATEA did quite a number of important things. As the member for Morley knows, I played quite an important part in its establishment, sitting in the back of the President's Gallery of the Legislative Council while the legislation was going through. I must say I made more amendments that night than I have ever made in this House!

One thing the member for Gosnells might recall was the aim of certain members of the staff

association, particularly those belonging to the Teachers' Union to establish between WATEA and the boards of the teachers' colleges a very powerful co-ordinating committee. People like Mr Staples, who was a member of the education committee of the Australian Labor Party—although he did not tell me that at the time—

Mr Bryce: And a fine educator; he was a statesman extraordinaire.

Mr CLARKO: He was a man of considerable capacity. However, I did not agree with him on the question of establishing this powerful committee, and it did not come about. I am sure the teachers' colleges would have been the worse if that proposal had been adopted.

I mention now a very minor parochial matter. I disagree slightly with the change of name from the Western Australian Secondary Teachers' College to the Nedlands College. To me, that represents a considerable downgrading of title. However, as practically nobody agrees with me, I do not persist.

Mr Bryce: I can see the Premier does not agree with you.

Mr CLARKO: Nedlands is a place where Ned had a dairy, and I am sure very few people outside Western Australia would place much significance on Nedlands College. The title "Western Australian Secondary Teachers' College" certainly is more imposing and gives it more status.

Perhaps the Minister might care to explain why the college board is to be changed to a college council. It seems to me that in the reduction of size and in its new composition, it can be more closely described as a board than a council. However, I suppose that is not of great moment.

It is important to note the Minister has placed an amendment on the notice paper which will give representation as of right to non-academic staff. I am very pleased that this amendment is to be moved during the Committee stage. It is interesting to note that the original 1972 Bill introduced by the Labor Government did not specifically provide for a set place for a non-academic staff member. When the Liberal-Country Party Government came in in 1974, the then Minister for Education (the Hon. G. C. MacKinnon) introduced an amendment which gave them a secure position with a staff representative. I believe that is important.

I also think it is important in any consideration of the question of student representatives—the member for Swan discussed this point—to note that the new council is to be significantly smaller

than the previous boards. Obviously that must be kept in mind when discussing whether we should have one or two student representatives.

As one who formerly was president of the student body at the Claremont Teachers' College when it was at its largest size before the secondary college was formed, I can say that one representative from the student council is quite able to put the student viewpoint. The member for Swan suggests we have two student representatives. I suggest to the honourable member that if they held opposing views and if they voted in that way they would negate the benefit of having a student representative on the council. In effect, the students would lose their voice in such situations. If there is only one student representative, there would be a student voice.

The community representation is to be greater, and this illustrates what the legislation seeks to do. Generally it is something people involved in education espouse; namely, greater involvement of the community and community representation in the administration of these institutions.

Whilst I have agreed with many of the points made by members of the Opposition who have contributed to this debate tonight, I turn now to a matter on which we would be in total disagreement. I refer to the matter of student unions. I state unequivocally that I am totally opposed to a student being compelled to belong to a guild or union, against his wishes. The amenities and service fee in effect has continued to bind students compulsorily to their student body.

I have discussed this matter with the Minister on many occasions and the issue currently is being considered. Problems have arisen this year in respect of our legislation which relates to the universities, particularly the University of Western Australia. I believe it is important we look carefully at moving to a truly voluntary students' union. Of course, there is no doubt some students would not join if it were made voluntary. However, I see no reason if the unions operate well, have good platforms and policies and canvass vigorously for members, that they would not win the overwhelming support of the student body. One of the problems is that the fees are too high.

From time to time we have a lot of discussion from the Opposition about human rights and so on. I heard it the other day; in fact, only this morning Senator Georges was espousing this principle. Of course, he conveniently forgot that the Labour Party in England banned marches in

London for at least four months this year because it wanted to keep out the National Front.

Mr Jamieson: That is not quite right. You have been on about this before. You should get your facts right.

Mr CLARKO: The marches were banned.

Mr Bryce: Have you taken up a brief for the National Front?

The ACTING SPEAKER (Mr Watt): Order! I suggest the member for Karrinyup confine his remarks to the Bill.

Mr CLARKO: I have no brief for the National Front. It seems members of the Opposition have quite a bit of front on this matter! The United Nations Declaration of Human Rights—I think at 23(2)—quite clearly states that nobody should be compelled to belong to an association against his will. It is all very well for members of the Opposition to talk about compulsory unionism; it suits them to have compulsory unionism. They think it will bring them a few members and a few extra shillings for their coffers. In truth, the union movement—

Mr Bryce: What does it say about equal voting? What does it say about suffering?

Mr Tonkin: We do not believe in compulsory unionism.

Mr Davies: You would not quote the United Nations after what you said about them the other night, would you?

Several members interjected.

Mr CLARKO: If members opposite are not in favour of compulsory unionism, I am delighted to have them join me.

Mr Tonkin: Are you kidding? We would not join the National Front at any price.

Mr CLARKO: Why should I join the losers and be over on the Opposition side for ever? Who wants to join the losers?

Mr Tonkin: That is all you are interested in.

Mr CLARKO: The number of teacher-trainees is a matter that is particularly worrying to me. I would be very concerned and worried if I was told that we were taking into our colleges a considerable surplus of students. I hope that the number of students admitted to our colleges approximates our needs. It is not appropriate to train young people for three or four years when at the end of their training there are no jobs available for them. That is not fair.

It is amazing that only a few years ago Western Australian teachers were being encouraged to go to Canada—

Mr Davies: We were bringing them from Canada a while ago.

Mr CLARKO: This State will continue to go forward. We will need a lot more people. Whilst we are the Government, we will create job opportunities. This is the area of critical importance. But we should resist the trend that has appeared in Australia generally where there is an oversupply of graduates in many fields. This is an area of critical importance to the whole country.

People are being encouraged to study various courses, and there is very little vocational opportunity for them at the end of those courses. This is a problem that must be overcome.

I wish to make a point which will not be accepted by people in the Faculty of Education at the University of Western Australia, nor will it be accepted by people at WAIT, nor will it be accepted by people at Murdoch. As far as I am concerned, the teachers' colleges of Western Australia have consistently turned out better teachers than have the other tertiary institutions.

Several members interjected.

Mr Bryce: Sounds like a bit of self-justification!

Mr CLARKO: I have great experience in relation to this—

Mr Tonkin: I have seen their products in schools.

Mr CLARKO: So have I. I performed a similar type of job to that performed by the member for Morley.

Mr Tonkin: For a day!

Mr CLARKO: More than a day. I did not go lecturing in teachers' colleges without having taught in a school. I am just saying I have more experience than the member for Morley in relation to this particular matter. Based on my experience—I am speaking only for myself; I am not trying to bind all of the educators of the world to what I am espousing—

Mr Bryce: You are pretty lonely at the moment.

Mr CLARKO: I am only lonely in relation to the "sandals and socks brigade" at the universities. In academic terms, teachers' college lecturers have been chosen because of their skills in teaching. They have a vocation for teaching. They have particular attitudes in relation to the need for change in the community which we do not always find in some other tertiary institutions.

Mr Bryce: It sounds as inbred as the Education Department.

Mr Tonkin: Incestuous!

Mr Bryce: Intellectually incestuous!

Mr CLARKO: That is my view. My view is that the teachers' colleges produce better teacher graduates than the universities—

Mr Tonkin: You cannot generalise in that way.

Mr CLARKO: Some are wise and some are otherwise! It is the latter case where the member for Morley fits.

I am simply saying that I believe the teachers' colleges produce better teachers than the other places. If the member for Morley cannot make a judgment on that, that is his own fault.

Mr Tonkin: You cannot generalise about such things.

Mr CLARKO: Of course one can generalise. That is the opinion of the member for Morley. I have stated twice, and I reassert, that the teachers' colleges do produce a better product. That is a view commonly held by many people, not just those who come from those particular institutions.

Mr Tonkin: Let us put it to the test. Where did you come from?

Mr CLARKO: The member for Morley will have his opportunity to speak. He is one of the people who was here when the previous Bill went through in 1972. That Bill had many faults.

Mr Bryce: And you were an inferior product of the old system—a graduate of the university; is that right?

Mr CLARKO: No. I attended both places.

Mr Bryce: I would have thought you were a product of that inferior system of which you are talking.

Mr CLARKO: I have studied in the Faculty of Education at the University of Western Australia. I have been on the other side as well. I do not know whether the member for Ascot was in both areas; but whether he was or not, I have had more experience than he has.

Mr Bryce: I was in both.

Mr CLARKO: I do not believe I have some form of papal infallibility, but some members opposite believe they do!

Mr Bryce: I was in both.

Several members interjected.

Mr CLARKO: That is the essence of socialism. The other part of socialism is to "take" from others!

There is a great deal of practical experience amongst the people who are in the teachers' colleges. They are experienced teachers.

Mr Tonkin: Now you are saying something different.

Mr CLARKO: I am moving on to another point.

Mr Bryce: You should ring the bell when you move on to another point. We lose track of all your arguments.

Mr CLARKO: The point is this: we must realise the colleges are no longer teachers' colleges; they are multi-purpose colleges. The preparation of teachers will always be a fundamental and significant part of their work. In most of these colleges, if not all of them, we must ensure that the courses offered are relevant. We must ensure that the standards of the colleges are high. We must ensure that we avoid undesirable duplication. That has been a real problem in Australian tertiary education over the last few years. The colleges must feel they are meeting the needs of the community.

What we need is a certain amount of competition. We do not want an excess of competition, and we should not waste our scarce financial resources.

Mr Bryce: We do not want empire building, do we?

Mr Tonkin: No.

Mr CLARKO: I do not know whether the member for Ascot sees it as empire building. If he does, he should say so. We do not see empire building in the Bill.

Mr Bryce: In relation to your last comment that we do not want to waste resources, that is very reasonable. You should look at what has happened in recent years. That has amounted to a phase of empire building.

Mr CLARKO: Before the member for Ascot was in his seat, I was discussing this matter in the Chamber with the member for Gosnells. We came to certain arrangements and certain agreements. We do not wish to go back on them.

I would rather listen to the interjections by the member for Ascot than those of the member for Morley—

Mr Davies: I would rather listen to his interjections than your speech.

Mr CLARKO: The interim committee which in 1973 led to the establishment of the Australian Schools Commission set down five criteria which it thought should be the basis of schooling in Australia. The four of them I wish to talk about are diversity, devolution, community participation, and responsiveness. The fifth is equality. Anybody wishing to play with words can place the word "equality" wherever he wishes.

In relation to the first four, the one I wish to deal with first is diversity. We need diversity from college to college, and we need diversity within each college.

Mr Tonkin: Hear, hear!

Mr CLARKO: We want devolution, and the spirit of this Bill personifies that. Never before in Western Australia have the colleges of advanced education been given the opportunity offered to them in this particular Bill.

Mr Tonkin: The Minister for Mines calls it "Labor Party jargon".

Mr CLARKO: How about being quiet for a moment? How about ceasing the interjections? It is just continuous waffle, waffle, waffle.

Several members interjected.

The SPEAKER: Order! The House will come to order.

Mr CLARKO: Community participation is important. Community participation is clearly realised in this particular Bill.

This Bill is certainly responsive to the real feelings, wishes, and desires of the people who are involved in this area. I feel it is of critical importance that we refer to the granting of awards and particularly to the awarding of degrees. Degrees have just begun to be awarded in these types of CAEs in Western Australia. It is important the standing and standards which prevail are of such a level that no-one will cast them into any form of disrepute. In respect of teacher education we have a situation where people who have undertaken teaching as a career are awarded a diploma at the end of three years of successful study and go out and teach for a while. They can then come back and with further study, generally at their former college, are enabled to obtain a Bachelor of Education degree.

It will not be long before people who complete their courses successfully will then acquire a degree, and I am very keen to see this occur as long as the standards are comparable with degrees elsewhere in Australia.

I conclude by noting that this Bill is of critical importance. It is a giant step forward for all people associated with these colleges of advanced education. It is something which in their hearts they feel appreciative of and which must please them to be associated with.

The Bill gives them virtually complete autonomous arrangements by which they can practise and be better associated with the existing courses, and formulate and put together new courses. It will lead to the institutions named in

the Bill becoming even more respected institutions than they are now.

MR P. V. JONES (Narrogin—Minister for Education) [9.32 p.m.]: I thank members who have contributed to this debate. This is one of those interesting Bills, in that the contribution of the member for Pilbara is unique as he is the only member who contributed to the debate who has had no first-hand knowledge of the operations of a teaching college. So far as other speakers are concerned, they have either filled the role of a graduate, or have sat or are sitting on college boards. This has been reflected in the debate.

So far as the general tenor of the remarks is concerned, I note the Bill is acceptable with certain reservations. Those reservations have largely homed in on the composition of the council. The member for Swan raised a question in regard to the industrial situation on which I will comment in a moment.

There was also a query in relation to the role the colleges might play in the future in regard to their niche in the post-secondary education field. The member for Gosnells referred to several aspects and I will clarify one important matter now. He indicated that the future of the Claremont college was still in doubt. Some months ago I indicated that the Claremont college would not be closing. I clarified that point because of the lingering doubts which were apparent.

There was some uncertainty amongst the Academic Staff Association that arrangements which I have been able to make in respect of the closure of Graylands could not be done twice. In that respect they were correct. As far as the Graylands college is concerned, all the staff will get a job when the college closes in three years. We could not do that twice, but notwithstanding that, or because of that, Claremont Teachers' College will not be closing. However, it will require certain changes. Changes in the courses being undertaken there will be necessary, but this will be so in every other college, as the member for Karrinyup rightly identified.

Within the next few weeks I expect to receive the first part of a report on the restructuring of post-secondary education in Western Australia and this document will heavily influence what is done within the colleges in the future. In that regard Claremont Teachers' College will possibly figure quite significantly, but not as significantly as thought by some. Whilst the Graylands college is being closed by the use of this legislation, it was not necessary to legislate in this form to close it. This Bill was just a convenient tool and I do not

wish to debate the wisdom of so doing at this time.

I will now comment on the suggestion that Graylands Teachers' College would be closed and replaced by the establishment of a college in the south-west corridor, possibly in Cockburn Sound. That was a very worth-while dream, but it was scuttled when that Federal Labor Government decided not to go ahead with the building of a maritime college in Cockburn Sound at the time of the Bass by-election, when the Federal Government decided to establish the college in Launceston. That ensured the Cockburn Sound college would not be proceeded with.

What we will now be looking at is the development of further colleges in a different pattern, but the thing which sank that dream was the non-acceptance of the original idea that the maritime college would be constructed in Cockburn Sound.

The matter of the composition of college councils was referred to by the member for Gosnells and others, and I will not labour the point now as I am sure it will be mentioned during the Committee stage.

Several speakers referred to the rationalising of resources and the member for Gosnells referred to the role of WAPSEC in this regard. He was quite right in that one of the prime responsibilities of WAPSEC is as a co-ordinating and liaison body, but particularly as a co-ordinating body.

It is interesting to note that since the passage of this legislation in this State similar legislation has been enacted in Victoria, and will shortly be introduced in South Australia, which is more powerful than the legislation those States have at present and imposes requirements on universities—requirements which are not necessarily statutorily required—to comply with State legislation at this time.

The member for Pilbara referred to the fact that this legislation is the vehicle for the establishment of new colleges, and he specifically referred to the Pilbara. As members will be aware, the Post-Secondary Education Commission has recommended the establishment of colleges in the Pilbara; one at Karratha and another at Port Hedland.

The Government has accepted that recommendation and is currently proceeding along this line, now that some of the funding has been identified and is coming through. The Government will proceed immediately. At the moment I am in the final stages of making appointments for the establishment of the interim planning committee for the college to be built at

Port Hedland. Construction of that college is expected to commence in the 1979-80 fiscal year. The site on which this college will be built, provided arrangements can be finalised, will be in the proximity of the Pundalmurra technical facilities in South Hedland, because we are very keen to establish an education complex. Those who are familiar with the area will be aware the facility will then comprise post-secondary courses within a post-secondary complex, including the South Hedland senior hostel and Hardie House. The purpose is to ensure the maximum use of these facilities.

As far as Karratha is concerned, the site for the new technical college was decided on some two years ago and services have been provided there at the present time. Questions have been raised as to whether that site is adequate and whether it ought to be moved to another location.

There is some uncertainty also regarding the funding allocation and the courses to be undertaken; but I should like to assure the member for Pilbara that the matter is being pursued with the same alacrity as is the Port Hedland enterprise.

The member for Pilbara referred quite rightly to the provision of hostel accommodation. The situation is such that if any form of post-secondary work is to take place in the Pilbara, or in any other decentralised area, adequate hostel accommodation must be provided. An example of this is the college at Port Hedland. The people from the inland towns of the Pilbara must be able to have the use of residential facilities. We are looking at the provision of hostel accommodation. Indeed, so far as Karratha is concerned I have approached the Lands Department for the allocation of an area of land to be made for a hostel, because I received a submission from an association which wishes to construct a hostel for the specific purpose of providing boarding accommodation for people who wish to participate in post-secondary education primarily within the Karratha area.

One of the major reasons for this need is the services which have been undertaken. One of the reasons for establishing colleges in areas such as this is to provide technical and further education courses which have assumed considerable dominance particularly in the Pilbara. There is a considerable need also at the present time for business studies courses for girls. A survey has been undertaken in Karratha in conjunction with the mining companies and we have established that in both Karratha and Port Hedland there is an adequate number of young girls willing to undertake a full-time course in business studies.

Residential facilities need to be provided for these girls and the courses would fill a need and satisfy some of the labour requirements of the mining companies.

As far as public progress reports are concerned, I am happy to advise the member for Pilbara that that will be part of the duties of the interim planning committee.

The member for Swan referred to the employment aspect as it affects staff. On two occasions I have had discussions with the Academic Staff Association and my officers have had further discussions. I indicate to the member for Swan that the matter centres around the necessity for ensuring that the situation which prevailed prior to 1976 does not occur again.

Mr Skidmore: It cannot occur again under the Industrial Arbitration Act.

Mr P. V. JONES: I should like to explain the point I was making. I have no doubt the member is aware that prior to 1976, when amendments were made, agreement was reached by consensus only. There was no coercion or statutory requirement. The college councils were asked to support one award for all the colleges. All the colleges agreed except Mt. Lawley—

Mr Skidmore: Mt. Lawley accepted it and supported it.

Mr P. V. JONES: —which lodged a separate application and made some of its own arrangements.

Mr Skidmore: No it did not.

Mr P. V. JONES: It made arrangements with its Academic Staff Association.

Mr Skidmore: It could not do that.

Mr P. V. JONES: This gave rise to the amendments introduced in 1976. The Academic Staff Association, representing all the colleges, came to see me and gave me a document relating to the situation and the action taken by the Mt. Lawley College Board. The association sought one thing only which was that the situation should remain as it has been since 1976.

Mr Skidmore: Are you saying that the actions taken by the Mt. Lawley College Board were not accepted by the Academic Staff Association?

Mr P. V. JONES: I am not saying what the honourable member suggests. I am saying the colleges except for Mt. Lawley acted together.

Mr Skidmore: No, they did not. We had the President of the Academic Staff Association sitting on the board.

Mr P. V. JONES: The Mt. Lawley College Board entered into private arrangements on behalf of its own staff members.

Mr Skidmore: That is incorrect.

Mr P. V. JONES: I am telling the honourable member that is my understanding of the situation.

Mr Skidmore: Your understanding is absolutely incorrect.

Mr P. V. JONES: The Academic Staff Association brought the matter to me. It saw me about the situation and made the point that it should continue in the same manner as it had operated since 1976. I know the member will say that it must continue.

Mr Skidmore: Of course it must.

Mr P. V. JONES: I am making the point that prior to those amendments no statutory obligation existed as it does now.

Mr Skidmore: There was a statutory obligation, because there is the award under the Industrial Arbitration Act.

Mr P. V. JONES: The obligation did not exist in the same manner as it existed after the amendments introduced in 1976.

Mr Skidmore: There can be only one award under the Act and nothing else.

Mr P. V. JONES: The reason for the amendment is that competition should not take place between the colleges for a particular staff member.

Mr Skidmore: I have just told you that cannot happen.

Mr P. V. JONES: That is why the Minister is involved and why he is the respondent.

Mr Skidmore: The colleges will be respondents then.

Mr P. V. JONES: I should like to make one more point on this matter. The fact that this particular industrial situation arises has been questioned by one or two people, because it impinges on the autonomy of the colleges. I do not deny it does that to some degree. However, I think it is preferable to have this particular situation particularly from the point of view of the Academic Staff Association.

The association is in accord with this move and it will ensure harmonious relationships exist between the colleges so far as staff awards, salaries, and conditions are concerned.

The member for Karrinyup referred to the role of the work of WATEA. I agree that it served its time and its purpose very well. WATEA was a unifying and co-ordinating influence between the colleges at a time when such a body was

necessary. Expansion was taking place not only in regard to institutions throughout Australia, but it was taking place also in this State.

As the member for Gosnells indicated correctly, the time has come for the Post-Secondary Education Commission to assume the role of WATEA. Nobody would question that. Under the statutory requirements of the commission we have a situation where it is superimposed on WATEA and between WATEA and the Commonwealth bodies associated with it.

At the moment, to obtain approval for courses one must go through a rather tortuous chain. We are removing that structure in order that administrative arrangements will be more suitable and colleges will have a greater degree of independence than they have at the present time.

As far as the quality of education at the college at Graylands is concerned, as referred to by the member for Karrinyup and the member for Gosnells who expressed some disappointment, I would prefer to leave the matter to those who have passed through the portals of the various institutions.

The word "council" as distinct from the word "board" was sought by the institutions. The governing body of the Institute of Technology is referred to as a council. It is interesting to note that the Melbourne University Act has been amended recently to ensure that the Melbourne University Council is referred to as such and not as a senate. It is a matter of some indifference to me; but it was sought by the institutions concerned.

The member for Karrinyup referred to the funding of student bodies. The provisions for students in the Bill are the same as those which prevail under the Tertiary Education Act at the present time.

As far as the student bodies of tertiary institutions are concerned, at the present time we have an extraordinary situation. I have indicated already to the University of Western Australia, in particular, and to one or two other bodies, that we are looking at amendments which we intend to introduce during the autumn session of Parliament. We have a particular situation at the present time where the Guild of Undergraduates of the University of Western Australia has advised me it was in the ridiculous situation earlier this year in that the treasurer of the guild was not entitled to be a member of the guild.

The guild has written to me telling me that, and as a result we must take some action. Indeed it is affecting the complete governance of student affairs because of the grossly irresponsible act by

the student body, and one which, unfortunately, may well be visited upon it because of the irresponsible action it has taken in defiance of the Act.

Mr Pearce: That was a result of the stupid legislation and last year I pointed out that this would occur.

Mr P. V. JONES: The guild itself has written to me admitting it was wrong. I am not commenting on that.

Mr Pearce: It is because of the membership provision you wrote into the legislation last year.

Mr P. V. JONES: The Act says very clearly in respect of eligibility for membership of the guild that no full-time member of the academic staff shall be a member of the guild. That is very clear.

Mr Pearce: But that was never in the Act before you brought it in. Your provisions were anomalous.

Mr P. V. JONES: Not only is it in the Act now, but it will stay in the Act and, as far as the guild is concerned, let me make it clear that on its own admission it has acted irresponsibly. We are not debating the guild at the moment. The time will come for that.

The member for Karrinyup also referred to the control of the student intake. May I dwell quickly on that. That is the role of the Post-Secondary Education Commission and it has been done as a matter of principle in relation to vocational opportunities. I take the opportunity to reinforce his remarks.

Some three years ago the intake into teacher education in this State was reduced by 25 per cent. Next year it will be reduced by a further 10 per cent simply to ensure there is a relationship between vocational opportunity and trainee intake. Too often we have gone through a situation where courses and institutions have proliferated with no relationship whatever to employment or vocational opportunity and that is totally irresponsible as well as placing impositions upon the taxpayers.

The Bill reflects the general movement towards diversification of the colleges. As the member for Karrinyup indicated, the colleges will develop within themselves capacities for activities other than teacher training, and that is evident already. For instance, Churchlands has developed a considerable proportion of its capacity in the field of business studies, and so do other colleges in various disciplines. Also there will be a move into technical and further education in some of them in years to come. Similarly, technical institutions will develop further in some of these ways.

I do not think any of us would like a return to the situation which prevailed in Australia in the early part of the decade when the field of tertiary or post-secondary education was out of control and it became that great academic empire on which the concrete never set. Hopefully we can reach a stage where there is rationalisation between institutions and courses, and this Bill goes part of the way to assist that in concert with other legislation we have.

The last point I wish to make refers to the need to ensure that what goes on inside the colleges is of a sufficient academic standard and merit. We have a situation at present where in some degree courses and in certain institutions this is not so; and some qualifications are being looked at with a rather jaundiced view. Certainly as long as there is a council which monitors this aspect, it will be possible to ensure the standard and product are in no way diminished. However, it is necessary to be ever watchful and we must ensure that the colleges retain the credibility and acceptance they enjoy.

I thank members for their contributions and for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr Blaikie) in the Chair; Mr P. V. Jones (Minister for Education) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: Establishment of colleges—

Mr P. V. JONES: I move an amendment—

Page 5, lines 23 to 29—Delete paragraph (b) and substitute the following—

(b) may give such directions with respect to any institution affected by the notice as he considers necessary or expedient in order to carry the notice into effect including, without limiting the generality of the foregoing, directions as to—

(i) the ownership of, or management and control of, any land or personal property owned by the institution and used for the purposes of the institution immediately before the effective date;

- (ii) the rights, obligations and liabilities of the institution, or its governing authority, existing immediately before the effective date;
- (iii) the rights, interests and welfare of the members of the staff, officers, employees and students of the institution,

The Crown Law Department, after the Bill was printed, felt it was necessary to spell out in more detail the transitional provisions in order to ensure there was better understanding of what was proposed. This is the reason for the amendment.

Mr PEARCE: I wish to make two points. The first is that the Opposition is not opposed to the amendment. However, I would also like to make a point which is relevant to the independence line the member for Karrinyup was pushing earlier. All colleges may enjoy somewhat more independence than prevails at present. However, they do not have complete independence because under the provisions the Minister can open colleges. That is fair enough. However, the Minister may also close colleges or he may amalgamate two or more institutions. He can play chess with them by closing some and amalgamating others. The amendment will give him the power to do those things.

The DEPUTY CHAIRMAN (Mr Blaikie): Order! The question under discussion is the deletion of a paragraph and the substitution of another. I suggest that the honourable member confine his remarks to that.

Mr PEARCE: We are dealing with subclause (5)(b). Subclause (5) refers to subsection (4). You are asking me to direct my attention to paragraph (b), Mr Deputy Chairman, and in substance I am doing that. I make the point that although we are not objecting to the ability of the Minister to amalgamate or close institutions, this contradicts assertions previously made by the member for Karrinyup.

Mr Clarko: Graylands did not need an Act of Parliament to close it.

Mr PEARCE: I do not quite understand what the Minister said with regard to the fact that Graylands could be closed.

Mr Clarko: Would you not agree that without this Bill the Government can close down the college?

Mr PEARCE: I simply do not know the legal position with regard to the closing of Graylands. The Minister asserted that Graylands was to be closed under the powers granted to him by this

Bill. He also said he did not require this Bill to give him that power.

Mr P. V. Jones: In bringing forward this Bill, we are also repealing another Act. The power was there previously.

Mr PEARCE: Exactly. I am not arguing against granting the Minister the power. I am saying this Committee should not extend those powers.

Mr Clarko: They are not additional powers.

Mr PEARCE: At long last these institutions will be independent, but they will not be completely independent because the Minister will be able to close them or limit their operations. I have made my point and I indicate we will not oppose this amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 7: Closure of colleges—

Mr P. V. JONES: I move an amendment—

Page 6, lines 6 to 12—Delete paragraph (b) and substitute the following—

(b) may give such directions with respect to the institution affected by the notice as he considers necessary or expedient in order to carry the notice into effect including, without limiting the generality of the foregoing, directions as to—

- (i) the ownership of, or management and control of, any land or personal property owned by the institution and used for the purposes of the institution immediately before the effective date;
- (ii) the rights, obligations and liabilities of the institution, or its governing authority, existing immediately before the effective date;
- (iii) the rights, interests and welfare of the members of the staff, officers, employees and students of the institution,

Mr PEARCE: I make the point again that the Minister's power, with regard to institutions or the amalgamation of colleges, will significantly limit the independence of those institutions. Although that is not undesirable, it is a point which the Committee should be aware of.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 8 to 12 put and passed.

Clause 13: Constitution of Council—

Mr PEARCE: I will deal with the overall proposal contained in my other amendments covering this point. We suggest that the membership of the college councils ought to be extended in principle and modified somewhat in representation. I suggest there ought to be seven persons on the council, four of whom will be nominated by the Government and the Leader of the Opposition together. The other members will be representative of various community interests. In addition to those seven members, I suggest there ought to be five members from the staff of the particular college. Of those five members, one would have to be from the non-academic staff, thus retaining the *status quo*, and the remaining four would be from the academic staff. It would be free for the Government to change the numbers to be appointed from the academic staff to three, and the number from the non-academic staff to two.

The non-academic minority group will then have at least one member. I also propose that representation from the students of each college ought to be two members, which is an increase over and above one member proposed by the Minister. That also would preserve the present *status quo* of student representation.

The Minister has proposed that a council of seven ought to have a preponderance of members appointed by the Government of the time. No doubt, they will come from the various party branches and the chances are that the councils of the tertiary institutions will be dominated by Government nominees. The chances are that after a year the Minister will be out of office and someone like myself will be sitting in his place. At the first opportunity I would weed out almost all of the nominees of the previous Government. In exactly the same way, the situation could be reversed at the conclusion of the term of the next Government, and the current Minister—or someone else—may be back in the same position and he will weed out the people nominated from this side. That is a farcical situation, but it will be inevitable when the nomination of members for this type of board or council comes almost solely from the Government of the day.

The proposal in the Bill is not as sensible as the system instituted by the Tonkin Government with regard to the Murdoch University Senate. In my opinion, a council of this type ought to have a balance of nominees from each side of the Parliament.

So when the sides of the Chamber change at least there will be stability in the institution

because nominees of the Premier can then continue as nominees of the Leader of the Opposition, and vice versa. That seems to be an eminently sensible proposition.

I might say also that on this occasion I am asking the Government for much less than we gave the Opposition when we were in government and instituted the Murdoch University Senate, because in essence we gave the Government, then the Opposition, an equal number of nominees. All we are asking for here is two of the seven nominees representing community interests. I am seeking that two people be nominated by the Premier and two by the Leader of the Opposition, the other three to be appointed by the Governor acting on the advice of the Premier. That gives the Government five out of the seven and creates a considerable imbalance in favour of the Government. It means when Governments change there will be some imbalance in terms of changing people in their positions, but at least it is a better situation than having all seven nominated by the Government and none nominated by the Opposition.

It might seem there is a degree of self-interest here in that the Opposition is seeking to have nominees of its own, but that is not so. It is a common-sense measure and one we have demonstrated by giving the Liberals equal representation on the Murdoch University Senate when we were in government. At that time we could quite clearly have put our nominees on the Murdoch University Senate and not given the Opposition any representation at all. I was sorry the Government moved away from the principle to some degree in regard to the Murdoch University Senate; but, being a generous lad, I am giving the Government the opportunity to reassess that situation with regard to the councils of the colleges.

I move an amendment—

Page 10—Delete paragraph (a) and substitute the following—

- (a) seven persons, two of whom shall be nominated by the Premier and two by the Leader of the Opposition, appointed by the Governor, representative of Education, the professions, industrial, commercial or other community interests.

Mr CLARKO: I oppose the changes outlined by the member for Gosnells. It is anathema to me to have a system whereby two representatives are nominated by the Premier and two by the Leader of the Opposition. If ever one wanted to establish a clear political dichotomy—

Mr Davies: What does the Minister say about this? Will you give him a chance to tell us?

Mr CLARKO: I am speaking for myself.

Mr Davies: It is polite to let the Minister tell us what he thinks about an amendment before others speak.

Mr CLARKO: I did not know that was a practice of this Chamber.

The DEPUTY CHAIRMAN (Mr Blaikie): Order! I suggest the honourable member address his remarks to the Chair.

Mr CLARKO: The proposal is one which will build party politics irretrievably into the councils of the colleges, and I would not accept that for one moment.

It is interesting to note the example mentioned by the member for Gosnells. He found it convenient to cite Murdoch University, but I would like to take him back further, and more appropriately and relevantly, to the Teacher Education Act which was brought in by the Labor Government in 1972. The composition of the council of that body is more appropriate in this situation than the previous boards were.

Section 10 of the Teacher Education Act states that the council shall consist of a chairman appointed by the Governor on the recommendation of the Minister; five persons appointed by the Minister from institutions employing teachers, some in Government service and some in independent schools; three representatives of principals; four persons appointed by the Minister from teachers engaged in teaching in schools, two of whom are nominated by the Teachers' Union; and not less than two and not more than five persons appointed by the Minister by reason of their qualifications, interest, or experience in teacher education or the general community. In that instance, the Minister chose 13 of the representatives. The remaining members were the chief executive officer, representatives of the academic staff and students, and two persons co-opted and appointed by the council.

There is an example of a council set up by a Labor Government, 13 members of which were chosen by the Minister. Nowhere do we see any reference to the Government and the Opposition having some sort of equality. Despite there being 13 Labor ministerial nominees, to the best of my knowledge neither the council nor the boards of the teachers' colleges have behaved in a party political way. I therefore refute the suggestion that there will be any party political bias in the council proposed in the Bill now before the Chamber.

Mr P. V. JONES: The question we are now debating is the deletion of some words with a view to inserting others, but we seem to be addressing ourselves to the merit of the words proposed to be substituted.

I quickly say I will not accept the amendment. The question whether or not appointments to the Murdoch University Senate should be made by the Leader of the Opposition and the Premier of the day was canvassed in this Parliament earlier this year in relation to the amendment of the Murdoch University Act, which abolished two of the four appointments.

Mr Davies: There was an acceptable replacement, though.

Mr P. V. JONES: Yes. There was no diminution in numbers. The amendment increased the number who would be appointed by the Governor. The two persons who were previously appointed by the Leader of the Opposition and the Premier of the day from members of Parliament were replaced by two additional lay persons appointed by the Governor.

The point I wish to comment on specifically is that it has been implied that the existing college boards will be removed and replaced by a new crop of people. That is not so. To begin with, the Bill contains provision for an interim council until a new board is appointed, and it will be necessary for the Minister to invoke that provision because in respect of some of the appointments it will not be possible to have elections in time, for example. There will be an interim situation in which existing boards will continue.

In addition, there will be no need for all the existing people on boards to be removed from office and completely new boards appointed. That would be to deny the considerable contribution which has been made and is being made by many of the members of boards at the present time. That is a valuable resource which we will be tapping. Also, the membership of WATEA has to be considered. Some members of WATEA have experience and might like to be considered for appointment to a particular college board.

Political appointments are not generally accepted in colleges or the governing bodies of tertiary institutions, and it is not the Government's intention to enshrine that situation in this Bill.

Mr PEARCE: The Minister made two points, the last being that political appointments are not generally accepted by the councils of tertiary institutions. The sad fact of the matter is that in fact all these institutions are full of people who are political appointments.

It may be that the actual wording says that the Governor appoints these people, but that does not mean the Governor walks down St. George's Terrace, grabs half a dozen of his friends and "zaps" them onto the boards of these colleges. What it means is that the Minister brings this matter to the Cabinet, and Cabinet decides who will be appointed. It is the politicians who make the appointments, and they appoint people whom they know or people whom they think will do a good job. I am not suggesting there is anything sinister in the way in which appointments are made.

Mr Jamieson: They would certainly not be unsympathetic to those belonging to the same party.

Mr PEARCE: So the seven appointments mentioned in the paragraph I am seeking to delete are all political appointments. All these people will be appointed by the Governor on the recommendation of the Minister or the Cabinet.

All my amendment seeks is to give some balance to the way in which these appointments are made. I am not suggesting that all the people appointed will be politicians, or even necessarily that they will all be members of one party or another, but nevertheless they will all be political appointments.

The Minister contradicted himself when he pointed out to me—although I knew it perfectly well—that the amendment to the Murdoch University Act altering the constitution of the senate related only to the members of Parliament nominated by the Premier and by the Leader of the Opposition. However there remained in the legislation provision for the Premier and the Leader of the Opposition to nominate some people who are not members of Parliament to the Murdoch University Senate, and the Leader of the Opposition has that nomination right to this day. What the amendment did do—and the Minister was inaccurate in his comments on this point—was to change the balance of nomination in favour of the Premier. By deleting the parliamentary nomination of the Leader of the Opposition and substituting instead the same number of members to be nominated by the Governor, gave the Government of the day greater nominating power.

It is no good waving the banner of political appointments on this occasion. What my amendment seeks is to provide a balance on these councils, and not necessarily a balance on a party line basis. Rather we would hope that the total community may be properly represented.

The aim of this provision—if there is any aim to it at all—is to obtain a proper balance from the whole community. If the members of the council are to be drawn from one side of the political spectrum only, the council will then represent half the community. It is a simple fact that the majority of the people attending these institutions at the moment seem to be more pro the Opposition than pro the present Government, so that if the Government appoints people of its own persuasion to the board, the board would not then represent even 50 per cent of the community, but perhaps only 40 per cent. What we are looking for in this amendment is a better balance than that provided in the Bill before us.

Mr WILSON: A great deal of play was made by the Minister and by the member for Karrinyup about the way in which this Bill will bring about a greater measure of autonomy for the new bodies to be known as councils and for the colleges under those councils. Nobody here would be opposed to greater measures of autonomy in the running of these colleges and all sorts of educational institutions. In fact, many members in this place would want a far greater degree of autonomy than exists at the moment.

While the Minister and the member for Karrinyup made great play of this principle of autonomy, a new principle has been included as to the way in which councils are to be constituted. It has been mentioned already that the seven persons to be appointed to represent community interests will be appointed by the Minister or by the Governor—presumably via the Cabinet, via the Government.

As the member for Gosnells has rightly said, these will be political appointments. Although one can say that without being necessarily condemnatory in the use of that term, we should recognise that fact. We should recognise also that this is a principle which does not apply in regard to the existing boards. The community representatives on the existing boards are appointed by the boards themselves. Inasmuch as this provision is a change in principle, a change in the way people will be appointed to represent community interests on this body, it will be a lessening of autonomy rather than an extension of it. The power to appoint is vested in the Minister, in the Government.

Mr P. V. Jones: The Minister appoints some community members on each of the council boards now.

Mr WILSON: Of course he does, but that is a far different system from that envisaged in the

measure. I am sure the Minister will agree with me.

Mr P. V. Jones: You mentioned that the present members on the board are appointed by the council.

Mr WILSON: I did not say all of them were appointed in this way. What I am saying is there is a lessening of that principle under the provisions in the Bill before us.

Mr P. V. Jones: That is right.

Mr WILSON: I am glad the Minister agrees with that. The lessening of that principle virtually represents a lesser degree of autonomy than exists at the moment. I do not know whether the member for Karrinyup will agree with me, but it seems to me that is a fairly logical argument.

Mr Clarko: If you deliberately intrude party political appointees into it, that is interfering with their autonomy.

Mr WILSON: If the member for Karrinyup does not accept that argument, he is not being realistic.

In supporting the amendment moved by the member for Gosnells, I am not saying necessarily that this is the best arrangement. I am saying that at best this is a compromise arrangement which is recognising political realities. I do not regard this as an ideal arrangement, or even an arrangement I would approve of, but I am saying it is a recognition of the political realities. I would prefer a provision that the community representatives be appointed by the colleges, because then we would have a greater measure of autonomy, and not a token measure of autonomy which we often receive from this Government.

I would like to see the Government promoting real autonomy. The Bill is merely a token measure of autonomy in regard to community representation, and that is deplorable. The community recognises the need for community interests to be represented, and to be represented vigorously and independently of any political interference. That is essential because I believe eventually the community will not tolerate the spending of the large amounts required on education unless the community has a greater say about the way in which educational institutions are run. We are dealing with a very critical matter, and we should at least be prepared to recognise the political realities that exist.

Amendment put and negatived.

Mr PEARCE: Mr Deputy Chairman (Mr Blaikie), I draw your attention to the fact that a misprint has occurred in the notice paper. Two amendments are headed, "Page 10, line 13", and

the first of those should in fact read, "Page 10, line 14". The amendment I intend to move is actually the second of the two. I move an amendment—

Page 10, line 13—Delete the word "two" and substitute the word "five".

The proposition here is that the council of the college ought to include five representatives of the staff of the college, rather than two. In subsequent amendments which I shall pursue should this one be successful, the suggestion will be that of the five staff representatives at least one representative should be of the non-academic staff. "At least" means there could be more than one member of the non-academic staff amongst those five representatives; but if at least one is a member of the non-academic staff at least the *status quo* should be maintained in regard to these councils.

One of the things we are seeking to do with this amendment is again to change the balance of the council towards those people who are directly involved in the activities of the college itself. We have never been completely enamoured of the prospect that people involved in any sort of responsibility or job should be directed by people who are totally outside the job. We believe people who work in a place—whether it be a tertiary education system or a factory—should be solidly represented when decisions are made in respect of the institution.

There are two benefits of this. The first is that the chances very strongly are that people actually involved in the operation of the institution will have a much better idea of what goes on there and what needs to be done than will people from the outside who come in on the basis of a once-monthly meeting. The voice of the people actually involved in the institution should be strongly heard.

With regard particularly to academic institutions, it is necessary to draw representation from as wide a spectrum of people within the institution as is possible. We all know that in the Public Service—and indeed in any other situation, including big companies—a degree of empire building occurs and people are very much interested in their own sector. They have their own operation at heart, and not always the overall operation.

Our Parliament works on that basis. We ask people to elect members on the basis that members will have at heart the interest of their particular electorates and will make proper decisions in the best interests of their areas. The members have a specific interest to represent their

own electors and to work out what sort of accommodations can be made between their respective self-interests.

If we take only two people as representatives from the whole of the academic staff of a college there is a fair chance of a significant section of the staff being overlooked. Therefore, it is much more realistic to have five staff representatives because the council would have a greater balance between people from outside the college and those actually working in it. At the same time it would preserve the majority balance in favour of those from outside. I suppose in some ways the council could be expected to be rather more impartial.

So we are not seeking to hand over the operation of college councils to those employed by the institution. In fact, if the amendment is passed, members of the academic staff would constitute only one-third of the total council. It seems to me that is a realistic proportion to give them rather than the token two representatives out of 12 or 13 members as is the situation in the Bill. That is under-representation to a great degree. I hope the Minister will be more considerate of this amendment than he was of the last amendment.

Mr P. V. JONES: I think to some degree the point is being lost. The major necessity is to ensure there is representation, and I will have something to say about that in respect of the additional person I intend to put on the council. In my view the question of whether the number is five or two is of less importance than the matter of ensuring the academic staff is represented. I cannot in any way sustain the argument that there should be five staff members of whom four should be from the academic staff.

The parties with whom this matter has been discussed have agreed that the representation should be two from the academic staff, one from the salaried staff, one student representative, and seven community representatives. Bear in mind the principal of the college is a member also, and two co-opted members are provided for. I know they will not be staff members, but we are talking about numbers; and let us not forget they will be there. This provides the opportunity for the council to make some acknowledgment of the points made by the member for Dianella.

I hope the amendment is not passed.

Mr PEARCE: I am very disappointed. It is hardly worth coming to this place and reading Bills and putting up coherent arguments based on sound premises when the Government rejects every one of them. I am not a particularly arrogant soul, but it occurs to me that of the 40 or

50 amendments I have moved in the two years I have been here, at least one might have had some merit. Just one of my amendments might have had in it a little personal knowledge; more so than the members of the Public Service who draft the Minister's Bills. I feel it is sheer dogmatism on the part of the Government that it knocks back amendments with monotonous regularity. Nevertheless, I will continue to move amendments which I feel are of some importance.

I must reject the Minister's proposition that representation is more important to the Government than numbers.

Mr P. V. Jones: Not to the Government.

Mr PEARCE: That is what the Minister said, and it is recorded in *Hansard*.

Mr P. V. Jones: I said it is more important to make sure the academic staff is represented.

Mr PEARCE: We are not arguing that they should be represented; the amendment has to do with the numbers of the representation. We accept the principle of staff representation. We are saying we accept that principle so wholeheartedly that we feel there should be more of it. When the Minister added up the numbers for us what he demonstrated very neatly was exactly what I said: there will be only two staff members out of 12 or 13 members. That seems to be a very unbalanced proportion. A more balanced proportion seems to be the proposition I have submitted that we should have five staff representatives instead of two and they should come from specific areas within the operations of the college. They should be people who actually work there and know the functions of the college. Such people would give a far greater range of expertise to the council than would community members; and if the councils make mistakes at least they would be based on factual information.

The Minister has implied that we are not particularly concerned with representation. I totally reject that proposition. I put to him the point that if he were as concerned with representation of the staff as we are, he would be supporting our amendment.

Amendment put and a division taken with the following result—

Ayes 19

Mr Barnett	Mr T. H. Jones
Mr Bertram	Mr McIver
Mr Bryce	Mr Pearce
Mr Carr	Mr Skidmore
Mr Davies	Mr Taylor
Mr H. D. Evans	Mr Tonkin
Mr T. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Hodge	Mr Bateman
Mr Jamieson	

(Teller)

Noes 28

Mr Clarko	Mr Mensaros
Sir Charles Court	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr O'Neil
Mrs Craig	Mr Ridge
Dr Dadour	Mr Rushton
Mr Grayden	Mr Sibson
Mr Grewar	Mr Sodeman
Mr Hassell	Mr Spriggs
Mr Herzfeld	Mr Stephens
Mr P. V. Jones	Mr Tubby
Mr Laurance	Mr Watt
Mr MacKinnon	Mr Young
Mr McPharlin	Mr Shalders

(Teller)

Pairs

Noes

Ayes	
Mr B. T. Burke	Mr Williams
Mr Harman	Mr Old
Mr T. J. Burke	Mr Crane

Amendment thus negatived.

Mr PEARCE: Under the circumstances it would be foolish for the Opposition to proceed with the amendment whereby we would have only two staff members, one of whom would be from the non-academic staff. However, we are determined to have at least one member of the non-academic staff on the council and I see very little alternative but to withdraw my two amendments and support the amendment of the Minister.

Mr P. V. JONES: The Committee will note that my amendment involves the addition to the council of an extra member, who will come from the full-time salaried staff. Those people with whom this Bill was discussed would be aware that provision was made in the draft for a person from the salaried staff to be a member of the council because it perpetuated a position which existed and which this Government introduced in 1974. I move an amendment—

Page 10—Insert after paragraph (c) a paragraph to stand as paragraph (d) as follows—

- (d) one person who is a member of the full-time salaried staff, other than academic staff, of the college, and who is elected by members of that staff in such manner as is prescribed by Statute; .

Mr SKIDMORE: Mr Deputy Chairman, I am becoming confused. Does this mean that we will now have two paragraphs (d)?

Mr P. V. Jones: I said it would stand as new paragraph (d). They automatically change.

The DEPUTY CHAIRMAN (Mr Blaikie): It is quite clear.

Mr SKIDMORE: Then, Mr Deputy Chairman, you explain it to me so that I can understand it.

The DEPUTY CHAIRMAN: As the Bill is going through the Committee stage we will use the printing as contained in the Bill. After it has completed its passage through Committee we will revert to what is indicated here. That should take care of the problem.

Mr Skidmore: It is a pretty shoddy old way of achieving your objective.

Mr PEARCE: I have already indicated the Opposition is very strongly in favour of having a representative of the non-academic staff on the council. So, we intend to support this amendment, although we point out it is very much second-best to the proposition we put to the Committee. However, we are flexible people, and are always prepared to accept second-best if we cannot have what is the ultimate.

Amendment put and passed.

Mr PEARCE: I move an amendment—

Page 10—Delete paragraph (d) and substitute the following:—

- (d) two persons who are for the time being enrolled students of the college, and who are elected by enrolled students of the college in such manner as is prescribed by Statute.

I am dealing with paragraph (d) in the Bill as printed and I have a number of contingent amendments which will renumber this clause.

One significant change is to be made to the councils of the colleges. The way things stand at the moment, the Government is keeping very much to the way things were. However, one group is being diminished in its representation—in fact, by 50 per cent—as a result of this clause.

At present, college councils have two student representatives. The Minister proposes to reduce that representation to only one. That seems to me to be running counter to the whole educational trend not only in this country but also in the world over the last 20 or 30 years, where the tendency has been more and more to involve students in the decision-making processes in educational institutions.

There are two reasons for this trend: One is that education administrations generally are becoming much more responsive to student needs and are finding that the easiest way to become responsive is to allow direct student representation of those needs; this enables the administrations to be responsive on the basis of certain knowledge.

The second reason is that it is an educational experience for students to be involved in the administration of educational institutions. The

more they are involved, the more people are involved with them because they feed back to the various other sectors of the student community and are more accurately able to represent the student interests from which they come.

In this regard, two representatives always are going to be better than one. Earlier in the debate the member for Karrinyup suggested that one student representative always was better because he was "the" student voice. He cited the situation where two student representatives might be in direct disagreement with each other and thus would negate each other's vote. I do not find anything wrong with disagreement. It might well be that in respect of a particular matter before the council there is considerable disagreement amongst the student body. I believe it is better for this disagreement to be reflected in the council which then can make a decision based on that knowledge, rather than having a possibly misleading, unified, single voice put to them by a single representative.

It may be the case that the one-man unity approach is very important to members opposite. However, I feel diversity is much more significant, important, and desirable in our tertiary educational institutions.

This being the case, I ask the Minister again, in what must surely be my 41st or 51st amendment before Committees of this Chamber, to do what his predecessors have done for generations in Western Australia; namely, to have two student representatives on the council.

If the Minister will not accept the *status quo* in this case, then I am the conservative and he is the radical or reactionary, seeking to change the *status quo* in a bad way. If that is the case, he should defend the reduction of student representation from two to one. It seems to be an indefensible proposition.

Rather than putting the Minister on the spot, I suggest to him that the appropriate course of action is to accept the amendment or the proposition I am putting forward. I am such a reasonable person that I am prepared to accept no kudos for this amendment. The Minister could insert the provision in another place, where men much more to his liking and much more to his way of thinking carry the day. If that happens and there continue to be two student representatives on these college councils, I will be satisfied.

Mr CLARKO: Could I most succinctly point out that it is interesting to see the Opposition adopting a different standard from the one they adopted when they were the Government. When

the Teacher Education Act was introduced in 1972 the Labor Party and the Labor Government of the day were not prepared to set down unequivocally that there be two student representatives. They said there could be only a maximum of two. Now they are in Opposition, without responsibility, they can easily put forward another viewpoint.

Mr P. V. JONES: If I had been of a mind to have two student representatives, that provision would not be inserted in another place; it would be in the Bill already. The situation is simply that the boards are being restructured—

Mr Skidmore: You said you wanted to keep them as original as possible.

Mr P. V. JONES: I am in no way of a mind to accept the amendment that has been proposed.

The important thing is to ensure that students are represented, in the same way as the salaried staff and the academic staff are represented.

Mr Skidmore: Why do you have so many community members? Why not only one?

Mr P. V. JONES: It is important to ensure that there is representation of the various components making up the college. In that regard, it is important from the point of view of the member for Swan that we recognise that the college is very involved in the community. It is the community which provides the college, and supports it.

Mr Skidmore: What about the community behind the college—the students? Do they not get anything?

Mr P. V. JONES: They are represented.

Mr Skidmore: By one, and you represent the whole of the community by four or five members.

Mr P. V. JONES: I reject the amendment.

Mr PEARCE: Again the Minister is drawing a red herring across our path by saying that what he is concerned about is representation from all these interests, and that we are somehow quibbling about that. He suggests we have demonstrated we are not particularly interested in the representation of students. As far as we are concerned, the principle is not in question.

In the Minister's outburst to the member for Swan, he revealed the underlying facts. He said that the colleges are involved in the community. Are they so involved that there should be seven community representatives—a majority—on the council? We say that all educational institutions are very involved with students.

There is no purpose in an educational institution if it is not dealing with the people who go through its doors and through its classrooms.

Without students, there is no basis for an educational institution, be it in the pre-primary, primary, secondary, tertiary, or post-secondary field. The whole purpose of educational institutions is to deal with students. Even the Minister has said their purpose is not to employ teachers or lecturers, or to provide facilities for the educational grants. The whole purpose of educational institutions is to provide for the education of students.

We reject the kind of tokenism which is so much a part of the Minister's approach to this Bill.

The Government is cutting back the number of student representatives from two to one. The Minister is not concerned about student representation.

I reject the suggestion by the member for Karrinyup. I am saying that there ought to be two student representatives. I was not in this place when the original Act was passed; but it seems to me that a maximum of two representatives is better than the present proposition for one only. The Government does not understand the role that students play in tertiary institutions. That demonstrates only too clearly how few members on the Government side have been through tertiary institutions—how few of them have been tertiary students. They would understand the role that tertiary students can play in the institutions if they had been students themselves.

The Government was very concerned to say that we do not want political appointments on these councils. However, the Government is proposing to load the councils with its own political appointments. If there were to be a genuine non-political appointment, there would be two student representatives. They would be putting the point of view of the consumers to the councils of the colleges. We would never agree to having consumer representation cut by half.

Mr SKIDMORE: I suggest to the Minister that the matter we are proposing should be accepted. When all is said and done, the Minister clearly indicated in his outburst to me where this Government stands in regard to the so-called autonomy that has been given to college councils. It is an autonomy of the Government. The Government shall appoint sufficient numbers to ensure that at all times the Government's point of view will be sacrosanct; that there will be no attack made by any college member on the Government, because we are going to ensure that the members appointed will be sufficient in number to make sure that the Government point of view will be advanced.

The member for Karrinyup used rather flattering tones in saying that it was not a political appointment. They were attempting to obtain some equality. Let me say that anything which will whittle away the control of college councils by Government appointees is not on. In other words, we will ensure that the Government will not have two students, it will not have any more academic staff who are interested in the colleges. It will be faced with the fact that we will make sure we have the numbers to ensure the autonomy of the college councils.

Mr CLARKO: I suspect that the member for Gosnells did not fully understand my point. I am sure the member for Swan did, as he is a former member of a board. The fact is that the boards meet and consider reports made by committees which have been drawn from the staff and the students of the institution. Certainly that is the case with the STC and, I presume, the college at Mt. Lawley. It is incorrect to suggest that the student voice is not heard. It is heard through a host of subcommittees.

As I pointed out before, when the Labor Party was in Government it was not prepared to settle on a mandatory two representatives. It was prepared to say there may be two. It does not have the responsibility now, and it is happy to try to curry a little favour.

The student bodies are represented and will continue to be represented. They will be well represented by the student representatives who are elected.

Mr PEARCE: I reject the proposition that I do not understand the way in which these tertiary institutions operate. I certainly understand that the member for Karrinyup understands that because of his involvement in those institutions.

Mr Clarko: I thought you may not have understood what I was saying.

Mr PEARCE: I did understand. The point to be made is that there is a fair student input involved. There is probably a considerable community input, and a considerable staff input. What we are trying to do is obtain a balance on the council which actually makes the decisions. I have said many times before in this place that there is no point in having input if in fact the people into whom the input is being put pay no attention to it.

I come here three days a week and I believe I put a considerable input into our affairs, but it has been demonstrated only too solidly tonight that those in power, the Cabinet and the Minister, pay no attention to my input. It seems that no suggestion of mine is ever accepted.

It would be a similar situation if college students met in their hundreds or even thousands at mass meetings and put a tremendous input into a council. It would be of no avail if there were no significant student representation and all we had was a dozen Liberal Party hacks on the council. The students' input would be totally counter-productive because all the aging octogenarians might be doing would be deliberately voting out student input as a matter of principle. I am not suggesting that happens with existing colleges or that it is likely to happen, but when we constitute a council we have to look at balancing the proportion of representation in the degree of importance we give to them.

I think the proposition I put forward in the first instance is easily the best. There should be a balance in favour of the community, but it is also very important that a significant number of students and staff, both academic and non-academic, be appointed. The Minister's idea of a balanced council representation seems to be most imbalanced. In some ways I can see an argument in favour of more student representation than academic representation because it is the students who are chiefly involved. They are the ones who take from the council in terms of their education experience more so than any other member of the council.

It seems to me the Government, and the member for Karrinyup in particular, is paranoid when it comes to students. Have we not heard the member for Karrinyup speaking about the Australian Union of Students producing posters which were in fact produced by the Communist Party.

Mr Clarko: One was, but the rest were by the AUS.

Mr PEARCE: I do not know about the rest but certainly one of them was produced by the Communist Party. It does seem to me the Government believes it has something to fear from students. That probably is wrong because the privileged positions in the community that a tertiary education tends to bestow on people means that after 10 years or so most of the students probably will be voting for the Liberal Party, a mistake that even three or five years' tertiary education cannot cure.

I am of the opinion that student representation on these councils is very important. I feel we are at the stage, even with the amendments I am moving, where we are moving towards a situation in the future when students will be more heavily represented in significant areas of education decision making, certainly in respect of tertiary

institutions. At one stage universities had no student representation at all. The time will come when a third or even a half of the councils will be composed of students. We will see that in my lifetime. In trying to stop this move the Government is trying to stop an historical inevitability.

I hope the Government sees the regressive nature of its move on this matter and agrees to the amendment I am putting forward. I am sorry the Minister has shown no sympathy for the amendment I have put up. I sometimes feel it is hardly worth while my coming here, except to draw my monthly cheque. Perhaps we could merely record in *Hansard* the fact that we have either voted for or against a particular measure.

I hope the students of the institutions are prepared to put pressure at least on the back-bench members of the Government who are voting to diminish student representation on their councils.

Mr P. V. Jones: Do you realise students can be co-opted?

Mr PEARCE: I realise the chances of that happening are not very good. We could come back next year and see just how many are co-opted. Perhaps the only student would be Greg Sheppard.

I am sorry the Government is going to vote out this proposal and I hope its members feel some heat from the students over their lack of concern for student representation on these councils.

Amendment put and a division taken with the following result—

Ayes 19

Mr Barnett	Mr T. H. Jones
Mr Bertram	Mr McIver
Mr Bryce	Mr Pearce
Mr Carr	Mr Skidmore
Mr Davies	Mr Taylor
Mr H. D. Evans	Mr Tonkin
Mr T. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Hodge	Mr Bateman
Mr Jamieson	

(Teller)

Noes 28

Mr Clarko	Mr Mensaros
Sir Charles Court	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr O'Neil
Mrs Craig	Mr Ridge
Dr Dadour	Mr Rushton
Mr Grayden	Mr Sibson
Mr Grewar	Mr Sodeman
Mr Hassell	Mr Spriggs
Mr Herzfeld	Mr Stephens
Mr P. V. Jones	Mr Tubby
Mr Laurance	Mr Watt
Mr MacKinnon	Mr Young
Mr McPharlin	Mr Shalders

(Teller)

Ayes	Pairs	Noes
Mr B. T. Burke	Mr Williams	
Mr Harman	Mr Old	
Mr T. J. Burke	Mr Crane	

Amendment thus negatived.

Clause, as amended, put and passed.

Clause 14: Term of office—

Mr P. V. JONES: I move an amendment—

Page 12, line 6—Delete the passage “or (d)” and substitute the passage “,(d) or (e)”.

This refers to the question of an elected member. It relates to the amendment we have passed already. It is purely a consequential cross-reference which needs to be clarified.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 15 to 47 put and passed.

Clause 48: Interim provision for Council membership—

Mr P. V. JONES: I move an amendment—

Page 41, line 26—Delete the passage “or (d)” and substitute the passage “,(d) or (e)”.

This is a consequential cross-reference required to clarify the situation.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 49 to 54 put and passed.

Clause 55: Property of the Teacher Education Authority—

Mr P. V. JONES: I move an amendment—

Page 44, line 34—Insert after the word “buildings” the words “or other facilities”.

This amendment is necessary because a financial provision has now emerged regarding the guarantee of a loan in relation to the superannuation fund. The Treasury has advised it will take measures to ensure the provisions regarding the entitlements of the academic staff as far as the superannuation fund is concerned are continued.

Mr PEARCE: I should like to indicate the Opposition has no objection to this.

Amendment put and passed.

Mr P. V. JONES: I move an amendment—

Page 44, line 34—Insert after the word “applies” the passage “(not being a consolidated loan raised to finance the construction of facilities at more than one such college)”.

The comments I have made in relation to the previous amendment apply to this one also.

Mr PEARCE: I should like to indicate we have no opposition to this amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with amendments.

TAXI-CARS (CO-ORDINATION AND CONTROL) ACT AMENDMENT BILL (No. 2)

Council's Amendment

Amendment made by the Council now considered.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr Rushton (Minister for Transport) in charge of the Bill.

The amendment made by the Council was as follows—

Clause 3, page 2, lines 6 to 15—Delete all words in the clause and substitute the following—

Section 19 of the principal Act is amended—

(a) as to subsection (1)—

- (i) by deleting everything contained in lines five to eight inclusive and inserting in lieu thereof the passage “Board, on the issue or renewal of a taxi-car licence, such fees as may be prescribed, not exceeding—”;
- (ii) by deleting the comma at the end of paragraph (b) and inserting in lieu thereof a full stop; and
- (iii) by deleting everything contained in the last two lines of the subsection; and

(b) by adding at the end of the section a subsection as follows—

(3) There shall be payable to the Board on the transfer of a taxi-car licence such per centum not exceeding ten, as may be from time to time determined by the Board subject to the approval of the Minister, of the amount

that is assessed by the Board as the market value of the taxi-car licence at the time of the transfer.

Mr RUSHTON: I move—

That the amendment made by the Council be agreed to.

The purpose of the amendment was referred to in the Assembly before the Bill passed to the Council. It was generally agreed and acknowledged that a limitation on funds in a particular area should be removed and it has been removed as a result of this amendment.

Mr McIVER: I indicate the Opposition has no quarrel with the amendment. I hasten to point out the matter was mentioned in the second reading stage of the Bill. I referred the Minister to the sloppy drafting of it. The problem has been corrected in another place and it has been returned for our concurrence.

I inform the Government that we fully appreciate what is going on and when Bills of this nature come before us they will be examined thoroughly by the Opposition.

Mr Davies: We cannot pick up their mistakes all the time.

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

Report

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

House adjourned at 11.21 p.m.

QUESTIONS ON NOTICE

HEALTH

Wittenoom Residents

2079. Mr HARMAN, to the Premier:

- (1) When did his Government first decide to investigate the health hazards to people now resident in Wittenoom?
- (2) What is the nature of the investigations?
- (3) Have these investigations been completed?
- (4) Has his Government made a decision on the future of Wittenoom and what is it?
- (5) If not, when can a decision be expected?

Sir CHARLES COURT replied:

- (1) On receipt of a Cabinet minute from the Minister for Health on the 24th July, 1978. However, this should be read in conjunction with the studies over a period of years into the health hazards and implications of asbestos mining both in respect of residents and those directly involved in mining.
- (2) An assessment of the practicability of reducing the exposure of the residents to asbestos dust and if this is not possible to recommend an alternative approach.
- (3) and (4) No.
- (5) Within a few weeks.

EMPLOYMENT AND UNEMPLOYMENT

Youth: Outreach Workers

2103. Mr WILSON, to the Minister for Labour and Industry:

In view of a possible increase in problems faced by unemployed young people and homeless young people, has any consideration been given to the establishment of—

- (a) a training establishment for workers among young people;
- (b) the appointment of outreach youth workers such as those operating in Victoria?

Mr O'CONNOR replied:

- (a) The matter of unemployment amongst young people is receiving the constant attention of both the State and Commonwealth Governments. Included amongst the wide range of initiatives in this area are programmes such as the Special Youth Employment Training Programme, the Pre-Apprenticeship Scheme, the Community Youth Support Scheme, and the work experience programme. I am advised by the Department for Community Welfare that a number of training courses are available at various levels which would be suitable for workers amongst young people.
- (b) Both the State and Commonwealth Governments already operate extensive programmes of assistance to young people in this State.

It is therefore not considered necessary to appoint "outreach youth workers".

LAND

Kwinana

2116. Mr TAYLOR, to the Minister for Industrial Development:

With respect to that area of land lying generally between Hope Valley Road, Johnstone Road and Thomas Road, Kwinana, and which is being acquired for future deposition of refinery residue:

- (1) What area of land is still to be purchased?
- (2) Is it still intended that either or all of the three roads mentioned are to be re-aligned?
- (3) When is it expected that construction of bunds will commence?
- (4) When is it expected that the pumping of slurry waste will commence?

Mr MENSAROS replied:

- (1) About 61 ha, plus portions of closed roads, tramway and drain reserves, the areas of which have not been calculated.
- (2) Although some preliminary design work has been done on road deviations, no firm plans have yet been made.
- (3) and (4) No firm dates have been set. If usage of area "F" carries on as at present, construction work in area "G" might be expected to commence by 1982 or 1983.

LAND

National Parks: Classification

2122. Mr H. D. EVANS, to the Minister for Mines:

- (1) Further to question 2023 of 1978, will he list the mining tenements which encroach upon the Pinnacles reserve (No. 28393) and reserve No. 29149, Nambung national park, and details of occupier, date of application and date of approval for each tenement?

(2) On what dates did he or the Mines Department inform the following of the applications for each tenement—

- (a) National Parks Authority;
- (b) Environmental Protection Authority?

Mr MENSAROS replied:

(1)			
Tenement	Company	Date of Application 6th Jan. 1970	Date of Approval 7th Aug. 1970
Exploration permit No. 70/2527	West Australian Petroleum Pty. Ltd.		
70/2738	Dampier Mining Company Limited	13th May 1977	Not yet approved
70/2739	"	24th May 1977	"
70/2740	"	"	"
70/2741	"	"	"
70/2742	"	"	"
70/2743	"	"	"
70/2744	"	"	"
70/2745	"	"	"
70/2478	"	13th May 1977	"
70/2482	"	"	"
70/2481	"	"	"
70/2480	"	"	"
70/2479	"	"	"
70/2814	"	26th May 1977	"

(2) (a) National Park Authority.

All the applications for coal mining leases with the exception of 70/2814 have been referred to the National Parks Authority on 14th September, 1977. Application 70/2814 will be referred in the normal manner. Exploration permit No. 24 was not referred.

(b) Environmental Protection Authority.

All the applications for coal mining leases were referred on 7th February, 1978. Exploration permit No. 24 was not referred.

LAND

National Parks: EPA Recommendations

2123. Mr H. D. EVANS, to the Minister for Conservation and the Environment:

- (1) In the past four years how many recommendations to create national parks have been made by the Environmental Protection Authority and what area was involved in each case?
- (2) (a) How many of these recommendations have been carried out;
- (b) which recommendations have not been carried out?

Mr O'CONNOR replied:

(1) Seventeen.

Lecuwinn Naturaliste National Park.

Approx. area—17 764 ha.
 Proposed South Coast National Park.
 Approx. area—116 000 ha.
 Reserve 29073.
 Approx. area—4 886 ha.
 Coomallo Reserves and vacant Crown land.
 Approx. area—9 193 ha.
 Mt. Augustus.
 Approx. area—4 840 ha.
 Dirk Hartog Island.
 Area—61 674 ha.
 Edel land.
 Area—211 197 ha.
 Peron-Nanga area.
 Approx. area—280 731 ha.
 Ningaloo Reef Tract.
 Approx. area—235 600 ha.
 Ningaloo station.
 Area—49 731 ha.
 Kennedy Ranges.
 Approx. area—166 970 ha.
 Windich Spring.
 Approx. area—12 450 ha.
 Goongarrie area.
 Approx. area—49 879 ha.
 Boorabbin area.
 Approx. area—26 000 ha.
 South Yilgarn.
 Approx. area—2 000 ha.
 Rudall River area.
 Approx. area—1 569 000 ha.
 Eucla.
 Approx. area—3 880 ha.

- (2) (a) three.
 (b) Leeuwin-Naturaliste National Park
 Proposed South Coast National Park
 Reserve 29073.
 Coomallo Reserves and vacant Crown land
 Mt. Augustus
 Dirk Hartog Island
 Edel land
 Peron-Nanga area
 Ningaloo Reef Tract
 Ningaloo Station
 Kennedy Ranges
 Windich Spring
 South Yilgarn
 Eucla

EDUCATION

School: Neerigen Brook

2142. Mr SHALDERS, to the Minister representing the Minister for Works:

Will the Neerigen Brook primary school be connected by gravity feed to the sewer during the current financial year?

Mr O'CONNOR replied:

No.

DECENTRALISATION

Advisory Board: Applications for Assistance

2143. Mr TONKIN, to the Minister Co-ordinating Economic and Regional Development:

- (1) Have any projects in Western Australia been recommended for assistance by the Decentralisation Advisory Board?
- (2) If so, what are the details?
- (3) What assistance has the Commonwealth Government given to any such projects referred to above?
- (4) What projects have been nominated by the State Government for referral to the Decentralisation Advisory Board?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) The board has recommended and the Minister for National Development has approved that loan assistance be offered to Southern Ocean Fish Processors Pty. Ltd. of Albany and to Computer and Management Services, also of Albany.
- (3) The formalities involved in such assistance are yet to be completed. The former has been offered a loan of \$400 000 to install a fishmeal plant, and the latter \$115 000 to set up a computer system and service.
- (4) The State Government does not nominate projects to the board. It assists in the processing of applications and co-ordinates those applications in terms of their compliance with State policies.

HEALTH

Sunglasses

2144. Mr TONKIN, to the Minister for Health:

- (1) Is it fact that there is concern about the possibly hazardous nature of some lenses in sunglasses?
- (2) Has action been taken pursuant to the powers the Commissioner of Public Health has under the Health Act?
- (3) What action is the Government taking?

Mr YOUNG replied:

- (1) I do not believe that some lenses in sunglasses are hazardous. A spokesman for the local College of Ophthalmologists states that although some sunglasses are not as efficient as advertised in the reduction of glare, there is no clinical evidence to suggest that the wearing of even inefficient sunglasses causes ocular damage.
- (2) No.
- (3) None.

INDUSTRIAL LEGISLATION

Prosecution of Employers

2145. Mr TONKIN, to the Minister for Labour and Industry:

- (1) Has he received a letter from the Trades and Labour Council dated 14th August, 1978, asking the Government to amend legislation so as to give employees, or their elected representatives, the right to prosecute employers for breaches of various Statutes which relate to their conditions of employment, including:
 - (a) the Shops and Factories Act;
 - (b) the Machinery Safety Act;
 - (c) the Mines Regulations Act; and
 - (d) the Construction Safety Act?
- (2) What is the Government's policy with respect to the requests?

Mr O'CONNOR replied:

- (1) Yes.
- (2) Notwithstanding the rights of any individual or body under common law it is considered that the ability to prosecute for breaches of safety legislation should be vested with the authorities responsible for the administration of the legislation. It is not proposed to amend the legislation as requested.

WAGES AND DEBTS

Recovery: Registration of Addresses

2146. Mr TONKIN, to the Premier:

- (1) What is the Government's policy with respect to a provision that people moving from one address to another should be required by law to notify their changes of address to a Government department thereby enabling citizens to whom money is owed to keep a track of their movements?
- (2) Is it a fact that many private citizens to whom wages are owed, or to whom money is owed by reason of damage to their property (such as motor vehicles), are deprived of their just desserts as a result of the lack of a provision such as that referred to in (1) above?

Sir CHARLES COURT replied:

- (1) To establish a special register of addresses simply for the convenience of creditors would, in my view, be quite impracticable.
Obviously, elusive debtors are not going to oblige in this way.
Further more, it is not the business of the State to go chasing the private debtor.
- (2) No statistics are kept on this matter.

CONSUMER PROTECTION

Labelling and Packaging Laws

2147. Mr TONKIN, to the Minister for Consumer Affairs:

- (1) Have discussions been held between the Commonwealth and various State and Territory Governments so as to introduce uniform packaging and labelling laws?
- (2) If so, when?
- (3) If not, when will they be held?
- (4) What progress has been made in this matter?

Mr O'CONNOR replied:

- (1) Yes.
- (2) The last occasion was on the 26th May, 1978.
- (3) Not applicable.

- (4) The Commonwealth Minister for Business and Consumer Affairs has announced that the Commonwealth has appointed a specific Minister to deal with this matter who is to initiate discussions with Commonwealth, State and Territory Governments with a view to making a co-ordinated effort to improve uniformity.

ANIMALS

Deer

2148. Mr H. D. EVANS, to the Minister for Fisheries and Wildlife:

Are there any deer at large in Western Australia, and if so, in what localities and in what estimated numbers?

Mr O'CONNOR replied:

There has been no verified recording of sightings of deer at large in Western Australia for many years. However, there are occasional verbal unsubstantiated reports of deer being seen in the wild.

EDUCATION

Pre-primary Centre: Northcliffe High School

2149. Mr H. D. EVANS, to the Minister for Education:

- (1) Will a pre-school centre be constructed in the Northcliffe District High School grounds in this financial year?
- (2) If "Yes" when is it expected that the centre will be ready for use?

Mr P. V. JONES replied:

- (1) and (2) A purpose built pre-primary centre is now not planned for the Northcliffe District High School for 1979 due to capital funding deficiencies. Alternative forms of accommodation in either a demountable room or a conversion within the school are being investigated for 1979.

DR SIK AUN LOW

Home Leave and Work Release

2150. Mr HARMAN, to the Chief Secretary:

- (1) Is it fact that Dr Sik Aun Low, who was convicted on 25th August, 1978 for three years with a non-parole term of nine months, is being considered for special home leave and for work release?
- (2) If so, is this in line with normal departmental policy?

Mr O'NEIL replied:

- (1) Dr Low has applied for home leave and work release and his application is being processed and considered.
- (2) His application is being processed and considered in line with normal departmental policy.

ENERGY: ELECTRICITY SUPPLIES

Power Failures in Midland

2151. Mr SKIDMORE, to the Minister for Fuel and Energy:

How many power failures have occurred that would have interrupted the power supplies in the area of The Crescent, Midland, during the past 12 months?

Mr MENSAROS replied:

During the period from the 1st November, 1977, to the 31st October, 1978, supply interruptions to the area of The Crescent, Midland, were experienced on nine occasions (not including those associated with cyclone "Alby" when accurate recording of these events was not possible).

The duration of these outages ranged from 10 minutes to 50 minutes.

RECREATION

Community Recreation Council: Soccer Goal Cages

2152. Mr WILSON, to the Minister for Recreation:

- (1) In view of the death of a boy in June and serious injury to another boy last week as a result of collapsing soccer goal cages, can he say why the Community

Recreation Council has waited over four months for the outcome of a coroner's inquiry before coming up with safety guidelines which will prevent further deaths or injury?

- (2) Will he ensure that the proposed guidelines are now drawn up as a matter of urgency?

Mr P. V. JONES replied:

- (1) I am advised that at no time has the Community Recreation Council stated that it would prepare safety guidelines in relation to soccer goal cages.

The matter of ensuring the safe erection of goal cages on local government playing areas is quite clearly that of local government authorities and/or individual soccer clubs. However, when the matter was referred to the Community Recreation Council by the National Safety Council, the CRC agreed because of its contact with local government and sporting clubs, to assist in publicizing the need for awareness of possible dangers in this type of equipment.

It would be premature for any agency with responsibility for safety, sport or consumer protection to comment on the safety design aspects for soccer goal cages until the coronial inquiry had determined whether the unfortunate death of the boy referred to was the result of inadequate or faulty design, poorly executed erection, improper use or other causes.

- (2) If the coroner's inquiry indicates that safety guidelines are necessary, I shall request the matter be referred to the Minister for Police and Traffic to be dealt with by the National Safety Council.

ENERGY: GAS

North-West Shelf: Training Programme

2153. Mr WILSON, to the Minister for Labour and Industry:

- (1) With respect to the answer given to question 2100 of 1978, can he give details of the statistical data now available which suggests that sufficient employment will be available for the 7 000 people to be trained under the special training programme for the North-West Shelf?

- (2) Can he be more specific about the dates when these additional employment opportunities are likely to become available than he was with his general reference to the early 1980s.

- (3) What contribution to the work force required for the North-West Shelf development does the Government anticipate being made by migrants specially recruited for the purpose?

Mr O'CONNOR replied:

- (1) The undermentioned figures represent a broad estimate of labour requirements, and more specific details are not available at this time:

State Energy Commission pipeline—550

Onshore process plant—4 500

Offshore platforms and pipe—870

Onshore development (infrastructure, harbour works and Pilbara pipeline)—850

Top-side modules—if undertaken in Perth—800

- (2) No. The matter of specific timing is subject to the current feasibility studies being undertaken.
- (3) It is not possible to provide an estimate at this time as the number of migrant workers that may be needed will depend on the number of tradesmen which can be trained in the next few years.

HOUSING

Aborigines: Anglican Diocese of Perth and Uniting Church Synod Report

2154. Mr WILSON, to the Minister for Housing:

- (1) Is he aware of a recently published joint-report by the Anglican Diocese of Perth and the WA Synod of the Uniting Church on Aboriginal housing?
- (2) Has the report been examined by the State Housing Commission?
- (3) If "Yes" to (2), is any consideration being given to the recommendations contained in the report?
- (4) In particular, what is the Government's attitude to the proposals to offer encouragement to self-help groups such as the Nyoongah Building Company?

- (5) Can he confirm as fact the report claiming that in 1974-75 \$4 million allocated for Aboriginal housing was returned to the Commonwealth unspent and that in 1976-77 the State Housing Commission failed to take up \$1 million allocated for the same purpose?
- (6) Is the State Housing Commission still holding to its commitment to house all Aboriginal people by 1983?

Mr RIDGE replied:

- (1) Yes.
- (2) and (3) The report is being studied.
- (4) The Government favours proposals which encourage self help in the Aboriginal communities as evidenced by the role of the State Housing Commission in the housing projects at One Arm Point and Looma, Fitzroy Crossing, etc., where funds were made available by the Commonwealth Government and the commission assisted with planning and supervision of construction. This type of assistance is still available on request.
- (5) Due to the funding arrangements that were introduced at the time, the allocation of \$4 million for Aboriginal housing was withdrawn by the Commonwealth in 1974-75.
The allegation that \$1 million was not utilised in 1976-77 is not correct. In fact, there was an overspending of \$919 631.
- (6) Such a commitment has never been given by the State Housing Commission. The member's attention is drawn to the answer to question 1752 of the 21st September, 1978.

the motive forces which drive their parliamentary representatives?

Sir CHARLES COURT replied:

I choose to ignore the last part of the honourable member's question, because it does him no credit. However, if the member is referring to—

Mr Tonkin: Mr Hamer does not agree with you.

Sir CHARLES COURT: —the disclosure of members' interests, he would know well that I have been an advocate of the introduction of statutory arrangements which would be clearly understood throughout the whole of Australia by all members of Parliament, State and Federal, as to the amount and nature of disclosure required. If I remember correctly the honourable member walked out of a committee set up by the Parliament—

Mr Tonkin: Because it was not doing anything.

Sir CHARLES COURT: —because we would not accept verbatim—every comma, full stop, crossed "t", and dotted "i"—the Bill he produced. Had he remained with that body, we might today have an arrangement acceptable to all parties at least in this State. At the moment an all-party Federal committee is deliberating on this matter. I understand some members of the State Parliament—I cannot vouch for members on the other side—are making submissions to this body in relation to the question of disclosure.

STATE INCOME TAX

Government's Intention

2. Mr BRYCE, to the Treasurer:

My question relates to the speculation in the Press yesterday relating to the Government's policy in respect of a State income tax scheme. I should like the Treasurer to confirm to this House, in the light of the publicity given to the statement to which I refer, that the intention of his Government is to drop the double taxation scheme.

Sir CHARLES COURT replied:

There never has been a double tax scheme. It is an invention of Labor politicians both in this State and in

QUESTIONS WITHOUT NOTICE

MEMBERS OF PARLIAMENT

Income Disclosure

1. Mr TONKIN, to the Premier:

In view of the Victorian Premier's announced decision to legislate to require the disclosure of the income of all members of the Victorian Parliament, will the Premier reconsider his previous attitude to this matter so that the people of Western Australia also may be able to better understand

other States. However, if the member is referring to the tax-sharing proposal, I will gladly answer his question.

Under that proposal we can, of course, have both rebates and surcharges and in spite of what may be said by members opposite, there are circumstances where the rebate machinery could in fact be required.

However, leaving that aside, I believe the Deputy Leader of the Opposition referred to conjecture, or something of that nature, about the Government's legislation. I thought we made a very positive statement and gave the explanation in a detailed submission as to the difficulties which had been experienced by the Crown Law Department and the Attorney General in dovetailing the State legislation into the legislation brought down by the Commonwealth.

I believe the Commonwealth very foolishly introduced its Bill unilaterally without the consultations which were proposed between certain of the States so that we would have legislation which would harmonise and which would, therefore, be effective. Under the scheme it is most necessary to use the mechanics of the Commonwealth income tax machinery so far as personal income tax is concerned if we are to have a State-enabling Statute which will as and when required, but not of its own right, enable the imposition of a surcharge or the granting of a rebate. The Government has acknowledged this. I have been assured that the complexities are such that we could not expect to deal with such a Bill within three weeks at the very minimum.

The Bill would then have to go to the Commonwealth to be checked further so that we do not have a repetition of the problem it has created.

In view of the announcements which have been made by the Commonwealth—and which are too persistent to be ignored—relating to the fact that it has no “in principle” commitment in respect of other forms of tax, I propose to talk to both the Prime Minister and the Treasurer to see if I can obtain clarification as to whether they intend to move away from the

present system of obtaining a large proportion of income from personal income tax.

Fortunately, due to the insistence of Western Australia we have an arrangement whereby if the Commonwealth decides to move away from basically a personal income tax situation to a value-added or other system of taxation, the States will be consulted. But, in the light of my past experience over recent weeks, recent months, and the last couple of years, I would prefer to have consultation first rather than rely on it to come later.

HOUSING

Aborigines: Lockridge

3. Mr SKIDMORE, to the Minister for Community Welfare:

Is the Minister able to advise the House what arrangements are being made to house those people who are at present camped in Stirling Square at Guildford?

If not, when does the Minister believe he will be able to inform us that those people will be adequately housed?

Mr YOUNG replied:

Since I answered a similar question last week I have had discussions with a Bishop of the Anglican Church, and with Mr Bropho who leads one group from the Lockridge camp.

As a result of those discussions, and as a result of a submission I have put to Cabinet, the State Government has allocated a site which will be discussed with the local authority to make sure that it cannot come up with a better site.

From that stage we will meet the problems as they arise. We will work with the Aboriginal community with regard to each step along the way.

I want to make it quite clear that I believe the greatest chance of success of this whole venture will lie very heavily in the provision of funds, application for which I will have to make to the Commonwealth Government.

RAILWAYS

Mullewa-Wubin

4. Mr CARR, to the Minister for Transport:

- (1) Is it a fact that Westrail proposes to close or reduce the rail service between Wubin and Mullewa?
- (2) If this is so, would he indicate the stage the proposed closedown has reached?
- (3) How does the Minister relate the proposed action of the Government to the assurance given by his predecessor, as Minister for Transport, during the time of the Mullewa-Meckatharra closure controversy, that the line between Wubin and Mullewa would not be closed?

Mr RUSHTON replied:

(1) to (3) I am pleased to be able to inform the member for Geraldton that due to representations from the Legislative Council member for the Upper West Province (the Hon. M. McAleer) and from the member for Greenough in this House, discussions with Westrail have convinced it to change its stance. Westrail was to reduce the Friday rail service, but it has now decided to provide a truck service in lieu.

If I might add a little to that answer, it will be known to members—and I will be happy to make it available to any member at a subsequent time—that there has been a Press release relating to this matter. The fact is that the freight carried on the service was so small that it was in the best interests to cut out the Friday service.

As I have said, it has now been agreed that the Friday rail service will be replaced by a truck service.

Mr Carr: So, the Government is actually cutting out the train service?

Mr RUSHTON: The Friday train service will actually cease, and its general freight will be taken over by a road service.

EDUCATION

Social Studies Graduates

5. Mr TONKIN, to the Minister for Education:

- (1) Is it a fact that social studies graduates have been told by the Superintendent for

Social Studies in the secondary division that there will be no jobs for them at the start of the 1979 school year?

- (2) If so, what is the reason for this decision?
- (3) How many such graduates are there?
- (4) Has this decision been made as a consequence of the teachers' rolling strikes?
- (5) Will any of those graduates be employed during any part of 1979?

Mr P. V. JONES replied:

- (1) I am advised that in explaining the employment situation for 1979 the superintendent said that at this stage—October—it appeared unlikely that any new social studies graduates would be placed at the beginning of the year.
- (2) This is not a decision to deny employment to graduates. The number of teachers employed is governed by the number of vacancies existing. At this stage there are slightly fewer social studies positions in senior high schools in 1979 than there were in 1978.
- (3) A total of 106 graduates have applied for employment with this department in 1979.
- (4) The teachers' rolling strikes have had no effect on the number of teaching positions available in 1979.
- (5) Yes.

MINING BILL: MINING TENEMENTS

Local Government Rate Income

6. Mr GRILL, to the Minister for Local Government:

A week or two ago I directed a question to the Minister and asked what effect the new Mining Bill would have on local government rate income from mining tenements.

The Minister could not answer the question, but undertook to look into the matter. Has she looked into it, and what is the result?

Mrs CRAIG replied:

My department has been advised of the question asked in this House by the member for Yilgarn-Dundas.

We have taken the attitude that as the Mining Bill has not yet been passed there is little point in carrying out investigations into something that may or may not happen. Investigations will be carried out, if necessary, when the time arrives.

PORNOGRAPHY

Exploitation of Children

7. Mr DAVIES, to the Chief Secretary:

In view of the large number of petitions which have been presented to this House over the past few weeks, relating to the exploitation of children in the publication of pornography, can the Chief Secretary tell us what action the Government has taken in regard to the requests made for the protection of the children?

Mr O'NEIL replied:

It seems that some great minds and lesser minds think alike.

I had been concerned with the number of petitions that had been brought to the House, and I knew of the situation that obtains in respect of the matters raised. I have written to a number of people whom I have been able to identify. In many cases, it was difficult, in fact, to identify the persons responsible for the petitions.

I have released a Press statement today which I think will satisfy the inquirers.

In Western Australia we have provisions in the Child Welfare Act, the Police Act, the Criminal Code, and the Indecent Publications and Articles Act, all of which give a total and complete legislative umbrella to enable the State to take any action considered to be necessary.

Mr Davies: Is there any evidence of that happening?

Mr O'NEIL: I have had that matter inquired into and I am advised by the Commissioner of Police that not one

complaint has been lodged in respect of the exploitation of children over the last two years.

Also I have made inquiries with respect to a recent meeting of Ministers in charge of film censorship. This was a subject raised by them at their conference, when the legislation available to each State was compared.

Once again, Western Australia seems to provide more protection than any other State. The other States do not have major problems in respect of the matter of child pornography because most of it, apparently, comes from countries in Asia. In fact, imports are totally controlled by the Commonwealth customs and excise legislation. Similarly, films come under the control of the Commonwealth Film Censorship Board.

I can assure those who have expressed concern—and I share their concern—that we do have the appropriate legislation already on our Statute book, and that it can be brought into operation as soon as any of this child abuse is identified.

During the last two years, there has not been one complaint.

RAILWAYS

Mullewa-Wubin

8. Mr CARR, to the Minister for Transport:

(1) Has a firm date been set for the cessation of the railway service between Wubin and Mullewa?

(2) If "Yes", will he indicate the date?

Mr RUSHTON replied:

(1) I assure the honourable member that the service is not being discontinued.

Mr Carr: I am sorry; I meant the train.

Mr RUSHTON: The train in question is the Friday service.

(2) On my understanding, the 1st December.