

Legislative Assembly

Tuesday, the 7th August, 1973

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

SWEARING-IN OF MEMBER

THE SPEAKER (Mr. Norton): I have received the writ issued for the electoral district of Balcatta, and from the returns indorsed thereon it appears that Mr. Brian Thomas Burke has been duly elected to serve in the Legislative Assembly as the member for the electoral district of Balcatta. I am now prepared to swear in the honourable member.

The honourable member took and subscribed the Oath of Allegiance and signed the roll.

DEPUTY CHAIRMAN OF COMMITTEES

Appointment

THE SPEAKER (Mr. Norton): I have received a letter from the member for Roe (Mr. W. G. Young) resigning from the position of Deputy Chairman of Committees of this House. In view of Mr. Young's resignation I now nominate, in accordance with Standing Order 23, the member for Stirling (Mr. Stephens) as a Deputy Chairman of Committees.

TABLED PAPERS

Announcement by Speaker

THE SPEAKER (Mr. Norton): I wish to bring to the notice of members some difficulties regarding tabled papers. Members are reminded that under Standing Orders 52 and 233 tabled papers are not to be removed from the Chamber or the offices of the House without the express leave or order of the Speaker.

With the spread of members' offices throughout the building the tracing of a missing paper causes many difficulties and, therefore, members are requested to conform with the above Standing Orders.

I have instructed the Clerks to prepare a new system of issue slips for the signature of a member requiring a tabled paper. Until these slips are printed a temporary system will be adopted requiring members to sign for any tabled papers required.

BILLS (24): ASSENT

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

1. Fatal Accidents Act Amendment Bill.
2. Legal Contribution Trust Act Amendment Bill.
3. Sale of Land Act Amendment Bill.
4. Hospitals Act Amendment Bill.

5. Scientology Act Repeal Bill.
6. Acts Amendment (Road Safety and Traffic) Bill.
7. Judges' Salaries and Pensions Act Amendment Bill.
8. Education Act Amendment Bill.
9. Education Act Amendment Bill (No. 3).
10. Superannuation and Family Benefits Act Amendment Bill.
11. Public Service Act Amendment Bill (No. 2).
12. Pre-School Education Bill.
13. Metric Conversion Act Amendment Bill.
14. Murdoch University Bill.
15. Local Government Act Amendment Bill (No. 2).
16. Land Tax Assessment Act Amendment Bill.
17. Western Australian Marine Act Amendment Bill.
18. Railway (Coogee-Kwinana Railway) Discontinuance Bill.
19. Seed Marketing Act Amendment Bill.
20. Land Agents Act Amendment Bill.
21. Marine Navigational Aids Bill.
22. Margarine Act Amendment Bill.
23. Evaporites (Lake MacLeod) Agreement Act Amendment Bill.
24. Town Planning and Development Act Amendment Bill.

QUESTIONS (60): ON NOTICE

1. AGED PERSONS' HOMES

Bunbury

Mr. SIBSON, to the Minister for Health:

- (1) Is Government assistance being given to the Church of Christ Homes project in Bunbury—
(a) if so, to what extent;
(b) if not, what are the reasons?
- (2) Does he know if Wattle Hill Lodge in Bunbury qualifies for Commonwealth or State Government assistance and, if so, to what extent and under what qualifications?

Mr. DAVIES replied:

- (1) Yes. The Churches of Christ Elanora Villas project is subsidised by the Commonwealth Government under the Aged Persons Homes Act, and is subsidised by the State Government for State furnishing subsidy.
(a) The Commonwealth Government has provided \$346,800 to date by way of capital subsidy and further small adjustments are expected. The State Government has pro-

vided State furnishing subsidy of \$45,366.44 to date as well as a special grant of \$25,000 towards the capital cost of the project.

(b) Not applicable.

(2) Wattle Hill Lodge qualifies for Government assistance as follows—

(a) Under the provisions of the Aged Persons Homes Act, the Commonwealth Government has paid an amount of \$64,176 to date and the organisation will be eligible for further grants in connection with stages VI and VII.

(b) Wattle Hill Lodge has attracted State furnishing subsidy of \$6,299.44 to date under the same conditions as applied to the Elanora Villas project.

(c) The Wattle Hill Lodge receives frail aged subsidy of \$1 per day per frail aged resident on the condition that the charge to the resident does not exceed a maximum figure determined by the Medical Department. This figure is directly related to the rate of aged pension. The Lodge has been paid frail aged subsidy totalling \$8,469.83 during the period November 1970-June 1973, including \$2,753.76 for financial year 1972-73.

2. *This question was postponed.*

3. NATURAL GAS

Loss through Leakage

Mr. MENSAROS, to the Minister for Electricity:

(1) What is the estimated yearly volume, cost (on basis of average retail price charged to consumers), and percentage of natural gas lost between the main distribution point at arrival to the metropolitan area, and the aggregate points of meters of all consumers?

(2) To what extent is this loss due to leakage of main pipes and to other reasons?

(3) What is the estimated cost of replacing spigot jointed cast iron main pipes with welded steel and/or plastic main pipes?

(4) Would he study the long term economy of such changes described in (3)?

Mr. MAY replied:

This question was on the notice paper at the conclusion of the last sitting and I arranged for a reply

to be forwarded to the honourable member. That information has since been updated and I think I should read the updated answer, which is as follows—

(1) to (4) The determination of exact gas losses from a reticulation system would require the simultaneous reading of all gas meters on that system. Because of the impracticality of such an operation, a calculated figure is used requiring an estimate of the gas that has passed through and been recorded on consumers' meters since the previous meter reading. This procedure is carried out over a twelve month period to correct for seasonal variations in the consumption pattern.

In the year ended 30th June, 1973, preliminary estimates indicate that the percentage of unaccounted for gas was 28.6%.

Gas losses occur in any piped gas system and it is usually considered that the major cause is leakage from the mains. Experience throughout the world indicates that an increased leakage rate from caulked lead-jointed pipes can be expected as the drying action of natural gas shrinks the hemp in this type of joint.

Prior to natural gas the commission's system was comparable with those operated elsewhere in Australia and it is expected that the more rapid introduction of almost leak-free plastic mains will substantially improve this performance.

A major survey of the system using sophisticated gas detection equipment has been recently completed and information obtained from it is being used to evaluate the overall economics of this problem.

As a result it is now intended to eventually replace most cast iron mains and this has already been done in some suburban areas and is proceeding in the inner city areas. However, as the cost of complete replacement would involve capital expenditure of several million dollars, the programme will be undertaken progressively over a number of years in areas in which this expenditure can be economically justified.

In areas where replacement cannot be immediately justified a repair programme is being undertaken to selectively repair leaks in order of severity.

4. TOWN PLANNING

Rural Land: Urban Development

Mr. RUSHTON, to the Minister for Town Planning:

- (1) Will he give a clear undertaking and understanding as to the future urban development on land zoned rural within the metropolitan region?
- (2) Do recent subdivisions on rural land within the metropolitan region indicate zoning for specific purposes, particularly residential, has now been discarded?
- (3) If "No" to (2) will he please give an explanation of the actual position?

Mr. DAVIES replied:

- (1) Other than in the minor cases referred to in the answer to (3), urban development will be in accordance with the Metropolitan Region Scheme zoning. That in turn will be modified from time to time to accord with the corridor strategy.
- (2) No.
- (3) The relationship of regional/local zoning measures is set out in chapter 6 of the Metropolitan Region Scheme Report, 1962. It would not be possible to adequately answer with a short concise reply.

5. FLOREAT, JOLIMONT, AND WEMBLEY SCHOOLS

Enrolments

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

What is the number of pupils enrolled at the—

- (a) Floreat primary school;
- (b) Jolimont primary school;
- (c) Wembley primary school?

Mr. T. D. EVANS replied:

Enrolments at February, 1973.

- (a) Floreat primary school—385
- (b) Jolimont primary school—143
- (c) Wembley primary school—321

This information was supplied to the Member by the Acting Minister for Education in a letter dated 25th May, 1973.

6. SACRED HEART GIRLS' SCHOOL, BROOME

Government Financial Assistance

Mr. RIDGE, to the Treasurer:

- (1) Is he aware that a Geraldton based building firm has been awarded a contract to the value of

approximately \$360,000 to build a secondary school for girls at Broome?

- (2) Have any approaches been made to him or his ministerial colleagues for financial assistance with the project?
- (3) In view of the fact that the State Government made a contribution of \$50,000 towards the cost of the Christian Brothers' College at Broome, will it make a similar contribution to help offset the cost of the Sacred Heart Girls School in the same town?

Mr. J. T. TONKIN replied:

- (1) to (3) A request has been received from the Bishop of Broome for financial assistance, and this is at present under consideration.

7. PRE-SCHOOL EDUCATION

Metropolitan Area: Cost and Assistance

Mr. RIDGE, to the Minister representing the Minister for Community Welfare:

- (1) What is the weekly cost to the State Government for keeping a "committed" pre-school child in a Government institution in the Perth metropolitan area?
- (2) If any, what is the weekly value of assistance provided by—
 - (a) Lotteries Commission;
 - (b) Commonwealth Social Services Department;
 - (c) any other organisation, towards the upkeep of the children referred to in (1)?

Mr. T. D. EVANS replied:

- (1) No separate costing is taken out for "committed" pre-school children in Government institutions. The cost of providing assessment and treatment at Bridgewater, where the age range is 3-18 years is estimated to average \$19 per child per week, exclusive of salaries, which average \$66 per child per week. The salaries figure includes the cost of research and community projects.
- (2) (a) Nil.
(b) \$1.50 (child endowment).
(c) Nil.

8.

WOMBATS

Declaration as Vermin

Mr. MOILER, to the Minister for Agriculture:

- (1) Would he provide the reasons why the Fisheries and Fauna Department still consider it necessary to list wombats as vermin?

- (2) What damage has the wombat done to agriculture over recent years?
- (3) If any damage, where?
- (4) Are wombats allowed to be kept in captivity?
- (5) If "Yes" to (4), under what conditions?

Mr. H. D. EVANS replied:

- (1) Wombats are declared vermin outside of a limited corner in the south-east of the State which is their only present habitat. The declaration was made so that they may be prevented from becoming re-established in the agricultural areas.
- (2) and (3) Wombats are a problem to agriculture in some of the other States, particularly in Victoria. They burrow extensively and may cause damage to potato crops, orchards, fences and watering points.
- (4) and (5) Yes, under conditions of security designed to prevent their escape.

9. HEALTH

Mercury Content of Industrial Effluent

Mr. MOILER, to the Minister for Health:

- (1) Which industries operating in Western Australia use mercury or any composition containing mercury in their operations?
- (2) How many of these industries produce effluent or waste matter containing mercury?
- (3) Where are these industries situated?
- (4) How is the effluent or waste disposed of?
- (5) Are there any new industries which require mercury or any substance containing mercury in their operation proposed to be established in Western Australia in the near future?
- (6) What is the mercury content of fish and shellfish caught off the coast of Western Australia?
- (7) Is he aware of any State or Federal proposal to control the dumping of noxious material at sea?
- (8) If "Yes" to (7), would he provide details?

Mr. DAVIES replied:

- (1) Small amounts in gold mining, ship-building and maintenance, and pharmaceutical industries.

- (2) None. (The caustic used in the aluminium refinery is contaminated with mercury. This is present in minute amounts in the effluent which is pumped to the red mud lakes area.)
- (3) Goldfields, Coogee and Fremantle.
- (4) There is no effluent or waste with the exception stated.
- (5) No definite proposals are known to me.
- (6) The mercury content varies, but in no instance exceeded 0.5 parts per million.
- (7) Yes. Discussions are taking place between the State and Commonwealth and internationally as to appropriate control of dumping at sea.
- (8) Exact details have not been agreed.

10. NORTH-WEST DEPARTMENT

Expenditure, Staff, and Offices

Mr. RIDGE, to the Minister for the North-West:

- (1) What is the estimated expenditure of the North-West Department for the current financial year?
- (2) What number of staff will be employed, and in what categories?
- (3) In which northern towns will offices be maintained?

Mr. BICKERTON replied:

- (1) The estimated expenditure of the Office of the North-West for the current financial year is \$205,000.
- (2) Perth Office
Administrative—2
Research—5
Clerical—5
Field (including clerical)—6
- (3) Port Hedland, Broome and Kununurra.

Consideration is being given to the establishment of offices in other northern towns.

Staff will frequently visit all other centres.

11. EDUCATION

Isolated Children: Allowances

Mr. RIDGE, to the Minister representing the Minister for Education:

- (1) Considering that discussions on the State Government decision to withdraw financial aid for educating isolated children in Western Australia prompted the Federal Minister for Education to say that, "Commonwealth aid was meant to be supplementary to the scheme and not a substitution," and that "The States have no business pulling out of an area of aid just because the Commonwealth has become involved." will he advise if

the Government has decided to reinstate the allowances as reportedly requested by Mr. Beazley?

- (2) If "Yes" what are the proposed rates of payment?
- (3) If "No" will he outline the reasons for not acceding to the request?

Mr. T. D. EVANS replied:

- (1) to (3) This matter is still under consideration and a decision will be made when the budget for this year is finalised.

12. PORTS

Broome, Derby, and Wyndham: Charges

Mr. RIDGE, to the Minister for Works:

- (1) In 1968 what were the—

(a) handling charges;

(b) storage charges,

at the Harbour and Light Department ports of Broome, Derby and Wyndham?

- (2) In each year since 1968 what has been the value and percentage increase on each of the charges referred to in (1)?
- (3) At the port of Wyndham, how does he account for an operating loss of \$32,316 on cargo handled in 1971-72, when cargo of a lesser tonnage in 1970-71 resulted in an operating profit of \$50,809?

Mr. JAMIESON replied:

- (1) (a) Handling charges

General cargo 1968 which includes all components, i.e. wharfage, handling and haulage.

Broome and Derby—\$3.84.

Wyndham—\$4.35.

- (b) Storage charges

All cargo—The same rate applied in all ports in 1968. No storage charged for the first 3 days, and thereafter 10 cents per ton or part thereof for the first week or part thereof, and thereafter an additional 2.5 cents per ton or part thereof for each week or part thereof.

e.g. 1st week—10 cents per ton

2nd week—12.5 cents per ton

3rd week—15 cents per ton.

- (2) Increase in handling charges includes all components, wharfage, handling and haulage.

Year	Broome		Derby		Wyndham		
		%		%		%	
196810	2.60	.10	2.60	.11	2.53
196905	1.27	.05	1.27	.06	1.35
197017	4.26	.17	4.26	.20	4.42
197110	2.40	.10	2.40	.50	10.50
1972	\$1.34	31.46	\$1.04	24.41	\$1.08	20.60
1973	Nil	Nil	Nil	Nil	Nil	Nil

The increase for each port in each of the years 1968 to 1971 and portion of the increase in 1972, being 33 cents in Wyndham, 59 cents in Broome and 29 cents in Derby, were automatic adjustments in accordance with the Jetties Act regulations, which at that time provided that for every 3 cents fluctuation in the hourly rate of pay to waterside workers, or levies payable to the Australian Stevedoring Industry Authority, the handling component of the charges shall increase by 1%. This provision was revoked in November 1972. The balance of the increase in charges in 1972 by amendment to the regulations were as follows:—

Wharfage—Increase from 50 cents per ton to \$1.00 per ton.

Haulage—Increase from 25 cents per ton to 50 cents per ton.

In the period under review there has only been one increase in storage charges. As from 24/11/72 charges were raised to 20 cents per day after 3 days.

It is impossible to make a meaningful comparison percentage-wise with this flat charge as against a progressive charge that increased from week to week as formerly applied.

For the Member's information, the Harbour and Light Department does not regard storage charges as a means of obtaining revenue to meet operational costs. The new scale of charges was designed to encourage consignees to take delivery of their goods promptly, thereby keeping sheds clear to enable the department to efficiently perform its function.

Since the inception of the increased charges, an anomaly has been highlighted in respect of cargo consigned to stations which are unable to take delivery because of adverse weather conditions. As a result, action is being taken to reduce the charges on cargo which cannot be cleared from departmental sheds because of impassable roads, etc.

- (3) The variation in the operating results for the two years was brought about by the change which took place in Stevedoring operations in the port when the

Australian Stevedoring Industry assumed control of waterside labour in 1971.

Prior to this change taking place, the Harbour and Light Department was the sole employer of labour in the port, both on board ship and on the shore, and the amount received from charges raised, arising from the employment of ship labour in 1970-71 is reflected in the revenue for the port, which was \$565,742.

In the following year, when all ship-board labour was employed by private Stevedoring companies, and the Harbour and Light Department employed only the shore labour, receipts fell by \$192,635 to \$372,907. In addition, during 1971-72 the full impact of the increase in operating costs brought about by these changes was felt with the introduction of the Stevedoring Industry levies, which are payable to the Australian Stevedoring Industry Authority.

13. DERBY DISTRICT HOSPITAL

Additions

Mr. RIDGE, to the Minister for Health:

- (1) What action has been taken in an effort to prevent a repetition of the overcrowding which took place at the Derby District Hospital in June this year?
- (2) Is it proposed to build a "children's wing" on the hospital?
- (3) (a) If "Yes" from what source will the funds come?
(b) when will work on the project commence?
- (4) What other building additions are being contemplated?

Mr. DAVIES replied:

- (1) A sketch plan of a new 48 bed ward has been approved.
- (2) Yes, as indicated above.
- (3) (a) The Commonwealth has advised verbal approval. Written approval is expected soon.
(b) Tenders will be called as soon as contract documents are completed by the architect commissioned for the project. This will probably be by November this year. Subject to Commonwealth approval to accept tender when recommended, work should proceed in Perth during the summer months and the building transported to and completed at Derby by August, 1974.
- (4) Modifications to existing building to provide increased kitchen and dining facilities will be included in the contract.

14. FITZROY CROSSING HOSPITAL

Power Supply and Tenders

Mr. RIDGE, to the Minister for Health:

- (1) Has it yet been determined what the likely power needs are for the proposed new hospital at Fitzroy Crossing?
- (2) Has the Commonwealth Department of Aboriginal Affairs responded to the submission from the Public Health Department for funds to install an adequate power plant?
- (3) If "Yes" with what result?
- (4) If "No" will he seek an urgent reply to the submission?
- (5) Have plans and specifications for a new hospital at Fitzroy Crossing been prepared yet?
- (6) When is it anticipated that tenders will be called?

Mr. DAVIES replied:

- (1) Yes.
- (2) No.
- (3) Not applicable.
- (4) Advice from the Commonwealth Department of Aboriginal Affairs is that a decision will be advised about the end of August.
- (5) Sketch plans have been approved and contract documents are in course of preparation.
- (6) It is anticipated that contract documents will be ready in approximately 3-4 months' time. Calling of tenders will depend on availability of Commonwealth finance.

15. COMMUNITY WELFARE OFFICERS

North-West

Mr. RIDGE, to the Minister representing the Minister for Community Welfare:

- (1) How many—
(a) male;
(b) female,
officers are employed in the north of the State as—
(i) social workers;
(ii) welfare officers;
(iii) part-time homemakers;
(iv) full-time homemakers?
- (2) If any, what increase in numbers is anticipated during the current financial year?

Mr. T. D. EVANS replied:

- (1) Officers employed in the north of the State are—
(i) (a) Male social workers—5.
(b) Female social workers—2.

- (ii) (a) Male welfare officers—15.
 (b) Female welfare officers—10.
- (iii) (a) Male part time homemakers—1.
 (b) Female part time homemakers—33.
- (iv) (a) Male full time homemakers—Nil.
 (b) Female full time homemakers—Nil.
- (2) Subject to funds being made available the following additional staff are proposed.

1 social worker located at Kununurra.

2 district officers, 1 located at Port Hedland and 1 at Derby.

2 divisional assistants, 1 located at Port Hedland, and 1 at Derby.

In addition 58 part time homemakers are sought to cover the whole of the State. A proportion of this number will be located in the north of the State depending on the need and suitable persons becoming available. No appointments are proposed in relation to full time homemakers.

16. COUNTRY HIGH SCHOOL HOSTELS

Roe Electorate Children

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

- (1) How many children are currently boarding at Government hostels from each of the following shires—
- Pingelly;
 - Brookton;
 - Corrigin;
 - Narembeen;
 - Kondinin;
 - Kulin;
 - Lake Grace;
 - Kent?
- (2) How many children from each of the above shires board at the—
- Northam hostel;
 - Narrogin hostel;
 - Merredin hostel;
 - Katanning hostel;
 - Swanleigh hostel?

Mr. T. D. EVANS replied:

The following data were obtained as part of a survey carried out in April, 1973, and is based on the postal addresses of students boarding at Government hostels and Swanleigh Hostel. It is assumed that the postal home addresses given by the hostel authorities coincide with Shire areas except in the case of Yealering where

fifty per cent. were assumed to live in the Corrigin Shire and fifty per cent. in the Wickepin Shire.

- (a) 10;
- (b) 15;
- (c) 13;
- (d) 18;
- (e) 38;
- (f) 15;
- (g) 51;
- (h) 22.

(2)

Shires	Hostels				
	Northam	Narrogin	Merredin	Katanning	Swanleigh
Pingelly	2	7	—	—	1
Brookton	2	13	—	—	4
Corrigin	3	8	1	—	8
Narembeen	—	—	18	—	3
Kondinin	2	31	5	—	1
Kulin	—	11	—	2	2
Lake Grace	2	26	—	15	7
Kent	—	—	—	18	1

17. GOVERNMENT DEPARTMENTS

Aircraft: Acquisition

Sir CHARLES COURT, to the Premier:

- (1) Has any decision been made by the Government about the purchase of an aircraft for use by Government departments as foreshadowed by the Minister for Lands in a Press comment in *The West Australian* 6th June, 1973?
- (2) If so, what is the decision?
- (3) (a) What studies have been made about the relative economics and effectiveness of using charter services as and when required as compared with owning and operating a Government plane or planes;
 (b) what do these studies reveal?
- (4) If a decision has been made to acquire a plane or planes, what type, make, etc., is involved and what conditions have been laid down for operation and use of the planes?

Mr. J. T. TONKIN replied:

- No.
- Answered by (1).
- (a) Information is being obtained on the types of aircraft currently used by departments preparatory to determining whether it is feasible for one aircraft to meet the different needs of departments.
 (b) Inquiries are not sufficiently advanced for any conclusion to be reached.
- Not applicable.

18. PUBLIC HEALTH AND MEDICAL DEPARTMENTS

Reorganisation

Dr. DADOUR, to the Minister for Health:

- (1) Are there any reorganisation proposals planned for the Public Health or Medical Departments?
- (2) If so, would he please supply full details?

Mr. DAVIES replied:

- (1) No.
- (2) Not applicable.

19. MEDICAL STUDENTS

Intake

Dr. DADOUR, to the Minister for Health:

- (1) What is the proposed intake of first year medical students for 1974?
- (2) How will they be selected?
- (3) What will be the total number of successful first year medical students permitted to enter second year in 1974?

Mr. DAVIES replied:

The information as supplied by the University and indicated in the Press on July 26th is—

- (1) 110.
- (2) At least 98 taken from Western Australians who have qualified from matriculation. The remaining 12 taken from others sources, e.g. people who have already matriculated or done another course but wish to do medicine. A limited number of South East Asians who have passed the Western Australian Leaving Examination.
- (3) All successful 1st year students will proceed to 2nd year. Out of the 110 students it is estimated that about 90 will proceed to 2nd year.

20. FRIENDLY SOCIETIES PHARMACIES

Expansion

Dr. DADOUR, to the Minister for Health:

- (1) Is it intended to expand the Friendly Society Pharmacies during this session of Parliament?
- (2) If so, would he please give full details?

Mr. DAVIES replied:

- (1) and (2) It is most unlikely that the legislative programme for this session will allow this question to be considered.

21. LOCAL GOVERNMENT BOUNDARIES

Royal Commission

Dr. DADOUR, to the Minister representing the Minister for Local Government:

- (1) Has the proposed Royal Commission to investigate boundary alterations yet been appointed?
- (2) If "Yes" who are the appointees?
- (3) If "No" when does he expect to make the appointments?
- (4) When does he expect the Royal Commission to complete its investigations and report?

Mr. HARMAN replied:

- (1) to (3) Yes, formal appointment of Judge L. F. J. Johnston of South Australia as a Royal Commission was made at today's meeting of the Executive Council.
- (4) This will depend on the number of submissions made and cannot be determined at present.

22. ROYAL PERTH HOSPITAL

Employees and Deficits

Dr. DADOUR, to the Minister for Health:

- (1) What was the total number employed by the Royal Perth Hospital and its annexes as at 30th June for each of the years 1971, 1972 and 1973?
- (2) What was the Royal Perth Hospital deficit for the year 1972-73?
- (3) What is the expected deficit for 1973-74?

Mr. DAVIES replied:

- (1) 1971—3,215
1972—3,346
1973—3,383
- (2) \$11,231,414. This was the difference between operating expenditure and revenue, excluding State subsidy.
- (3) This figure will not be known until Parliament approves the 1973-74 Estimates.

23. TEACHING HOSPITALS

Beds: Cost

Dr. DADOUR, to the Minister for Health:

What was the cost per bed per day at each of the teaching hospitals as at 30th June for the years 1969, 1970, 1971, 1972 and 1973?

Mr. DAVIES replied:

Gross expenditure (including that relating to other than inpatient services) per occupied bed per day

for each of the metropolitan teaching hospitals was as follows)—

		Year ended 30th June				
		1969	1970	1971	1972	1973
		\$	\$	\$	\$	\$
Fremantle Hospital		32.85	38.81	48.30	54.47	67.90
King Edward Memorial Hospital		33.50	38.47	43.72	44.20	50.13
Princess Margaret Hospital		36.92	42.80	46.44	50.59	63.32
Royal Perth Hospital		31.86	37.98	48.70	54.95	65.78
Sir Charles Gairdner Hospital		28.21	33.97	44.17	55.19	66.56

24. BICTON MEDICARE HOSPITAL

Cost of Acquisition

Dr. DADOUR, to the Minister for Health:

- (1) What was the total amount paid for the Bicton Medicare Hospital (including the building, equipment furnishings, and goodwill, if any)?
- (2) What are the terms of the contract?

Mr. DAVIES replied:

- (1) \$960,000.
 - (2) A copy of the contract is tabled.
- A copy of the contract was tabled (see paper No. 246).*

25. FREE SCHOOL BOOKS SCHEME

Delays in Supply

Mr. R. L. YOUNG to the Minister representing the Minister for Education:

- (1) Have the teaching programmes of any classes of any primary State school, to the knowledge of the Minister been curtailed, interrupted or delayed during 1973 because of lateness in supply of the State free school books and aids?
- (2) Have any parents complained of lack of progress of their children because of the factors envisaged by (1)?
- (3) If "Yes" to (1),
 - (a) how long has the longest delay been in the supply of material;
 - (b) which schools and which grades are affected;
 - (c) when will the problem be rectified;
 - (d) what reasons have been given staff and parents for the delays?

Mr. T. D. EVANS replied:

- (1) Some textbooks were received later than was originally planned. No instruction was curtailed and

any delay would have been minimal as all schools had copies of the syllabus and alternative instructional methods and materials could have been adopted to suit individual teachers.

- (2) While there have been inquiries as to when the textbooks will be available, there is no evidence that there has been serious objection to the re-arranged programmes.
- (3) (a) 7 weeks.
 - (b) Primary schools, grades 2, 3 and 4.
 - (c) The mathematics books are now available in the schools. The issue of the remaining English and social studies textbooks will be completed in two to four weeks.
 - (d) Teachers have been understanding of the position because departmental efforts have been directed towards the production of student workbooks and teachers' guides. Teachers have indicated that they would prefer to have the guides which contain valuable information on curriculum content and developments before the student workbooks.

26.

STATE FINANCES

Budget Deficits and Surpluses

Mr. R. L. YOUNG, to the Treasurer:

- (1) What were the budgeted and actual deficits and surpluses for the years 1969-70, 1970-71 and 1971-72?
- (2) What moneys were raised in 1970-71 and 1971-72 respectively from revenue raising sources as a result of Labor election policy and that would not have been raised under the Brand electoral policy?
- (3) What reduction of expenditure was made in 1970-71 and 1971-72 that would have brought the total annual expenditure below the budgeted figure?

Mr. J. T. TONKIN replied:

(1) 1969-70:

Budget—deficit of \$2,410,000.
Actual—deficit of \$712,000.

1970-71:

Budget—balance.
Actual—deficit of \$4,368,000.

1971-72:

Budget—deficit of \$3,525,000.
Actual—deficit of \$891,000.

- (2) and (3) These questions are hypothetical.

27. WAGIN-RAVENSTHORPE ROAD

Widening

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

What is the Main Roads Department programme for the widening of the Wagin-Ravensthorpe Road for the current financial year with particular reference to the section west of Lake King?

Mr. JAMIESON replied:

Funds have been provided for completion of reconstruction and prime widening to 24 ft. and sealing 14.35 miles on sections between Dumbleyung and 35 miles east. This work will complete the widening of the road between Wagin and Lake Grace.

Funds have also been provided for the reconstruction and priming 24 ft. wide on 0.9 miles through Lake Grace and construction and priming 24 ft. wide on a new alignment of 1 mile immediately east of Lake Grace.

28. SCADDAN SCHOOL

Headmaster's Residence

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

(1) Have tenders been called for the construction of a headmaster's house at the Scaddan school?

(2) If not, when will they be called?

Mr. T. D. EVANS replied:

(1) and (2) Yes. A contract has been let and a transportable unit is under construction.

29. RAILWAY GOODS SHED

Munglinup

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

Have inquiries regarding the provision of a goods shed at Munglinup been completed, and if so, with what result?

Mr. MAY replied:

Inquiries have been completed and decided that the provision of a goods shelter at Munglinup cannot be justified. In support of this decision it is pointed out that received traffic at this point averages only 355 kg per week. Goods consigned to Munglinup are placed under the verandah of a local store and this arrangement is operating satisfactorily.

30.

HOUSING

Vacant Premises, and Karawara Project

Mr. RUSHTON, to the Minister for Housing:

- (1) How many commission units of housing are at present empty? Will he please show each category of vacant accommodation separately?
- (2) Have final approvals for the commission Karawara project at Manning been given by the local authority and Town Planning Department?
- (3) What conditions were firstly asked for by the City of South Perth and the Town Planning Department and how have they now been changed?
- (4) Has ministerial direction or decision been given to change these conditions?
- (5) Has a direction been given as to the latest commencement and finishing date for this project? What are the dates?
- (6) Was the direction given by a Minister and, if "Yes" which one?
- (7) Why is this commission development planned for Karawara a 50% population density per acre increase above that of Balga?
- (8) When are the tenants expected to be allotted to this accommodation?

The answer was tabled (see paper No. 247).

31.

HOUSING

Aborigines: Criteria

Mr. RUSHTON, to the Minister for Housing:

- (1) Will he please let me know the commission's policy including criteria for settling Aboriginal families in residential areas?
- (2) What relief is employed in the interest of the Aboriginal family and adjacent residents when it is obvious the new tenants are not compatible with their surroundings?
- (3) What is the present position over the occupancy of No. 6 Messenger Street, Kelmscott?

The answer was tabled (see paper No. 248).

32.

DECENTRALISATION OF INDUSTRY

Payroll Tax Concessions

Sir CHARLES COURT, to the Premier:

- (1) Is it proposed to grant any exemptions or concessions for decentralised industries from payroll tax?

- (2) If so, what is to be the nature of these exemptions or concessions?

Mr. J. T. TONKIN replied:

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

33. WOOL

Forward Selling

Mr. W. G. YOUNG, to the Attorney-General:

- (1) Is the Attorney-General aware that wool was offered at auction by Western Australian brokers on behalf of its clients on 18th July, 1973, on the basis of forward selling on the sheep's back?
- (2) Does not the fact that not a single bid was received for this type of wool indicate collusive bidding in contravention of the Sales by Auction Act?
- (3) Would he have the matter investigated?

Mr. T. D. EVANS replied:

- (1) No.
- (2) The fact that not a single bid was received indicates that buyers abstained from this form of selling. The Sales by Auction Act in so far as it relates to wool has not yet been proclaimed.
- (3) No, unless clearer evidence is presented to substantiate collusion between prospective bidders.

34. CROSSWALK

Stirling Highway, North Fremantle

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

As there are grave doubts about the safe location of the crosswalk on Stirling Highway between Leslie and Alfred Streets, North Fremantle, because the crosswalk near a turn in the road is regarded as particularly hazardous to the children of two schools, and to the people who use it from the nearby sheltered workshop run by the State Mental Health Services, will he please give consideration to relocating this public facility or providing a better facility?

Mr. T. D. EVANS replied:

A survey will be made and consideration given to relocation.

35. EDUCATION

Teachers Tribunal: Appeal

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

In the current appeal to the Teachers Tribunal the Teachers Union has asked that any increases

as a result of the appeal should apply only to members of the Teachers Union. Has the Minister instructed his representative to support or oppose this clause of the appeal?

Mr. T. D. EVANS replied:

The appeal has been heard and the Minister for Education, through his advocate, opposed the clause.

36. EDUCATION

Boarding Allowances: Re-examination

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

What decisions has he made as the result of his published intention to re-examine boarding allowances in view of the Commonwealth Minister's statement that it was never intended that the States would withdraw from this field?

Mr. T. D. EVANS replied:

This matter is still under consideration and a decision will be made when the Budget for this year is finalised.

37. EDUCATION

Stern Report

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

What decisions have been reached on the recommendations of the Stern Report and what is the programme for implementing them?

Mr. T. D. EVANS replied:

Following the Stern Report the Education Department decided to extend the availability of secondary education opportunities in rural areas and to upgrade the instruction in the agricultural wings of secondary schools. This programme is being implemented by the following means—

the conversion of junior high schools into district high schools;

the extension of selected district high schools to fifth year level;

the appointment of a senior education officer in agriculture; and

the formation of an inter-departmental committee (Education and Agriculture) to advise on agricultural education.

38. NON-GOVERNMENT SCHOOLS

Per Capita Grant

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

(1) Will the Government keep its promises given by him and his predecessor towards the end of the last sitting to continue the full per capita aid of 20% of the national average cost of educating a student in primary and secondary schools respectively to private schools at least until the end of the 1974 school year?

(2) Is the Minister aware that the Central Commission of the Australian Catholic Bishops, representing all the Catholic Bishops of Australia, has emphasised in a prepared statement dated 30th May its unqualified support for direct per capita aid to independent schools without means test and its opposition to a system of lump sum payments to schools according to the needs of the school or parents?

(3) Will the Government give this statement full consideration when deciding upon its policy of Government aid to non-Government schools if and when wishing to alter the current arrangements?

(4) Does the Government consider itself to be in the position where its hands are entirely tied by the Commonwealth Government decisions and it cannot formulate and execute its own policies in this aspect of education?

Mr. T. D. EVANS replied:

(1) The State will pay grants in 1974 on the same basis as 1973.

(2) and (3) Yes.

(4) No.

39. PRIVATE JETTIES

Fees

Mr. MENSAROS, to the Minister for Works:

(1) Has he or his department received any recommendation from the Peel Inlet Conservation Council or from any local authority or other body to raise the fees which are presently charged for private jetties by the Harbour and Light Department?

(2) If so, what were these recommendations and by whom were they made?

(3) Irrespective of the replies to (1) and (2), is consideration being given to raising such fees?

(4) If (3) is "Yes" to what extent?

Mr. JAMIESON replied:

(1) Yes.

(2) It was recommended by the Peel Inlet Conservation Advisory Committee that the present license fee of \$1.00 per annum be increased to \$10.00 per annum for a private jetty, and \$50.00 per annum for a commercial jetty.

(3) Yes.

(4) \$10.00 and \$50.00 as detailed in (2) above will apply for year commencing 1/1/74.

40.

TRAFFIC LIGHTS

Floreat Electorate Intersections

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

(1) Are there any plans to install traffic lights at the following intersections—

(a) Grantham-Jersey Streets;

(b) Cambridge-Jersey Streets;

(c) Salvado Road-Jersey Street;

(d) Hay Street (Cardigan Terrace)-Selby Street?

(2) If so, when can lights be expected to be installed at any of these intersections?

(3) Will he cause to have examined the necessity for traffic lights for those of the above intersections where answer to (1) is "No"?

Mr. JAMIESON replied:

(1) (a) No.

(b) Yes.

(c) No.

(d) No.

(2) Cambridge and Jersey Streets intersection is programmed for traffic lights during the current financial year.

(3) Yes. Hay and Selby Streets intersection will be considered for traffic lights following completion of the channellisation at present being undertaken by the Perth City Council.

Jersey Street-Salvado Road intersection will be given consideration for traffic signal installation following completion of channellisation which is programmed for this financial year.

Grantham and Jersey Streets intersection will be reviewed if and when the Perth City Council agrees to the present proposals for channellisation.

In all cases traffic lights are installed on a priority basis depending on the volume of traffic and the degree of accident hazard at the intersection.

41. FLUORIDATION OF WATER SUPPLIES

Evidence of Detrimental Effect

Mr. MENSAROS, to the Minister for Health:

Considering the fact that the Federal Minister for Health, through his representative in the Senate, in answer to a question stated:

"The National Health and Medical Research Council has over a period of more than 20 years, and after taking into account experiences in a number of countries, consistently taken the view that fluoridation of public water supplies is a significant factor in the control and prevention of dental caries, and that the process is a reasonable and safe public health measure",

- (a) has he any evidence that the fluoridation of water supply in Western Australia is detrimental to public health;
- (b) if so, what is this evidence;
- (c) if answer to (a) is "Yes", what action is he proposing to take against this?

Mr. DAVIES replied:

- (a) No.
- (b) and (c) Answered by (a).

42. LOCAL GOVERNMENT

Building Permits: Fee Increase

Mr. MENSAROS, to the Minister representing the Minister for Local Government:

- (1) Is it a fact that the fees payable to local authorities for building licenses have been increased recently by 100%?
- (2) If so, on whose recommendation did he decide upon this measure?
- (3) Is it continuous Government policy to increase fees generally in much larger proportions than even the present high rate of monetary inflation would warrant?

Mr. HARMAN replied:

- (1) Yes.
- (2) The proposal was initiated by the City of South Perth which requested a three-fold increase. The Local Government Association advised that four of its member councils were opposed to an increase. Six councils requested 100% increase and four councils sought an increase of 200%. The Local Government Department recommended 100% increase.
- (3) No. The circumstances of each application for increases are examined separately.

43. KIMBERLEY ELECTORATE

Federal Representation: Acting Premier's Remarks

Mr. RIDGE, to the Premier:

- (1) Has he studied the remarks of the Acting Premier when opening a new tourist village at Lake Argyle, 18th June, about Kimberley being represented in Federal Parliament along with the Northern Territory and northern Queensland?
- (2) If not, will he do so and make a report available to Parliament?
- (3) If he has made a study will he table the full text of the Acting Premier's comments and also advise Parliament whether the Acting Premier's comments were—
 - (a) his own personal view or those of the Government;
 - (b) the result of departmental and/or Government studies of the matter?
- (4) Have discussions along the lines of the Acting Premier's comments been undertaken formally or informally with the Commonwealth, either by departmental officers or the Government?

Mr. J. T. TONKIN replied:

- (1) and (2) I have read the press reports of Mr. Taylor's comments, which were not made from a prepared paper.
- (3) and (4) The Acting Premier was referring to the Northern Development Council, of which the Western Australian, Queensland and Australian Governments are members. His comments did not suggest any lessening of the State Government's interest and investment in the Kimberley area, but expressed the hope that the present rate of development could be accelerated by the co-operative effort of each of the Governments represented on the Council. The Political Notes of 21st June, 1973, set out the philosophy of Mr. Taylor's comments, with which I am in general accord.

44. COTTESLOE SCHOOL

Wrought Iron Barriers

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

- (1) Will he reconsider the matter of having erected wrought iron barriers along Stirling Highway in the immediate vicinity of the Cottesloe Primary School to protect children from obvious potential dangers?
- (2) If not, will he explain why?

Mr. JAMIESON replied:

- (1) A detailed investigation will be undertaken to evaluate interim protection from guard rail installation pending implementation of the proposed pedestrian grade separation facility.
- (2) Answered by (1).

45. TRAFFIC

Pedestrian Overways Near Schools

Mr. HUTCHINSON, to the Minister for Works:

- (1) Is it a fact that the Government has constructed at least two pedestrian bridges across highways to serve the safety of students attending State high schools?
- (2) If so, what parties contributed to the cost and in what proportion?
- (3) Is there any policy in regard to the construction of such bridges which discriminates in favour of secondary school students and against primary school children?
- (4) Is there a policy which provides for a phased programme of work to provide such bridges or subways in danger areas for the purpose of safeguarding school children?

Mr. JAMIESON replied:

- (1) Yes, on roads declared as main roads.
- (2) Generally on the basis of one-third of the cost of the structure plus cost of landscaping and footpath alterations being met by the appropriate local authority and the remainder by the Main Roads Department.
- (3) No.
- (4) The Main Roads Department examines suitable sites for pedestrian grade separation on declared main roads, primarily on those near schools. Subject to the local authority agreeing to their financial contribution, construction work proceeds using funds provided in the Main Roads Department's programme of works. An amount of \$100,000 has been set aside this financial year for this purpose.

46. CARILLA SCHOOL

Drainage of Grounds

Mr. THOMPSON, to the Minister representing the Minister for Education:

- (1) Has the drainage and ground works at the Carilla school, promised by the former Minister months ago, yet been done?

- (2) If "No" to (1), when will the work be completed?

Mr. T. D. EVANS replied:

- (1) and (2) The drainage and ground-works at Pickering Brook School (Carilla) were completed in May, 1973.

47. WANNEROO ROAD

Balga: Widening

Mr. THOMPSON, to the Minister for Works:

- (1) Which authority is bearing the cost of widening Wanneroo Road in the Balga area?
- (2) What is the estimated cost and if more than one authority is involved, what is the breakup of costs?
- (3) When is the present project expected to be completed?

Mr. JAMIESON replied:

- (1) Costs are being shared equally between the Main Roads Department and the City of Stirling.
- (2) The total estimated cost is \$1,170,000. Contributions by each party being \$585,000.
- (3) The City of Stirling, as the constructing authority, expects the work to be completed in 1975.

48. WELSHPOOL ROAD

Upgrading

Mr. THOMPSON, to the Minister for Works:

- (1) Is he aware that the recent prolonged wet weather has aggravated the condition of Welshpool Road, particularly in the Kewdale area?
- (2) Does he not agree that the conditions are such that they present a hazard?
- (3) Will he provide funds immediately to assist the Canning Town Council in upgrading the road?
- (4) As Welshpool Road is a main road catering for the industrial areas of Welshpool and Kewdale, does he not agree that the cost of this upgrading should not rest alone with the Canning Town Council?

Mr. JAMIESON replied:

- (1) Yes.
- (2) Sections of this road are in need of early maintenance.
- (3) In 1973-74 the Canning Town Council will receive a statutory road grant of \$301,385, part of which could be applied to Welshpool Road. It is understood that this action is planned, but a recent deputation from the Council to the Commissioner of Main Roads sought the department

sharing in the cost. A review of the department's commitments is being made later in the year to ascertain whether funds can be made available.

- (4) Answered by (3). Welshpool Road is not a declared main road and therefore is the responsibility of the Canning Town Council.

49. RAILWAYS

Employees: Number and Remuneration

Mr. THOMPSON, to the Minister representing the Minister for Railways:

- (1) How many—
 (a) wages employees;
 (b) salaried staff,
 were employed by the W.A.G.R. at the 30th June in each of the last ten years?
- (2) What has been the total wages/salaries bill in each of those years?

Mr. MAY replied:

- (1) and (2) The information requested is tabulated hereunder:

As at 30th June	Salaried staff	Wages staff	Total wages and salaried staff	Total wages and salaries bill
				\$
1973	2,198	7,845	9,843	46,790,207
1972	2,215	8,221	10,436	42,771,863
1971	2,181	8,252	10,413	41,417,920
1970	2,156	8,719	10,875	38,305,051
1969	2,137	9,057	11,194	35,452,767
1968	2,123	9,359	11,482	33,845,175
1967	2,080	9,487	11,567	32,870,194
1966	2,068	9,696	11,764	30,683,707
1965	2,054	9,569	11,623	27,000,018
1964	2,010	9,663	11,682	26,780,472

50. AGRICULTURE PROTECTION BOARD

Dingo Eradication

Mr. THOMPSON, to the Minister for Agriculture:

- (1) How many persons have been employed in dingo eradication by the Agriculture Protection Board in each of the past five years?
- (2) How many dingoes have been destroyed in each of those years?
- (3) What has been the annual cost in each of those years?

Mr. H. D. EVANS replied:

- (1) 1968-69—51
 1969-70—51
 1970-71—51
 1971-72—49
 1972-73—49

- (2) The precise total is not known because of ancillary poisoning operations. Bonuses were paid, however, on a scalp basis, as follows:

1968-69	—3,402
1969-70	—4,608
1970-71	—5,756
1971-72	—3,629
1972-73	—4,464

- (3) Total costs, including contributions by local authorities were:

	\$
1968-69 409,818
1969-70 490,915
1970-71 426,325
1971-72 356,288
1972-73 425,486

51. AGRICULTURE PROTECTION BOARD

Forrestfield Complex

Mr. THOMPSON, to the Minister for Agriculture:

- (1) How many persons are at present employed at the Agriculture Protection Board unit at Forrestfield?
- (2) Are all of the facilities at the Forrestfield complex in use; if not, why not?
- (3) What was the cost of buildings and facilities at Forrestfield?

Mr. H. D. EVANS replied:

- (1) 37, including 3 employed on a temporary basis.

This number includes 23 based at Forrestfield but engaged in research activities throughout the State. It also includes motor mechanics, training personnel, persons preparing poison baits and cleaning staff.

- (2) Yes, with the exception of some animal pens on which pasture is being established or which are not yet fully stocked with animals.

One room of the training section is also in the course of being set up with demonstration equipment.

- (3) Payments have not yet been finalised, but are expected to be approximately \$780,000.

52. NATURAL GAS

Pipeline: Feasibility Study

Mr. THOMPSON, to the Premier:

- (1) Has he any explanation to offer why local engineers were ignored in favour of an overseas firm in the feasibility study of the proposed natural gas pipeline?
- (2) Was he or any of his Ministers responsible for appointing Bechtel Pacific Corporation Ltd.?

- (3) If the appointment was made by the Federal Government was he or any of his Ministers requested to nominate firms?
- (4) If "Yes" to (3), which firms or persons did he nominate?
- (5) If "No" to (3), will he on behalf of Western Australian engineers protest to the Federal Government?

Mr. J. T. TONKIN replied:

- (1) Local engineers were not ignored in connection with the assignment for the feasibility study of the proposed natural gas pipeline, and the Member's question is based on a wrong premise.
- (2) to (5) Advertisements were placed in all capital city morning daily papers, and the *Financial Review*, inviting firms to register for the assignment. Forty-eight companies and individual persons responded, including several consulting firms operating in Western Australia. The applications were carefully appraised by a steering committee comprised of the Executive Member, National Pipeline Authority and the Commissioner for Fuel and Power in this State. A short list of seven firms was chosen to submit formal proposals. Of these, five are wholly Australian or are joint ventures with an Australian partner. Four operate offices in Western Australia. Two have performed previous assignments for the State Government in recent years. The proposals submitted by Bechtel Pacific quoted a fee which was by far the lowest. They were appointed jointly by the Federal Minister for Minerals and Energy and the Minister for Mines, Electricity and Fuel, after every possible consideration was given to local firms in a strictly fair selection procedure.

53. FLUORIDATION OF WATER SUPPLIES

Meeting with Director of Child Health Services

Mr. THOMPSON, to the Premier:

- (1) Was the meeting reported in *The West Australian* on 3rd August between the Director of Child Health Services, Dr. R. W. Roberts, and himself on the subject of fluoridation, held at the request of Dr. Roberts?
- (2) If "No" to (1), can it be taken that he was attempting to influence this responsible officer in the discharge of his duties?

- (3) If the purpose was not to influence Dr. Roberts, will he state the purpose of the meeting?

Mr. J. T. TONKIN replied:

- (1) No.
- (2) and (3) The meeting with Dr. Roberts was arranged at the suggestion of the Minister for Health to enable me to be fully informed concerning the matter, which was the subject of a press release.

54.

PRISONS

Inmates: Work Release

Mr. THOMPSON, to the Minister representing the Chief Secretary:

- (1) How many inmates of Western Australian prisons are at present on work release?
- (2) From which centres are they being released and how many are involved at each centre?
- (3) What is the total number of inmates who qualify for work release but are not yet working because of lack of hostel accommodation?
- (4) When will suitable arrangements be made to ensure that all eligible inmates are granted work release?

Mr. HARMAN replied:

- (1) Forty-nine.

	Place	Number
(2)	Fremantle	14
	Karnet	6
	Wooroloo	15
	Kalgoorlie	4
	Albany	4
	Bunbury	3
	Bandyup	1
	Brunswick	2

- (3) Twenty.
- (4) Additional hostel accommodation is being sought and will be obtained subject to the availability of finance.

55. FREMANTLE PORT AUTHORITY

Charges: Increases

Sir CHARLES COURT, to the Premier:

- (1) What increases in charges have been made by the Fremantle Port Authority divided into—
 - (a) items directly related to exports;
 - (b) items directly related to imports;
 - (c) other charges?
- (2) What percentage increase do these revised charges represent in each case?

- (3) (a) Were the increases intended to be a total recoup of wage and other cost increases including the increased cost arising from the 35 hour week for wharf labour;
- (b) if not, what proportion was under recouped;
- (c) if it was intended to be more than a total recoup, how much will be over recouped?
- (4) (a) What have been the increased wage costs (since the last F.P.A. increase in charges) of the Fremantle Port Authority and any other Commonwealth and State instrumentalities operating within the Fremantle Port Authority area and which have a bearing on F.P.A. charges;
- (b) when were each of these increased costs incurred and what is the percentage increase in each case?

Mr. J. T. TONKIN replied:

- (1) (a) Handling charges on commodities exported as provided in the detailed schedule of charges laid down as regulation No. 140, *Government Gazette* No. 56, pages 2824-5—General cargo—90c tonne. Wool—55c tonne of 2 bales. Meat—\$4.18 tonne.
- (b) (i) Handling charges on commodities imported as provided in the detailed schedule of charges laid down as regulation No. 139, *Government Gazette* No. 56, pages 2823-4—General cargo—\$1 tonne.
- (ii) Storage charges where applicable—that is on cargo not collected within 4 working days of the completion of discharge of ship's cargo—10c tonne per day.
- (c) (i) Pilotage—an average of \$15 each service.
- (ii) Tonnage rates—an average of \$40 each ship.
- (iii) Mooring services—an average of \$10 each service.
- (2) (a) Handling charges on exports—Approximately 25% increase on general cargo. Approximately 44% increase on wool. Approximately 200% increase on meat.
- Substantial rebates are available for goods which have been pre-pelletised, pre-slung or unitised, etc.
- (b) Handling charges on imports—Approximately 22% increase on general cargo. Substantial rebates are available for goods which have been pre-pelletised, pre-slung or unitised, etc. Storage charges—50% increase.
- (c) (i) Pilotage—Approx. 10%;
- (ii) Tonnage rates—Approximately 5%;
- (iii) Mooring services—Approximately 14%.
- (3) (a) No.
- (b) Approximately 8% of anticipated deficit not recouped by above-mentioned charges.
- (c) Not applicable.
- (4) (a) (i) Wage increases, waterside workers, May, 1973—\$4.00 per week, followed by national wage increase of \$4.10 per week.
- (ii) Loading on waterside workers' annual leave payment—17½% to 22½%.
- (iii) Increased stevedoring industry charge from \$1.00 to \$1.07 on a man-hour of employment basis.
- (iv) Redundancy and other levies to finance severance arrangements for workers displaced—7c. per man-hour of employment.
- (v) Increased cost to hire labour from Stevedoring Employers of Australia Limited—8.5c. per man-hour of employment.
- (vi) Wage increases obtained by members of port authority combined unions (13 unions) as a flow-on of increased wages and other conditions of employment obtained by waterside workers.
- (vii) Annual leave loading—17½%.
- (viii) Thirty-five hour week.
- (ix) Increased sick leave, 50%, payable on retirement and other improved leave conditions.
- (b) (i) May, 1973—10%.
- (ii) 6th April, 1973—0.5%.
- (iii) 26th July, 1973—7%.
- (iv) 1st January, 1973—28%.

- (v) 4th June, 1973—10%.
- (vi) 7th May, 1973—10%.
- (vii) 1st January, 1973—1½%.
- (viii) 31st May, 1973—Estimated 5%.
- (ix) 22nd June, 1972—Estimated 2%.

56.

CENSORSHIP

Obscene Publications

Mr. RUSHTON, to the Minister representing the Chief Secretary:

- (1) Has he considered and published the Government's policy as to which publications are obscene?
- (2) If "Yes" to (1), will he advise me of this policy?
- (3) If "No" to (1), when can this policy be expected to be announced?
- (4) Has the newspaper *Ribald* been declared obscene?
- (5) Has it been declared an offence for a newsagent to sell *Ribald*?
- (6) How many copies of *Ribald* are sold in Western Australia each week?
- (7) Are the individual newsagents responsible for censorship of the publications within their shop?
- (8) What category of offence is a newsagent selling *Ribald* considered to have committed?
- (9) What degree of negligence does the Government attach to itself when newsagents are being charged with selling obscene literature when unreasonable delays have occurred in clarification of the acceptable standards?
- (10) Will he please advise the House what he intends to do about this unsatisfactory position?

Mr. HARMAN replied:

- (1) No.
- (2) See (1).
- (3) It would be improper to attempt to publish a policy on obscenity in the light of the recent appointment of an Advisory Committee on Publications. The committee may be required to examine and report to the Chief Secretary on virtually hundreds of different types of publications. Each of which must be obviously dealt with on its merits.
- (4) This is a function of the courts—several prosecutions are pending.
- (5) No.
- (6) Figures are not available to my department.

- (7) It is the responsibility of newsagents to see that publications within their shop do not breach provisions of the Indecent Publications Act.
- (8) In the event of a court finding that a particular issue is obscene the Court may record a conviction under Section 2 of the Indecent Publications Act, 1902-1972.
- (9) The standards are set by Courts in this matter and not by Governments.
- (10) This situation is not regarded as being unsatisfactory.

57.

DAIRYING

Bounty

Mr. McPHARLIN, to the Minister for Agriculture:

- (1) Does the Government endorse the action recently announced by the Minister for Primary Industry that he intends to phase out the bounty to the dairy industry over a period of two years?
- (2) If so, what measures does the Government intend to take to give assurances to the industry that it will remain viable?

Mr. H. D. EVANS replied:

- (1) The phasing out of the butter and cheese subsidy over two years could adversely affect the Western Australian dairy industry.

However under existing arrangements the bulk of the subsidy goes to farmers who need it least, that is the large scale farmers in the exporting States.

There is an urgent need to revise the subsidy arrangements but the matter needs assessment in relation to proposals by the Australian Dairy Industry Council for adoption of a dairy product entitlement plan by the States.

Further, on my request, Australian Agricultural Council has agreed to set up a committee to examine the amount of levy returned to each State from the Equalisation Scheme. In 1970-71 Western Australian producers received from equalisation 57.5% of the amount paid by this State.

If the proposal to ensure that each State receives a minimum percentage of levy paid to equalisation by way of equalised return is accepted, producers in Western Australia could benefit.

It is hoped that the committee will be able to report to a special meeting of Agricultural Council to be called in late October.

- (2) The possible effects of a break-down in the Commonwealth dairy products equalisation scheme would have to be examined. Such effects would depend on the economics of competition by Western Australian farmers with imports from the Eastern States.

(3)—

Year ended 30th June	Sold out and licence transferred	Ceased
1971	21	4
1972	21	3
1973	18	1
	60	8

58. AGRICULTURE PROTECTION BOARD

Doggers

Mr. McPHARLIN, to the Minister for Agriculture:

- (1) What number of doggers are employed by the Agriculture Protection Board in Western Australia?
- (2) Is there evidence to show that dog numbers are decreasing?
- (3) Is there evidence to show that kangaroo numbers are being held in check on pastoral properties in the north?

Mr. H. D. EVANS replied:

- (1) 49.
- (2) No.
- (3) Red kangaroo numbers would appear to have been held in check over most of the pastoral areas in recent years. This situation could change if the ban on the export of kangaroo products is continued.

59. MILK

Licensed and Unlicensed Producers

Mr. McPHARLIN, to the Minister for Agriculture:

- (1) What is the total gallonage of milk supplied by unlicensed producers for the year ended 30th June, 1973?
- (2) What is the total gallonage of milk supplied by licensed dairymen for the year ended 30th June, 1973?
- (3) What number of licensed dairymen have gone out of the industry over the past three years?

Mr. H. D. EVANS replied:

- (1) and (2) The information sought is not available from statistical sources in the form requested.

An estimate for 1972-73 cannot yet be made but the equivalent estimate for 1971-72 is as follows:

	Gallons
Milk supplied by unlicensed producers	20,620,000
Milk supplied by licensed dairymen	37,740,000

60. HOUSING

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

Mr. RUSHTON, to the Minister for Housing:

- (1) Will he please explain why he is now, as reported, negotiating for a swap of private developers land to provide housing for naval families at Rockingham when previously—
 - (a) he adamantly rejected a similar request from a deputation of the Shire of Rockingham representatives led by myself;
 - (b) he and the Commission and the Premier rejected requests for similar action over a long period to restore confidence in the local building industry and community to create employment when unemployment was creating real hardship;
 - (c) he, the Commission and the Government rejected similar actions when Commonwealth administration sought the same action?

- (2) What are the present intentions for the housing of the naval personnel to serve at H.M.A.S. Stirling?
- (3) Has the State Housing Commission now changed its policy decision as to the siting of these homes for naval families?

Mr. BICKERTON replied:

- (1) to (3) The Commonwealth and State Agreement for Housing of Service Personnel provides for the State to select the location for housing required for serving members of the Armed Forces. This aspect is not one on which the Australian Government authorities may make a unilateral decision against the wishes of the State.

The Agreement further provides that the housing is to be financed by repayable advances for which the State is responsible to meet interest and capital amortisation. In effect the State takes all the responsibility for the economics of Armed Forces housing except in

the unlikely event the properties are not required by Defence Authorities and are built in areas where the State would find difficulty in securing tenants able to meet the economic rent. Should that circumstance arise, the State and Australian Governments may negotiate financial arrangements to avoid loss to the State.

It is in this context the State—through its administering agent the State Housing Commission—has approached the question of housing for Navy personnel of H.M.A.S. Stirling.

From the time the Housing Commission was first advised of a housing requirement for H.M.A.S. Stirling, it has taken the view that Kwinana should be the location. There is already a substantial investment in utility services—particularly headworks—which should not remain idle while serviced land is purchased elsewhere. Obviously it is sound practice to get a return as soon as possible on capital invested in services.

Likewise the commission has some responsibility to ensure as far as possible a continuing growth in Kwinana so as to provide the population to support adequate commercial and social infrastructure. This is to keep faith with organisations providing service in expectation of growth, and with the community which is expecting adequate facilities.

There is also an obligation on the commission to follow sound sociological practices in providing maximum social and demographic diversification in its estates. The infusion of Navy housing in Kwinana would provide a useful additional diversification.

These considerations have been made perfectly clear to all parties involved in discussions over a long period. At the same time the commission has not been adamant that Navy housing must go to Kwinana. That would be so only when no satisfactory alternate arrangement could be formulated for Navy housing elsewhere with concurrent guaranteed equal volume non-service housing in Kwinana. The current position is the Australian and State Ministers of housing—both of whom have a responsibility under the servicemen's Housing Agreement—have agreed that housing for H.M.A.S. Stirling should be built in Rockingham provided a land exchange can be negotiated on suitable terms and conditions.

The conditions, which have also been agreed between the Ministers, are—

- (1) The Housing Commission to obtain fully serviced land including sewer in exchange for fully serviced land including sewer in Kwinana.
- (2) The exchanged land at Kwinana to be used for the building of houses at a scale and within a time schedule comparable to the programme for Navy housing.
- (3) Condition (2) to be subject to a performance bond to ensure it is implemented.
- (4) Exchange land to be in scattered lots throughout the area.
- (5) Vendor of exchange land to undertake (with a performance condition) to exchange, if required, additional scattered lots of fully serviced land for any additional Navy housing programme later required for H.M.A.S. Stirling. Such subsequent exchanges to be subject to conditions (1) to (4) above.

Provided land exchange can be negotiated on these conditions, the housing for H.M.A.S. Stirling personnel will be built in Rockingham. Construction will be put in hand to ensure completion toward the end of 1975. If agreement cannot be reached on a suitable land exchange, the housing will be built at Kwinana.

QUESTIONS (9): WITHOUT NOTICE

1. NAVAL BASE AT COCKBURN SOUND

Deferment and Overaward Payments

Sir CHARLES COURT, to the Premier:

- (1) (a) Have there been discussions between the Commonwealth Government and the State Government about deferring the completion of the Garden Island Naval Base, or naval facilities—by whatever name it is officially called?
- (b) If so, what is the extent of the deferment proposed?
- (c) What are the reasons for the deferment?
- (2) (a) What is the extent of the overaward payments the Commonwealth Government is advocating, or is prepared to condone in respect of workers on the Garden Island contract?

- (b) Is it correct that the Commonwealth is prepared to allow these increases to be absorbed as an additional cost of the contract?
- (3) (a) Has the Government made an assessment of the impact such overaward payments would have if reflected in labour costs for all works projects—
- (1) in the private sector?
 - (ii) in the Government sector?
- (b) If so, what is the estimated impact?
- (4) Does the State Government approve of the Commonwealth overaward proposals without the matter being decided by the appropriate industrial arbitration and conciliation authority?

Mr. J. T. TONKIN replied:

- (1) to (4) As far as can be ascertained at short notice, no advice has yet been received from the Commonwealth Government on these matters.

2. FRENCH NUCLEAR TESTS

Effects

Mr. A. R. TONKIN, to the Minister for Health:

- (1) Will the State X-ray Laboratory study the effects of the recent French nuclear tests upon Perth's rain and air?
- (2) When will the results of such tests be likely to be available?
- (3) Will the results of the tests be made public?

Mr. DAVIES replied:

I thank the member for Mirrabooka for giving ample notice of his intention to ask the question, the answers to which are as follows—

- (1) Air and rain are continuously monitored.
- (2) Results are given of this monitoring to any interested party at any time on request to the State X-ray Laboratory.
- (3) Results will be published in the commissioner's annual report. Fallout figures for Australia are also released publicly from time to time by the Atomic Weapons Tests Safety Committee by tabling in the Commonwealth Parliament.

3.

DEVELOPMENT

Steel Mill in Pilbara

Sir CHARLES COURT, to the Minister for Mines:

With reference to the announcement about negotiations for an electric furnace steel mill in the Pilbara, will he please advise—

- (1) (a) What is the suggested annual tonnage for the steel mill if it is constructed?
- (b) Which are the 15 additional iron ore areas requested by the companies?
- (c) In whose name are these areas currently held and on what conditions?
- (2) Why is it necessary for additional areas to be allocated for this proposal having regard for the substantial areas already held under agreements and through other forms of title by the two companies concerned?
- (3) If the decision by the Government is to allocate these additional areas to the two companies, will a formal agreement be submitted to the Parliament for ratification or will the additional areas be allocated by the Government under the variation clause of one or more of the existing agreements?
- (4) Is the electric furnace steel mill proposal for greater or lesser annual tonnage than the steel making commitments of the companies concerned under existing agreements?

Mr. MAY replied:

- (1) to (4) In view of the insufficient time available to obtain the answers to this question I request it be placed on the notice paper and it will be answered tomorrow.

4.

STATE FINANCES

Budget Deficits and Surpluses

Mr. R. L. YOUNG, to the Treasurer:

My question relates to the answer given to question 26 on today's notice paper. The Treasurer claimed that any answer he may give to part (3) of the question would be based on hypothesis. I cannot understand how the Treasurer can make that claim seeing that the question simply asks for an explanation of expenditure in

certain areas which would have brought the total annual expenditure below the budgeted figure.

Mr. J. T. Tonkin: Part (2) or (3)?

Mr. R. L. YOUNG: Part (3).

Mr. J. T. TONKIN replied:

If the honourable member will look at the figures he will see they are the opposite from those which he had in mind when he posed his question. What I should have said is that I cannot understand the question.

5. STATE FINANCES

Budget Deficits and Surpluses

Mr. R. L. YOUNG, to the Treasurer:

I wish to follow up my previous question without notice with another question so that the Treasurer may understand what I am asking. If the Treasurer reads part (3) he will see that I asked—

(3) What reduction of expenditure was made in 1970-71 and 1971-72 that would have brought the total annual expenditure below the budgeted figure?

In other words I am asking whether there were any reductions in budgeted expenditure on the expenditure side, as distinct from the revenue side.

Mr. J. T. TONKIN replied:

I repeat that the question is hypothetical.

6. SITTINGS OF THE HOUSE

Breaks

Mr. McIVER, to the Premier:

(1) In relation to the Premier's notice of motion today in respect of the sittings of the House, will he indicate whether there will be a break at all before the end of the session?

(2) If so, would he please supply the House with details?

Mr. J. T. TONKIN replied:

(1) and (2) In reply to the member for Northam, I would like to inform the House that there will be no sittings of the Parliament during the week in which the A.L.P. conference takes place because a number of Ministers and members are obliged to attend that conference. This will be the week which includes the days of the 28th, 29th, and 30th August.

Parliament will not sit in the week which includes the days of the 4th, 5th, and 6th September because those are the days when

members will be away at the Constitutional Convention. At that time 12 members of Parliament will be absent, six from the Legislative Council and six from the Legislative Assembly, including the leaders.

Parliament will not sit during Show Week, which includes the days of the 25th, 26th, and 27th September.

7. JUSTICES OF THE PEACE

Aborigines

Mr. O'NEIL, to the Premier:

In view of the quite recent announcement that it is proposed to consider the appointment of a number of Aboriginal J.P.s, will the Premier give an undertaking that the usual procedures with respect to the appointments of justices of the peace will be observed?

The usual procedures are that justices of the peace are nominated by the member for the district or, at least, the member for each district is given the opportunity seriously to consider any nomination.

Will this procedure be observed?

Mr. J. T. TONKIN replied:

I see no difficulty in following the usual procedures in this case.

If they are not nominated by the members for the districts concerned and come from other districts, the members of the districts concerned will be advised of the nomination.

8. NON-GOVERNMENT SCHOOLS

Grants: Review

Sir CHARLES COURT, to the Premier:

This question is completely without notice but I think it is quite straightforward.

Does the Government propose to make any recommendations to the Commonwealth Government to ask it to reconsider the decision in respect of grants to independent schools in view of what I consider to be an inequitable announcement; namely, the so-called "wealthy" schools in category A are to be phased out as from 1975?

Mr. J. T. TONKIN replied:

In reply to the Leader of the Opposition, I feel sure he knows the procedure has already been laid down and provision is made for a review.

I assume that the schools affected will not lose any time in asking for a review by the committee which made the recommendations to the Government.

9. NON-GOVERNMENT SCHOOLS

Grants: Review

Sir CHARLES COURT, to the Premier:

I wish to ask a further question arising out of the answer the Premier has just given.

In view of the fact that representations from these schools would be greatly facilitated if they had the support of the Government, will he undertake to assist them in their recommendations?

MR. J. T. TONKIN replied:

In reply to the Leader of the Opposition, if the schools concerned feel they need my assistance to enable them to make a request for a review, I shall be quite prepared to support their request and forward it on to the committee.

WORKERS' COMPENSATION ACT AMENDMENT BILL

Second Reading

Order of the Day read for the resumption of the debate from the 24th May.

Withdrawn

MR. HARMAN (Maylands—Minister for Labour) [5.40 p.m.]: Mr. Speaker, you may recall that in the last few hours of the session which concluded in May the Opposition raised a point which, I thought, was an extremely good one. The Deputy Leader of the Opposition said that it was difficult to understand and read into the present Workers' Compensation Act the Bill which is before the House together with the amendments which appear on the notice paper.

I intend to ask leave of the House to withdraw the Workers' Compensation Act Amendment Bill which is now before us in order that another Bill, incorporating the provisions of the present one and the amendments on the notice paper, may be introduced at a subsequent time which, I hope, will not be too far away.

In addition, the Opposition also requested the Government give consideration to reprinting the Workers' Compensation Act. The Government, of course, is always anxious to oblige.

Sir Charles Court: We have not noticed.

MR. HARMAN: We have, in fact, reprinted the Workers' Compensation Act. I hope the House will grant leave to withdraw the present Bill so that a new

measure incorporating the amendments on the notice paper may be introduced. In this way, everybody will be able to understand the Bill and this should ensure the passage of the legislation through this Chamber. I ask leave of the House to withdraw the Bill.

MR. O'NEIL (East Melville—Deputy Leader of the Opposition) [5.42 p.m.]: I thank the Minister for Labour for making a correct decision on an important matter in what is his maiden speech as a Minister in this House. It has taken a long time for the Opposition to achieve its aim of having the Act reprinted. The draft copy has been available for a couple of years and even on previous occasions when amendments to the Workers' Compensation Act have been introduced we have not had an up-to-date Act to deal with. I have made the request for a reprinted Act by way of questions asked of the previous Minister for Labour and also by including such a request in my remarks on the last occasion when we discussed the Bill in this Chamber. I am extremely grateful the Government has seen its way clear at least to facilitate the consideration of its proposals.

I suggest the Minister should go a little further and advise some of those who are supporting rather strongly proposals to amend the Workers' Compensation Act that the Bill is, in fact, still in this Chamber and has not been defeated by the Legislative Council. A considerable amount of publicity is abroad and the accusation has been made that the Bill has been rejected—or emasculated—by the Legislative Council. In fact, the Workers' Compensation Act Amendment Bill has not been properly considered by this House and it has certainly not been before the Legislative Council.

Bill, by leave, withdrawn.

TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 3rd May.

MR. McPHARLIN (Mt. Marshall) [5.45 p.m.]: This Bill intends to extend the operations of the parent Act, and also to provide for it to cover all goods, services, and real estate. It widens the provision in relation to offences for publicising or publishing false advertisements and inaccurate or misleading advertisements. The measure also widens the reference to publications to include advertisements on television.

The principal amendments are to section 8 of the Act which relates to the offences for publishing false advertisements.

Of course, the matter of misleading or false advertisements is one which has caused concern to a number of people for many years. I have here, Mr. Speaker, the Molomby report. The Molomby committee thoroughly investigated consumer credit laws and delved into the matter of advertising and misleading advertising. One of the comments made by the committee was as follows—

The committee considers that the principal purpose of the suggested legislation should be to make it an offence for a supplier of goods or services or a provider of credit to cause publication of an advertisement relating to such goods, services or credit containing any assertion, representation or statement that is inaccurate, untrue, deceptive or misleading and which that person knew or might on reasonable investigation have ascertained to be inaccurate, untrue, deceptive or misleading.

Misleading advertising came under discussion during an investigation carried out into hire-purchase and other agreements by an Honorary Royal Commission of which I was the chairman. Witnesses gave evidence about aspects of misleading advertisements which affected one section of industry—the motorcar industry. Of course, it is known that this is not the only industry which is affected by misleading advertising and false trade descriptions.

It was emphasised in the evidence given to the commission that some measure to give a degree of protection or more protection to consumers is necessary. I believe the Bill before us is an attempt to move in this direction, but it could be argued that the provisions in one or two clauses go a little too far. However, the submissions made to the commission indicate that there is a considerable amount of support for legislation of this kind.

A fairly lengthy submission was made on behalf of the Western Australian Automobile Chamber of Commerce. This submission contained useful information, suggestions, and criticisms. I believe one of the paragraphs of the submission is relevant to the present debate. It reads—

Over a long period the Chamber has also been concerned at the practise of the inevitable minority of dealers with respect to their advertising or publicity policies. It is to be expected in a highly competitive industry, such as vehicle selling, that advertising of original and unique nature will be used to attract custom but the Chamber believes that if a minority are permitted, through lack of suitable legislative control, to develop their publicity to the stage of it being 'gimmick' or even misleading or dishonest

advertising, then they establish a pattern which virtually forces other competing businesses to do likewise.

One of the most objectionable features in relation to advertising in the motorcar industry is ghost advertising. One witness told us that on three occasions he had been caught because of ghost advertising. I believe preventive measures are necessary in this area because this type of advertising can and does occur.

The witness claimed that a 1967 Toyota Corona sedan was advertised as being for sale by a certain used car dealer. He phoned the dealer at 7.50 a.m. and apparently spoke to the service manager who advised him of the location of the car. The witness asked the service manager whether he was quite sure of this fact, and the service manager replied that he was.

The witness arrived at the yard at 8.15 a.m.; that is, 25 minutes after he made the first telephone call. The salesman informed him that the car had gone. That was the first occurrence, but the same thing happened on two further occasions. The car was not in the yard, and the advertisement was a gimmick to attract the customer in an endeavour to sell him another vehicle.

This is misleading and false advertising, and I firmly believe that the measure we are presently debating goes a certain way towards preventing some of these practices.

Other recommendations were put forward in connection with this type of advertising, and a suggestion was made that every advertisement for a used car should show the retail price and also the registration number of the vehicle. The information in regard to repayment should also show the period of repayment. Further suggestions were put forward in an endeavour to prevent the misleading advertising which has taken place in this industry.

Of course, false trade descriptions and misleading advertising can occur in other fields. It was suggested—and I would like the Minister to note this—that it would be a good idea to appoint a committee to whom advertisers may apply for guidance. Such a committee could be appointed from people experienced in advertising, and include a legal representative and a representative of the consumers. Advertisers could apply to the committee to safeguard themselves in regard to any proposed advertisement. The committee could advise whether an advertisement submitted to it would offend against the Act.

I suggest to the Minister that he may consider this would be a useful way to offer protection, not only to a trade which wished to advertise, but also to consumers who would know that advertisements were accurate. I believe such an idea has been tried in relation to other legislation and has worked reasonably well.

I would like to draw one product to the attention of the Minister, and that is synthetic meat. The dictionary gives the meaning of the word "meat" as "animal flesh, as food". At the present time synthetic meat is coming onto the market, and producers of meat have expressed some concern that the labelling of this product is not as effective as it could be, and that the synthetic meat may intrude into the meat market.

I suggest that if this "meat" is to be canned then the word "synthetic" should be displayed prominently on the can to ensure that people are not misled into buying the product as genuine meat. I put forward this suggestion because concern was expressed at the recent Country Party conference that the word "synthetic" may not be displayed prominently enough, and people could be misled.

Mr. A. R. Tonkin: According to the definition you read out, should the word "meat" be used at all?

Mr. McPHARLIN: There may be some natural meat in synthetic meat, so there could be some justification for calling it meat. However, I think investigation is necessary to ensure that if this product is not made of genuine meat the word "synthetic" should be prominently displayed.

Perhaps other provisions of the Bill could be criticised because they may appear to be a little too severe, and maybe slightly different words could be used. The amendments are not restricted solely to advertising, but refer also to statements that are televised or broadcast. I think the meaning of the word "statement" should be closely examined to see what interpretation could be placed upon it and whether prosecutions could be brought successfully against persons for making such statements. It appears that the provision could be a little too severe.

Another aspect to which I would like to draw attention is the use of the words "inaccurate or misleading" in proposed new section 8(1)(a)(i). I suggest to the Minister that perhaps it may be sufficient to use only the word "misleading". I feel the use of the word "inaccurate" may exaggerate the effect of the proposed new subparagraph, and may not be necessary at all. I hope the Minister will examine the matter.

I do not offer opposition to the measure. I think the amendments are necessary and will bring the original Act up to date, particularly with reference to the matter of television advertising. At present the Act refers only to radio broadcasts, and the measure will bring it up to date. I think the Bill offers a degree of protection that has perhaps been lacking, and although I do not offer opposition to it, I suggest the words to which I have referred should be examined in an attempt to make the legislation more effective.

MR. THOMPSON (Darling Range) [5.59 p.m.]: I wish to indicate the support of the Liberal Party for this measure, subject to a minor amendment which appears on the notice paper. The parent legislation was enacted many years ago and has not been amended for some time. When one considers the changes that have occurred in recent years in marketing and advertising—particularly following the advent of television—it is clear that the Act must need upgrading. We wish to support the measure because we believe the public must be afforded protection from unscrupulous advertisers and sellers. I think the measure is also desirable from the point of view of the ethical advertisers and marketers of various goods. I am sure it will receive the approbation of all ethical people involved in the advertising and presentation of goods to the public.

The Leader of the Country Party referred to a case of false advertising in respect of motor vehicles. I would like to draw attention to another area in which this type of advertising occurs. I know of a case in which a real estate salesman advertised in *The West Australian* on a Thursday that he urgently required a duplex property. A person I know replied to the advertisement and gave the salesman details of the property he owned. The real estate agent said, "My client will not be down from the country for a couple of days, but I will get him to have a look at it when he comes down." However, in the next edition of *The West Australian*—on the following Friday—an advertisement appeared under the name of the same real estate agent which offered for sale what was clearly the property that my constituent had mentioned to the agent, and of which he had given him details on the previous day. At present that is already an offence, and the Bill does not contain any stiffening of the appropriate section in the Act.

However, clearly the difficulty is to be able to catch such people and to prosecute them successfully for misleading advertising. I believe it is time that the Real Estate Institute of Western Australia stepped into this area and kept a closer watch on its members, because I am aware of cases in which members of the Institute have been guilty of this type of behaviour.

I would like to indicate my support for the suggestion put forward by the Leader of the Country Party that a committee should be set up to analyse and keep an eye on the advertising industry.

Mr. May: That is rather paradoxical because in 1963-64 your Government refused to accept a motion I introduced into Parliament to appoint a Select Committee to inquire into this.

Mr. THOMPSON: I am expressing a point of view in the light of present-day circumstances. Possibly members on this

side would now support such a motion. However, I am not in a position to speak for them; I am stating our attitude to this Bill.

I have been approached on a number of occasions by citrus growers in my electorate who have complained bitterly about the sale of orange and lemon drinks in cans and other containers because they claim that only a minute percentage of the contents of the containers is in fact orange or lemon juice. I have a couple of cans with me.

Mr. A. R. Tonkin: Will you table them?

Mr. THOMPSON: No, because I cannot be sure that the Minister will not slip into them! The first can carries the name of a well-known manufacturer, and the label states that it is an orange drink. I am assured by my constituents that the drink contains only a minute percentage of orange juice. The second can bears the name of an equally well-known manufacturer and is labelled "Orange flavoured drink". There is a distinct difference between the two labels. My constituents find nothing wrong with advertising a product as orange flavoured drink, but they object to a product being sold as orange drink when in fact it does not contain very much orange juice.

In the last few years an increase has occurred in the amount of fresh orange juice packaged and sold. The percentage of orange content is stated on most containers, and I believe that is a desirable approach. The public have a right to know what percentage of a particular food is actually contained in a package which purports to contain that food.

I believe all these matters should be covered by the legislation, but I agree it must be difficult to administer in this respect and, in fact, the lack of action over the years indicates that such must be the case.

I do not wish to prolong the debate. The leader of the Country Party has covered most aspects of the legislation, and I merely wish to indicate to the House and to the Minister in particular that, subject to the one amendment we have on the notice paper, we support the Bill.

MR. HARMAN (Maylands—Minister for Labour) [6.06 p.m.]: I thank the Leader of the Country Party and the member for Darling Range for their support of the Bill. The Government has introduced this measure as a part of its programme in regard to consumer protection. This Government was the first to introduce a Consumer Protection Act for the purpose of establishing the Consumer Protection Council and Bureau and now, as the Government, we are asking that the Trade Descriptions and False Advertisements Act be amended by the provisions contained in this Bill.

I am pleased to be able to say that the Leader of the Country Party was, a short time ago, appointed as Chairman of the Honorary Royal Commission which investigated many aspects of hire-purchase agreements in this State and, because of the knowledge he gained in that capacity he has, this evening, shown he is well aware of the need to improve our legislation that deals with various aspects of advertising.

Other members of that Honorary Royal Commission are also conscious of the need to improve this Act which was last amended in 1936. The leader of the Country Party has suggested that I should consider the formation of a committee which could be consulted by advertisers, manufacturers, or any other person who wishes to advertise. I would be only too happy to give consideration to that suggestion. Also, in regard to synthetics I will ask my advisers to submit a report on this subject with a view to ascertaining whether some action is necessary. In conclusion I advise the member for Darling Range that we will, in Committee, discuss the proviso that he has made in regard to the support of the Bill by his party; that is, that the amendment he has on the notice paper be agreed to. Once again I thank those members who have spoken for their support of the measure.

MR. O'NEIL (East Melville—Deputy Leader of the Opposition) [6.09 p.m.]: In speaking to the Bill at this stage I wish to explain that I am taking this unusual step because the Minister in charge of the Bill is not the Minister who introduced it, and therefore he cannot close the debate. The reason that I have risen to my feet is to correct the Minister in one aspect. He made the comment that the last occasion this Act was amended was in 1936. I merely wish to correct that by stating that while I was Minister for Labour amending Bill No. 20 of 1969 was passed by this House.

Question put and passed.

Bill read a second time.

In Committee

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

Clauses 1 to 8 put and passed.

Clause 9: Section 8 amended—

Mr. THOMPSON: The Minister has just illustrated the very point I wish to make; that is, he was clearly of the opinion that the principal Act was last amended in 1936, but the Deputy Leader of the Opposition has pointed out to him that that is not so. Therefore the Minister did make an inaccurate statement. It was

taken for granted that he believed the last amendment to the Act was in 1936. In point of fact it was not and that fact was established by the Deputy Leader of the Opposition who claimed that the Act was amended in 1969.

In regard to television advertising, because of the short time allotted for each advertisement it is possible for the advertisement to be inaccurate in some minor detail, without necessarily materially affecting the message that is being conveyed to the public. For that reason I move an amendment—

Page 4, line 27—Delete the word "inaccurate".

The Bill will lose nothing by the deletion of this word but it will make the legislation more flexible for those people who have to operate under it.

I fully support the intention of this provision but I think life will be made extremely difficult for those persons who are carrying out responsible tasks and who may fall into the trap of making an inaccurate statement which is not necessarily misleading to such an extent as to cause some person to spend money which otherwise he may not have spent.

Mr. HARTREY: I oppose the amendment. Certainly a mere inaccuracy should not make a person criminally responsible for any kind of offence, but this clause states quite clearly that a person shall not publish any statement which "is to his knowledge false, inaccurate or misleading". If a man, to his knowledge, makes a statement that is inaccurate he is simply telling a lie and doing precisely what the Act is aimed at preventing. In fact, I think it would be fairly difficult, even with the word "inaccurate" remaining, to enforce this provision successfully.

I have had some experience defending people in criminal cases and I would not show much hesitation in defending some unscrupulous car salesman if he were charged under this provision. I do not say I would succeed in my defence, but I think I would have a fair chance of succeeding even with the word "inaccurate" in the provision.

The word "inaccurate" means incorrect and not in keeping with reality. If I make a statement about something in an advertisement, knowing it is not accurate, that is precisely what this clause is aimed at preventing.

Mr. THOMPSON: I do not wish to pit my knowledge of the law against that of the member for Boulder-Dundas, but I submit it may be possible for a person writing a script for an advertisement inadvertently to make a statement that is inaccurate to a minor degree but which

may not necessarily be of such a nature as to cause a person to purchase goods he did not wish to purchase.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. THOMPSON: Before the tea suspension I had moved for the deletion of the word "inaccurate". I contend that an advertisement may be substantially correct in every respect, but it could be construed that some inaccurate statement has been made. Although it is agreed that the statement is inaccurate this may not materially affect the presentation of the advertisement. For that reason I hope the Minister will agree to the amendment.

Mr. HARTREY: There is no substance in the argument of the member for Darling Range. As to what is an inaccuracy may be the subject of discussion, but as to what is the meaning of making an inaccurate statement which to one's knowledge is inaccurate is not open to any ambiguity or doubt.

Under the wording in the Bill no court would convict a person unless it was satisfied beyond reasonable doubt that that person made a statement which was inaccurate, and which he knew to be inaccurate when he made it. The idea of the honourable member that some ambiguity might arise, or that a person might be convicted unwittingly, is not supported by the words used in the clause. The wording is—

A person shall not publish or cause to be published any statement which . . . is to his knowledge false, inaccurate or misleading in a material particular.

It must be in a material particular, and it must be to his knowledge false or inaccurate; in other words it is not a correct statement.

If a person makes a statement which to his knowledge is not correct or is misleading in a material particular, why should we hesitate in making that an unlawful act? I can see no justification for the amendment. There is no chance of anyone, who has no intention to defraud, being convicted by a court because it must be proved to the satisfaction of the court that that person knew what he was doing.

Mr. HARMAN: I hope the Committee will vote against the amendment. I apologise to the Chamber for saying that the Act was last amended in 1936; what I meant was that it was passed in 1936. The amendment before us places the Chamber and the Leader of the Country Party in a difficult position, because in the report of the Honorary Royal Commission appointed to inquire into hire-purchase and other agreements appears a chapter under the heading of "Misleading Advertising".

This appears on pages 45 and 46 of the report. The following appears in that chapter—

The Molomby Report, page 135, reads as follows:—

The committee considers that the principal purpose of the suggested legislation should be to make it an offence for a supplier of goods or services or a provider of credit to cause publication of an advertisement relating to such goods, services or credit containing any assertion, representation or statement that is inaccurate, untrue, deceptive or misleading and which that person knew or might on reasonable investigation have ascertained to be inaccurate, untrue, deceptive or misleading.

That Honorary Royal Commission, of which the Leader of the Country Party was the chairman, adopted this view and agreed to the insertion of the word "inaccurate". Similarly the South Australian legislation uses the word "inaccurate".

As was pointed out by the member for Boulder-Dundas, I cannot see that any person is likely to be placed in jeopardy, or in a position where he could be charged and convicted, unless the circumstances are different from what is set out in the clause.

There is also a provision in the Bill which sets out that where an inspector of the department brings to the notice of a person causing an advertisement to be made that it contains an inaccurate statement, but subsequently there is no change in that advertisement, then that person will be in trouble. However, such a person will not be in trouble for inserting an advertisement which he knowingly believes to be accurate. When an inspector says to that person, "We have looked at the advertisement and we think it is inaccurate. We are passing on the information to you" I imagine the latter would change the advertisement at that stage.

I will allay the fears of the member for Darling Range by assuring him that I will have this information checked. I would like to see the Bill pass in its present form. A similar piece of legislation has worked in South Australia, and this Bill should be workable in this State. I should point out that it would be embarrassing for the Leader of the Country Party to have to vote against something which he has recommended.

Mr. MENSAROS: It is not a superfluous argument to determine whether or not the word "inaccurate" should be retained. The member for Boulder-Dundas has asked what the word "inaccurate" means. However, I would ask what does "inaccurate" mean in combination with the words "false" and "misleading"? If we use only

the word "inaccurate" I would accept the view that this means something which is not true, but here we have the words "false" and "misleading" used as well. In my view the word "false" means something more than "inaccurate". If it does not, then one of the words is superfluous.

If we use the two words then to my mind the word "false" would mean a complete untruth and the opposite of right or true; but the word "inaccurate" would mean the opposite of "accurate" in every detail. If we include the two words in the provision then when the legislation is passed, anybody interpreting the provision will think quite rightly that the legislators wanted to emphasise both words, because they included the words "false" and "inaccurate".

Therefore the Legislature wanted to provide not only that the advertisement should not be false in this material particular, but also that it should not be inaccurate. I will give an example which occurs every day. A house is let with window treatments and floor coverings. This is essentially a true statement. It might not be 100 per cent. accurate if one small room—the pantry for instance—has no floor covering. It could be claimed that it is inaccurate, but it is not false basically. I would like the Minister to explain further his reference to the Royal Commission having suggested the word and to the South Australian legislation containing it, whether "inaccurate" is on its own, or combined with "false".

In litigation the prosecutor, if he so desired, could very easily prove that virtually any advertisement is, in some sort of material, inaccurate. For instance a metallurgist could indicate that the description of a certain material is not accurate. This applies to all sciences; and the point taken by the member for Darling Range is quite right because the word "inaccurate" after the word "false" and before the words "or misleading" is superfluous. On the other hand, the Minister's intention would not suffer one iota if he deleted the word "inaccurate" because the word "false" would serve his purpose.

If the drafting of this provision is contrary to the provision in the existing legislation then some reason, other than the fact that the word is recommended in the Royal Commission's report, or the fact that it is included in the legislation of some other State, must exist. The Minister should give some examples of how advertisements have been not only false, but also inaccurate, thus causing some disadvantage to certain people, necessitating action by the consumer protection authority. If he had given some examples we would perhaps be able to understand why the word "inaccurate" is necessary in combination with the word "false". I support the amendment.

Mr. HARTREY: Once again let me say that I have always attributed—and not unjustly—to the member for Floreat an appreciation of the fundamental principles of law, but on this occasion he is astray. He wants to take the three words separately and seek their separate meanings in a dictionary. This cannot be done.

Mr. R. L. YOUNG: That is exactly the opposite to what he said. He said they had to be taken together.

Mr. HARTREY: If three similar words are found—not identical words—then what is called the *ejusdem generis* rule of interpretation is applied. For argument's sake, if a lease contains a provision that the lessee may at reasonable times enter the premises with an architect, a clerk, and others, that does not mean that a policeman may enter. It means that people who are ancillary to architects or clerks may enter. For instance, for the purpose of examining a house a builder is similar to an architect, but a policeman is not.

I agree with the member for Floreat that "false" definitely means "deliberately false"; "notoriously untruthful", and "to the knowledge of the person in question". "Inaccurate" and "misleading" have the same sort of meaning, but they do not have precisely the same meaning as "false". For instance, if I said a house had window treatments and carpets, but it was ascertained that the pantry did not have a carpet, in this context that would not be inaccurate.

Mr. Thompson: I guarantee you would put up a good argument in court to indicate that it was.

Mr. HARTREY: If I did I would be completely crushed by any intelligent magistrate.

I was challenged to give an illustration of what the word "inaccurate" means. I will give a common one. I have a case on my books at this moment of a firm in Kalgoorlie which sold a motorcar for \$3,100 on hire-purchase terms. The company described the vehicle as a 1968 Ford Galaxy. Because one of the parts required replacement, the new owner took the car to the Ford representative in Kalgoorlie and asked for the part for a 1968 model. The salesman looked through the window and asked whether his client was referring to the car outside.

When the answer was in the affirmative, the Ford representative informed the person that the car outside was a 1965 model and not a 1968 model. However, it would still have to be proved under this Bill that the salesman who stated that the car was a 1968 model knew the statement was false.

It is obvious therefore that the Act is not tough enough; it is certainly not too tough because even though a very inaccurate

statement is made, it must still be proved that the person who made it did so to his knowledge.

Mr. R. L. YOUNG: The member for Boulder-Dundas commenced the last of his three contributions on this particular clause by saying that the member for Floreat had said exactly the opposite to what he did, in fact, say.

Mr. Hartrey: He took the word "inaccurate" out of its association with the other words.

Mr. R. L. YOUNG: He did not. He said that the three words must be read together.

Mr. Hartrey: But he did not do that.

Mr. R. L. YOUNG: He then asked why one of those words was included. The word "false" in this context clearly means a positive thing. Someone has to make a positive statement which to his knowledge is absolutely false in a material particular. He also has to make it knowingly to promote the sale of certain goods.

The member for Boulder-Dundas argues against himself by talking about a person who made a clearly false statement by representing a 1965 car as a 1968 car. However, what we must do is look inside the words of this particular clause to see whether or not we should be considering finer points.

Let us take the classic example of an advertisement which appears on television concerning a pimple cream. If the advertisement states that the application of the cream will ensure the user does not ever have pimples again, that is obviously a false statement made knowingly—

Mr. Bickerton: How do you know that?

Mr. R. L. YOUNG: —because the manufacturers of the cream could not stipulate categorically that the user would not ever have pimples again. All they can claim is that if the cream were used there is a very good chance that the user would not have pimples again. It could perhaps be an inaccurate statement.

The word "accurate" means that one has to be exact in every detail. The word "inaccurate" is nonpositive and, therefore, the connotation varies a great deal. Advertisements which are abhorrent to me appear on television every night but they do not fall within these provisions. Perhaps we have to be more accurate in our legislation. People knowingly have been making inaccurate statements for years and years within the realms of reasonable advertising because in this text the word means that the statement does not have to be accurate; it does not have to be exact.

Mr. Hartrey: The word "accurate" does not mean "exact".

Mr. R. L. YOUNG: Accurate does mean exact. Therefore, the argument put forward by the member for Floreat is not

specious, as the member for Boulder-Dundas tried to suggest. I think it is a very good argument and I support the deletion of the word "inaccurate".

Amendment put and negatived.

Clause put and passed.

Clauses 10 and 11 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

DOOR TO DOOR (SALES) ACT AMENDMENT BILL

In Committee

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

Clause 1 put and passed.

Clause 2: Section 2 amended—

Mr. R. L. YOUNG: During the second reading debate I said it seemed strange to me that we should have a Bill before us which specifically denies a man the opportunity to work 40 hours a week. Under the provisions of this Bill a book salesman, or any person selling goods within the meaning of the Act, will work between the hours of 9.00 a.m. and 5.00 p.m. If the person concerned takes off the normal time for a break in the middle of the day he would not be able to work for 40 hours as he would be entitled to do under normal working conditions.

To test the feeling of the Minister on this particular aspect, and to back up what I believe to be a perfect right of any individual who desires to do more than the basic requirements of earning a livelihood, I propose to move an amendment so that a salesman will be able to operate between the hours of 8.30 a.m. and 5.30 p.m. I move an amendment—

Page 2, line 20—Delete the words "nine o'clock" and substitute the words "half past eight".

Mr. HARMAN: I hope the Committee will vote against the amendment proposed by the member for Wembley. This Bill is designed, primarily, not to assist a person selling books or goods; it is designed for the protection of persons in their residences.

Mr. May: Especially the housewives.

Mr. R. L. Young: I will get the Minister on his later proposed amendment.

Mr. HARMAN: I am quite surprised at the attitude adopted by the member for Wembley. He is virtually saying that a householder should be inflicted with a caller as early as 8.30 a.m. The intention of the Bill is that salesmen do not start their door-to-door operations until 9.00 a.m.

The argument put forward by the member for Wembley regarding a 40-hour week does not impress me because many people in Western Australia do not work a 40-hour week. In fact, many people work for only 37½ hours or even 35 hours per week.

Although the Bill states that an operator can only knock on a door between the hours of 9.00 a.m. and 5.00 p.m., on a week day, he can, by arrangement with the householder, call back at any convenient time to discuss a purchase. I consider we are giving an operator a fair go by allowing him to call between 9.00 a.m. and 5.00 p.m. By arrangement with a householder he will be able to do business outside of those hours. The intention of the Bill is to allow a householder to be free from callers until at least nine o'clock in the morning.

I ask the member for Wembley to think seriously about the householder because the amendment which he proposes would inflict upon a householder visits by door-to-door salesmen at half past eight in the morning. This is a time when the mother of the house has just sent her children off to school and is probably sitting back attempting to relax for a few minutes. All of a sudden there would be a ring on the front door and somebody would be wanting to sell her books.

At 9.00 a.m. the situation is somewhat different and, for this reason, I hope the Committee will vote against the amendment.

Mr. R. L. YOUNG: The Minister's first attempt at arguing against an amendment to one of his Bills is, to my way of thinking, fairly poor. This will be evident in some of the arguments he will be forced to use in later amendments which, admittedly, his predecessor put on the notice paper but which he will be obliged to defend.

The Minister would have the Chamber believe that every single householder in every suburb in the metropolitan area or in other parts of the State will be disturbed by a knock on the door by a salesman at 8.30 a.m. The Minister is saying that if the Committee votes against the amendment thousands of housewives will be spared the agony of having somebody knock on the door at 8.30 a.m.

Surely it is better to take the attitude that few people indeed in the community do this type of door-to-door work. However, the Minister would deny people who sell door to door the right to work 40 hours a week. The Minister painted a picture to the Committee which indicated that almost everybody would have people invading their homes at 8.30 a.m. The position is that there would be few people upon whose doors a salesman would be knocking at 8.30 a.m. It is not right to adopt that attitude and deny a person whose living is based upon the sale of these

products the right to work 40 hours a week. The Minister has given a specious argument and is defending the Bill simply for the sake of defending it and not specifically because we are supposed to be writing good legislation. It is defence for the sake of defence.

Some people may be inconvenienced. I use the word "may" deliberately because I am not saying that all door-to-door salesmen will want to work 40 hours a week. However, we should certainly not write legislation which denies them the right to work 40 hours if they so wish.

Mr. May: Do you not think the purpose of the Bill is to look after the housewives and not the salesmen?

Mr. R. L. YOUNG: I will go into great detail on that question when talking to another clause suggested by the Minister's predecessor in office. I admit the basis of the legislation is to protect the person upon whose door these people knock. At the same time I do say that we should not enact legislation which denies the few the right to work the number of hours they want to work within the norm of working hours. To argue against the amendment on the ground that a great number of people will be inconvenienced is specious because they will not be.

Mr. May: Of course they will be.

Mr. R. L. YOUNG: A few people may be inconvenienced but we must look at this on the basis of arithmetic. Very few people earn their living by selling goods door to door. On how many doors can they knock at 8.30 a.m.?

Mr. May: That is not the point. Even if they call on four people they will inconvenience those four.

Mr. R. L. YOUNG: I admit some people will be inconvenienced but, then again, some will be inconvenienced if they call at 9.00 a.m.

Mr. May: That is right.

Mr. R. L. YOUNG: However, the legislation has been enacted and the Parliament has provided that they may be inconvenienced at 9.00 a.m.

Mr. May: The inconvenience is not the same as it would be at 8.30 a.m.

Mr. R. L. YOUNG: We must consider the people who earn their living in this way. We cannot enact legislation in this place which will deny them the right to work 40 hours a week. I know members on the other side of the Chamber believe in a 35-hour week but, if this were given, they would probably press for 30.

The CHAIRMAN: I think the honourable member should stick to the amendment.

Mr. R. L. YOUNG: I am sticking to the amendment inasmuch as I desire to give any individual the right to work 40 hours a week if he wants to do so. To pass legislation denying that right is totally unfair. The argument advanced by the Minister is specious because it does not fit the situation. We must protect everyone in the community.

Mr. May: Some were working for two hours a night from 9.00 p.m. to 11.00 p.m. This was the reason I originally introduced the legislation.

Mr. R. L. YOUNG: I admit the Minister has a point. I certainly would not want anyone knocking on my door between 9.00 p.m. and 11.00 p.m. The Bill states that a door-to-door salesman is allowed to call between 9.00 a.m. and 5.00 p.m. but not at other times, although certain exceptions are provided for in the measure.

I admit that some who sell door to door are not nice people and I will go into that aspect later on. What I am saying is that we should give the fellow who is prepared to get off his tail and do a hard job the right to work 40 hours a week if he is genuinely prepared to work within the framework of the Act. We should not deny him that right.

Mr. HARTREY: I strongly support the Minister in this matter and I have extremely good reasons for doing so. This subject is a phenomenon which has come within the ambit of my professional experience over many years. Door-to-door mesmerists are not to be encouraged at all.

The member for Wembley has said that we cannot prevent a man from earning his living in this way. I assure him that we could and a time may come when we stop it altogether. Mendicant mesmerists get on my nerves and have robbed my clients from time to time. I protest against the idea of housewives being tormented at 8.30 a.m. or 5.30 p.m. In the morning they are trying to get the children off to school and in the afternoon they are trying to cook dinner. This is the time when the mesmerists come around. Often the children are crying and the mother is trying to pacify them and cook a meal at the same time. A fellow comes around and tries to tell them about a marvellous sewing machine which has come onto the market.

Mr. R. L. Young: How much would the salesman earn if that was the only time he came around?

Mr. HARTREY: That is the time when the salesmen get the mugs in. It is ridiculous to suggest that there are only a few mendicant mesmerists. Perth swarms with them and even Kalgoorlie has a large number. Often they come from Perth, rush around selling rubbish, and badger

housewives. The purpose of the legislation is to protect the sanctity of the home from mesmerists. I certainly am not prepared to apologise for not allowing them to work 40 hours a week. If I had my way I would not let them work at all. If we are to tolerate them we should not tolerate them to the disadvantage of people who are far more entitled to the protection of Parliament than are door-to-door salesmen. The legislation was enacted initially only because the public had had the experience over many years of frauds, swindles, and embarrassments caused to householders. It is ridiculous to suggest that we cannot stop people from working certain times. For example, bar-men are not allowed to work on Sundays except for limited hours.

Mr. R. L. Young: They have the right to work 40 hours a week.

Mr. HARTREY: The hours worked on Sunday are not part of those 40 hours.

Mr. R. L. Young: They are allowed to work 60 hours.

Mr. HARTREY: I will not argue on that point. What I am saying is that this legislation is designed to protect the public. The function of Parliament is to protect the public and not to protect those who annoy the public. I am 100 per cent. behind the intention of the legislation and I will vote for it solidly as it is now, resisting any attempt to make any concessions to people who badger the public.

Mr. A. R. TONKIN: I rise because the member for Wembley used the term "specious" about five times and I do not think he should have done so. In fact, his arguments were extremely specious. The member for Wembley said that no-one would be affected at this time.

Mr. R. L. Young: I did not say that.

Mr. A. R. TONKIN: The honourable member suggested that this was not worth worrying about because of the number involved. If so few people will be affected at that time, why is the member for Wembley worried? If practically no-one will be visited between 8.30 a.m. and 9.00 a.m., why is he concerned?

If one person is interfered with at that time through someone knocking on the door of his house, that one person deserves the protection of the law. I consider the argument used by the member for Wembley was extremely specious because he was making a fuss about salesmen not being able to call before 9.00 a.m. when they probably would not want to do so anyway. If that is not a specious argument I do not know what is.

Mr. R. L. YOUNG: Both arguments advanced in the last two speeches are inaccurate—and I think to the knowledge of the two members concerned. Firstly,

the member for Boulder-Dundas tried to make us believe it was just at 8.30 a.m. and just at 5.30 p.m. that these "mendicant mesmerists" would land on people's doorsteps. The member for Mirrabooka said I had claimed no-one would be affected.

Mr. A. R. Tonkin: Almost no-one, anyway.

Mr. R. L. YOUNG: I admit some people will be affected.

Mr. A. R. Tonkin: You say, "So what?"

Mr. R. L. YOUNG: People will also be affected between 9.00 a.m. and 5.00 p.m. The member for Boulder-Dundas argues that I am five hours wrong but he is quite happy to support the Minister, who is 35 hours wrong. He says he supports the provision in the Bill to enable salesmen to call between 9.00 a.m. and 5.00 p.m. but not between 8.30 a.m. and 5.30 p.m. On that basis, the Minister is 35 hours a week wrong, and the member for Boulder-Dundas supports the Bill with all his heart and soul. That is totally wrong in argument and in logic.

If a member is determined to object to a principle which allows people to work 40 hours a week, on the basis that it might be five hours wrong, but he wholeheartedly supports the Minister, who, he admits, is 35 hours wrong, the Chamber must reject his argument.

The member for Mirrabooka claimed that I do not care about the people at the door. Of course I care about them. I care about the fact that they might be inconvenienced between 9.00 a.m. and 5.00 p.m. I do not at any time like some of the tricks used by some of the people who come around. I will go into that later when dealing with some of my amendments which are designed to improve this legislation. However, if we accept a person in the community for 35 hours a week, as the Minister proposes, I do not deny that person the right to be accepted for another five hours a week. I know he will cause inconvenience.

Mr. A. R. Tonkin: What prevents him from starting at 7.00 a.m.?

Mr. R. L. YOUNG: I agree there must be specified times. I am trying to make them a little more flexible so that a man can earn his money within a 40-hour week at reasonable times. If a person is not allowed to do that, we, as parliamentarians, are denying him the right to do what he has a very good right to do.

I know people will be affected and inconvenienced between 8.30 a.m. and 9.00 a.m. and between 5.00 p.m. and 5.30 p.m. They will be just as much affected and inconvenienced between 12 noon and 1.00 p.m. and at times when they are putting the baby down to sleep in the afternoon

and someone rings the doorbell. But the Minister has introduced a Bill which says that is all right.

Let us stop kidding each other. The issue is not the fact that someone will be inconvenienced at some time; in that case, we would not have the Bill at all. The real issue is whether a person has a right to work 40 or 35 hours a week.

Amendment put and negatived.

Mr. R. L. YOUNG: There is no point in moving any further amendments to this particular clause; it would be a waste of time.

Clause put and passed.

Clause 3: Section 3 amended—

Mr. HARMAN: I ask the Chamber to vote against clause 3 of the Bill because I wish to insert a new clause 3.

Mr. R. L. YOUNG: In speaking to the request to vote against the clause, I assume my right to speak on a subsequent amendment to insert a new clause will not be affected.

The CHAIRMAN: No.

Mr. R. L. YOUNG: In order that I may get the message over early in the piece—

The CHAIRMAN: The clause to be inserted will have to be dealt with after we have dealt with the other clauses.

Mr. R. L. YOUNG: In regard to clause 3, I want to point out that in deleting the clause we naturally have in mind substituting a new one. The purpose of substituting a new clause will become obvious when the Minister explains it. I do not deny him that right but I would like to get in early and mention that when he spoke to my amendment the Minister went to great lengths to point out what this Bill and the Act were designed to do, who they were supposed to protect, and what they were all about. There is no doubt that we will vote to delete this clause and that we will consider the insertion of another clause, but I want the Minister to take out five minutes to think about these proposed amendments and see whether they stand up to his statements on the last clause.

Mr. O'NEIL: While I am not objecting to the deletion of the clause, I would like the Minister to tell us why he asks us to vote for its deletion.

Mr. Harman: I thought it was obvious.

Mr. Hutchinson: There must be a reason for it.

Mr. HARMAN: Clause 3 of the Bill reads—

Section 3 of the principal Act is amended by substituting for the word "owner" in line five, the word "vendor".

The proposed new clause 3 reads—

3. Section 3 of the principal Act is amended—

- (a) by deleting the words "by the owner" in line five; and
- (b) by adding after the word "vendor" in line thirteen, the words "or dealer".

Section 3 of the Act reads—

Where a credit purchase agreement is made by the purchaser or bailee (as the case may be) at his place of residence, at his place of employment or at any technical school the agreement shall be unenforceable by the owner unless—

The amendment proposes to delete the words "by the owner", so that no-one will obtain an advantage—neither the householder, the seller, the agent, nor the vendor, or whatever he might be. That is the explanation.

Clause put and negatived.

Clause 4: Section 3A added—

Mr. HARMAN: The purpose of the amendment I propose to move is to delete the designation "(1)" before the word "Notwithstanding". At a later stage I intend to move to delete all the words after the word "residence" in line 17. I move an amendment—

Page 3, line 3—Delete the passage "(1) Notwithstanding" and substitute the word "Notwithstanding".

Mr. R. L. YOUNG: I would seek your guidance, Mr. Chairman. I intend to move an amendment to add words after the word "residence". At a later stage the Minister intends to move to delete all words after the word "residence". Should I move my amendment after the Minister has moved to delete the words "by the vendor"?

The CHAIRMAN: That is right.

Mr. R. L. YOUNG: Without worrying about semantic detail, I would ask the Minister why he asks us to agree to the amendment now before the Chair without explaining his basic aim in more detail.

Mr. HARMAN: We believe that subsection (2) of proposed new section 3A does not add anything to the legislation, and, consequently to the Act. The provision contained in proposed new section 7A will cover agreements made outside permitted hours. I believe members will agree that that provision is preferable to the one contained in subsection (2) of proposed new section 3A.

Amendment put and passed.

Mr. HARMAN: I move an amendment—

Page 3, line 8—Delete the words "by the vendor".

This amendment is consistent with amendments which I will move later.

Mr. R. L. YOUNG: Had I not read this measure in some detail I am afraid I would not know what the Minister is trying to tell us. It is not fair to the Committee for the Minister to treat his own Bill in such a cursory manner. During the discussion on the last clause we spoke about the people who were permitted to operate under the Act.

Mr. Hartrey: We know that now.

Mr. R. L. YOUNG: Let us have it again. The Minister moved for the deletion of certain words to incorporate others. He then moved to delete other words without an explanation to the Committee. If the Minister is not prepared to explain the effect of his amendment in detail, I will do it for him in reverse.

During the discussion on the last clause, great play was made of the fact that the Minister was trying to protect a few people. If members read this whole clause they will see that the vendor, against whom the people at the door have to be protected because he is such a terrible chap, must comply with certain provisions before he has a valid contract. I agree that in most cases the householder must be protected. One of these provisions is that the vendor must make the contract within the permitted hours. The second provision is that it must be made during the course of an uninterrupted negotiation that commenced during the permitted hours. The third provision—and this is an "or" provision—is that the contract must be made in the course of a negotiation that takes place as a result of the purchaser making an unsolicited request that the vendor or dealer should call at his residence.

That clause was quite clearly designed to provide that the vendor or the dealer—as we are going to call him at a later time and to which I have no objection whatsoever—is required to do certain things to make his sale a valid sale. If the requirements are not fulfilled, a contract entered into as a result of negotiations is unenforceable.

From the discussion on the last clause to the discussion on this clause the Minister has switched from protecting the man at the door against all-comers. If we delete the words "by the vendor", the contract will be unenforceable against either party in the event of a failure to comply with the provisions. The Minister gets up quite blithely and moves the amendment without sufficient explanation to the Committee. This is a case of what is sauce for the goose is sauce for the gander. The Minister says that the Bill is designed to protect the purchaser, and then specifically seeks to remove the right of the purchaser to go ahead with the contract if the seller has failed to comply with the provisions.

Mr. HARMAN: I cannot follow what the member for Wembley is getting at.

Mr. R. L. Young: That is interesting. I think you must be the only person in the Chamber who cannot follow me.

Mr. May: Now, now—self praise!

Mr. HARMAN: The honourable member must look at the effect of the amendment.

Mr. R. L. Young: I have looked at it.

Mr. HARMAN: The Act provides that where a credit purchase agreement is made by the purchaser or bailee—as the case may be—at his place of residence, at his place of employment, or at any technical school the agreement shall be unenforceable by the owner—

Mr. R. L. Young: That is for the protection of the buyer.

Mr. HARMAN: —unless the agreement or offer is in writing; a copy of the agreement or offer is given to the purchaser or bailee; and a statement is duly completed by the vendor. All of these things must be done, otherwise the agreement shall be unenforceable. If the member for Wembley is worried that this will create a problem for the vendor, seller, or agent, then I suggest he examine proposed new clause 6. I think the proposed new clause will assist this aspect.

Mr. R. L. YOUNG: The new clause 6 which the Minister proposes to insert does not answer the question I have raised; it simply cleans up the legislation. I do not object to it because it spells out the obligations of the vendor and purchaser in the event of certain things happening. It goes into detail regarding the rights of the vendor and purchaser if, for instance, the vendor fails to comply with section 4 of the Act and does not provide the necessary notice of the purchaser's right to withdraw from the contract. It includes the situation contained in proposed new section 3A—which was not included in the original draft of the Bill—and states what will happen if the parties fail to comply with that new section.

However that has nothing to do with the philosophical argument introduced by the Minister in respect of the first clause about which we argued. The Minister for Consumer Protection started off on a white charger to protect the consumer, but now he has moved an amendment which says that the consumer will not be allowed to carry on with a contract into which he entered on a bona fide basis if the person who is selling him the goods under the contract fails to do something that he should have done.

The law states that the seller must do three things. If he fails to do any of these things the contract is unenforceable.

Mr. May: And it is unlawful.

Mr. R. L. YOUNG: That has been removed by the Minister in a later amendment. So the contract is unenforceable by the vendor. However, the Minister now proposes that in those circumstances the purchaser cannot enforce the contract. He might really want the goods, but if the vendor fails to comply with the legislation then the purchaser cannot proceed with the contract. If that is consumer protection, I am a Dutchman's uncle. It is removing the right of the purchaser to proceed with a contract he may genuinely want. The Minister for Consumer Protection must protect the consumer. If somebody has failed to do something and made the contract unenforceable, then he should be the only person in jeopardy under the legislation. However, the Minister is placing both parties in jeopardy. That is totally unreasonable.

Mr. T. D. Evans: Don't you think that evil could be overcome by the purchaser saying, "Look, come back tomorrow and do the right thing next time"?

Mr. R. L. YOUNG: That is taking things a little far, and the Attorney-General knows it. I will not enter into that argument because it is ridiculous. The Minister should either agree to remove those words—if he does not do so he will be failing in his duty as Minister for Consumer Protection—or he should report progress and have another look at the matter.

Mr. HARMAN: I respect the point that has been made. I would like further information on a few matters, so I am quite happy to have progress reported.

Progress

Progress reported and leave given to sit again, on motion by Mr. Moiler.

EXCESSIVE PRICES PREVENTION BILL

Second Reading

Debate resumed from the 9th May.

MR. O'NEIL (East Melville—Deputy Leader of the Opposition) [8.37 p.m.]: As a preliminary remark I would like to say I think the Government has been a bit rough on its brand-new Minister for Labour. We find that on the first day of the second part of the session he is dealing with at least four and probably five Bills, some of which are of major importance and none of which he introduced himself. Further, the public were given to understand that the previous Minister for Labour, now the Deputy Premier, would be given the responsibility of steering these Bills through Parliament. However, that is not to be, and we find the new Minister for Labour has been given that rather unenviable task. So far I think he has acquitted himself very well. He is serving his apprenticeship well and

has showed tolerance by agreeing to report progress on the last Bill. I wonder to what extent that tolerance will remain and at what point he will run out of patience.

We are considering for the second time during the life of this Parliament a Bill to introduce what the Government desires to call selective prices control. A great deal was said on this matter before the previous Bill was defeated. I must point out that I was not present for the complete passage of that Bill. Before it had been thoroughly debated in this Chamber I had the honour to represent this Parliament at the C.P.A. conference at Malawi in Africa, and I returned to find that somebody else had taken up the cudgels. Within a short time after my return the previous Bill received a fate which I believe it truly deserved—it was discarded.

It is a fact, of course, that the Bill now before us contains some relatively minor differences from that which was introduced previously. When I spoke on the previous Bill I noted with interest that a considerable number of the points I made were appreciated by the then Minister for Labour. In fact, the present Bill is before us in a somewhat different form mainly due to the amendments of the previous Minister. However, it is no more acceptable to this side of the House.

I have had the opportunity to make further study and research in connection with this vexatious question of prices control, related as it must be to the ever-increasing problem of inflation.

I have read a considerable number of documents, including one from the newly-appointed Commonwealth Minister for Labour, called *A Prices and Incomes Policy for Australia*. This brochure was produced by the Department of Labour and, in fact, it constitutes an address by the Commonwealth Minister for Labour which was delivered to the Industrial Relations Society on the 5th May, of this year. I was interested in that brochure because just a few days earlier I had read a letter contributed to a newspaper which circulates in the Pinjarra-Mandurah area. The letter was written by the endorsed Labor candidate for that electorate and in it he stated it was Labor policy to control prices and wages. The letter came about because of a "Dorothy Dix" letter written by another Labor Party member in that area—not a parliamentary member—asking the present member for Murray and the Labor candidate their views on the matter of prices control. The endorsed A.L.P. candidate for the district replied and in his letter—which I recommend members of the front bench on the Government side of the House should read—no reason is given why an Australian Labor Party would not agree to both prices and wages control.

Mr. May: How do you know it was a "Dorothy Dixie"?

Mr. O'NEIL: I have good reason to believe it was. Regardless of whether it was or not I suggest that that particular candidate should get his facts right on Labor Party policy because the Commonwealth Minister for Labour makes it quite clear that his Government never has had—nor is it likely to have—as part of the Labor Party's policy, simultaneous control of both prices and wages. Therefore I would recommend to that particular candidate that he read the brochure which contains the address given by the Commonwealth Minister for Labour.

Many other documents have been prepared and, because of the expertise of our new library research officer, they have been available from our library when issues of this nature come forward. Members will have noted that the librarian sends to us every so often a list of documents, books, and extracts from newspapers or other publications which apply to a particular and topical problem. That having been the case I find myself assailed with a colossal amount of documentation on the principles of price fixation and control of prices mainly related to this ever-growing problem of inflation.

In all that documentation nowhere can I find any proof that a prices policy alone has had any effect whatsoever on inflation. Those documents all outline instances, in many cases throughout the world, where a combined policy of prices and wages fixation has been introduced as a temporary measure; that is, prices and wages freezes for periods of three or six months. The documents clearly indicate the circumstances in which those actions have been taken and they also clearly show they are purely *pro tem* measures with no lasting effect whatsoever.

It is a fact that prior to the last election the present Government suggested to the people in the Premier's policy speech that if the Federal Government did not introduce some form of prices justification the Labor Party, upon becoming the Government, would do something in its own right. It is now a fact, of course, that there has been a change in the Federal Government and the present Federal Labor Party has in fact introduced legislation creating a Prices Justification Tribunal which, as I understand it, comes into operation this week or on Monday next—I am not quite sure.

However, it is not without significance that the Prices Justification Tribunal is just what its name implies and nothing else; it applies only to those consortiums or businesses which have an annual turnover of \$200,000,000. For excessive prices there is no penalty within that legislation; there is merely a penalty for failing to

advise an intention to raise the prices. As I understand it, too, if one of these big consortia decides to increase the price of its commodity it must advise its intention to the Prices Justification Tribunal and if that tribunal, after its deliberations, determines that the increase in price is not justified then there is some prospect—either directly or indirectly—of action being taken against that particular organisation.

It is only to that extent that the Federal Government is prepared to control prices. In many of these publications it has been pointed out that prices control is justified in extremely limited circumstances, and if one looks at the experience throughout the world this control has been mainly associated with an endeavour to reallocate resources in times of national emergency. For example, in war time in order to redirect the national resources of a nation's economy; in order that the national effort can be directed towards solving a national problem, prices control is applied. None of us can deny, of course, that there is ample evidence of the fact that there are some extremely sorry and sad side effects of price control.

During the tea suspension I happened to watch, with many other members, the news service on the national television channel. One segment showed that some inquiries were made, I think, in the city of New York—it was certainly an American city—as to the effect of prices fixation on a commodity such as meat. Traders were shown openly stating to the interviewer that they could not operate under a system of prices control; that, in effect, what they were doing was to adjust their retail prices in accordance with the prices demanded by the wholesaler without having much regard for the requirement of imposing a prices freeze. The ultimate effect of that would appear to be that beef, in particular, would disappear completely from the general public market and the only place one would be able to buy a steak in short time would be on the black-market at prices extremely high, provided, of course, the buyer could afford to pay them.

So even where there is combined control of prices and wages the evil effects of blackmarketing are quite evident. I can recall—and I am sure that there are many other members present in this Chamber this evening who can also recall—many of the abuses that occurred when price control was imposed in Western Australia. It was not unusual to buy a secondhand motorcar at the fixed price and then pay—in those days—£25 for each tyre because the prices of tyres were not controlled. I think when I last spoke to the House on this subject I pointed out that the only commodity for which they did not charge was the air in the tyres.

So it can be seen that there were ways and means of getting around this problem of prices control and, in fact, it introduced this very undesirable element of blackmarketing. I know—not from personal experience but from secondhand experience—what happens when a policy of prices control is implemented. For instance there can be, in the field of canned meats, a factory which can prove conclusively to a prices commission that the price of its product should be X cents per can. Having proved that, the factory is given approval to market the product at that price. However it could well be that in another suburb some other manufacturer is producing the same commodity at a lower price; at, say, X minus 2c per can.

Provided the demand for the product is high enough, what happens is that the second producer lifts the price of his product to the maximum price permitted. So, the ordinary element of competition disappears, and the price set is, in fact, the price that the market can bear. There have been many examples of this.

Prices control will apply only to commodities in extremely short supply, but if they are in extremely short supply and there is a reasonable demand for them then the blackmarketer gets around the controlled price quite easily. So, more abuses are introduced into our economy than the issue warrants.

The price control system requires a massive inspectorial staff to police it; it also requires massive documentation. In a State like Western Australia it requires that the prices for particular commodities must be calculated for probably 20 to 25 regions. I can recall an experience in the immediate post-war years when I was teaching in a school at Roebourne in the north-west. I wrote to the Prices Commissioner to ask for the prices which had been set for all grocery lines, because in those days I was operating—and many teachers will remember this—a little school shop where the children were taught to buy and sell, to handle money, to give change, and so on. I was quite astounded at the range of prices set for one single commodity. I think there were something like 45 different prices set for a tin of beans. The prices were determined by the geographic location of the point of sale, and they varied because of differences in freight and the like.

All this required a massive inspectorial staff, a massive amount of documentation on the part of the retailer, and a massive amount of research on the part of the officers who had to check documents to determine whether or not the game was being played by all of the retailers.

I suppose that price control of groceries is an attraction to most people. If my wife thought that by the introduction of prices

control the goods she buys in the supermarket will cost less next week than they did last week she will probably be in favour of prices control; but prices control will not be applied to the sort of grocery lines that a housewife buys in the supermarket. I have asked the Government many times through its Minister—not the present one—to tell me the items of grocery lines which it feels are overpriced and which it will control. The answer has come back, "We do not know."

We have been told that one State has usable and effective prices control; namely, South Australia. Quite recently I noticed South Australia declared the price of certain services—fees of medical practitioners. I also noticed with some interest and amusement that within a couple of days of prescribing a 10 per cent. increase, the Government of South Australia said to the doctors, "You can have a 12½ per cent. rise instead of a 10 per cent. rise." I say in all honesty that the Government of South Australia does not know what it is doing in that respect.

It is not without significance that one of the items in general use and consumed right throughout Australia is currently the subject of examination by the Commonwealth Parliamentary Standing Committee on Prices; that item is petrol. I also noticed, as I am sure every other member has noticed, that criticisms have been received from automobile associations and the like to the effect that petrol is being sold at between 5c and 7c per gallon more than it ought to be. I am sure members have read a statement by Mr. Bob Hawke that there is a profit mark-up between the delivery or refining of the fuel to the sale to the motorist by something like 100 per cent.

We should realise that this is one commodity that is subject to price control. For years the price of motor spirit in Australia has been based on the price fixed by the Prices Commissioner of South Australia. It is a commodity which is subject to price control in that State. If the price is regarded as being unfair or excessive what effect will prices control have on other things? Why is it that this commodity, which is in general use and is consumed throughout Australia, is not only the subject of an examination by the Commonwealth Parliamentary Standing Committee on Prices but also, as I understand it, is likely to be the subject of an inquiry by a Royal Commission? This is a commodity which is being examined, but for many years it has been the subject of price control.

Mr. May: Then how come the private service stations in Victoria have displayed signs indicating a reduction in the price of petrol?

Mr. O'NEIL: That is a very good question.

Mr. May: You have said this is one commodity which is subject to price control.

Mr. O'NEIL: The Minister's comment supports my very point. I concede that the price of petrol might be too high, but it is subject to price control and therefore it proves a point that the price fixing authority has simply set the price as high as it thinks the market can bear, and then everybody comes up to that price. It is as simple as that. Price control does not bring down the price.

Mr. May: It did in Victoria.

Mr. O'NEIL: That was through competition; that was what brought the price down.

Mr. May: The point is the price did come down.

Mr. O'NEIL: Price control does not set minimum prices; it simply sets a price which the market can bear. I am pointing out that the people in the community who imagine that they will pay less for their groceries if this piece of legislation goes through have another think coming.

It is true that as far as the inflationary tendency is concerned, the main problem is in respect of commodities covered by the Consumer Price Index. It is on this index that the rate of inflation is measured. A great portion of these commodities include the ordinary household articles purchased by the housewife in the shops.

The information I am about to give may be a little out of date, but not very much so. The Minister provided me with this information in August last year, and it refers to those items which are subject to prices control in South Australia. Let me point out that, similar to this proposed legislation, the South Australian legislation provides that certain goods and services may become declared goods and services; in other words they are declared as possibly being subject to prices control. There is no price control imposed initially; the goods and services are gazetted as possibly being subject to prices control. If there is any unfair movement in the prices then the commissioner, through his Minister, may fix the price of any declared goods or service.

The goods and services which are declared in South Australia cover three foolscap pages, but in fact the price of very few of them is controlled. There are so few of them that I propose to enumerate them, particularly those in the area of foodstuffs.

In South Australia the price of bread is controlled under the prices legislation of that State; but in Western Australia it is controlled under the Wheat Products (Prices Fixation) Act, and therein lies a tale.

When we were in Government we declined to appoint the Wheat Products Prices Fixation Committee, and so the price of bread was not subject to control by the committee. For many years an arrangement existed between the master bakers and the Government under which whenever the master bakers felt justified in increasing the price of their products they discussed the matter with the Government. The Government had no power to stop them increasing the price, but it had to be satisfied so that if any criticism arose it could indicate that it had examined the proposition submitted by the master bakers and found it to be reasonable and that the Government therefore conceded that the master bakers had no alternative.

They submitted arguments not dissimilar to those which must be submitted to the Price Fixing Tribunal. For many years the master bakers employed a cost accountant who made a complete rundown on the total cost of the ingredients which went into their products and also on the wage and delivery costs, and the like.

It is significant that in the 12 months prior to the introduction of the Price Fixing Tribunal the price of the standard 1lb. loaf of bread rose by 1c while in the nine months which followed the establishment of the tribunal, the price went up twice by a total of 3c. I think my figures are inaccurate to the point of being unfair to the master bakers.

Mr. Hartrey: Surely that was *post hoc sed non propter hoc*.

Mr. O'NEIL: I do not know; but it is perfectly clear that without price control the price of bread rose less frequently and by a much smaller amount than it did subsequent to price control.

Mr. Hartrey: It has rained more this year, too!

Mr. O'NEIL: I do not know whether that had anything to do with the price of bread.

I have given one example of a product subject to price control in South Australia and already subject to price fixing here, and it is not, in fact, covered by the Bill before us which exempts any commodity already controlled in any way by some other form of legislation. It also exempts the Government from having any regard to lifting the prices of its charges. The Government is specifically exempted and does not have to justify the 21 per cent. increase in the cost of electricity!

Mr. Hartrey: The people can have a say at election time.

Mr. O'NEIL: That is only once every three years and the memory of a person is so short that the cries that are heard when the electricity account is first received will have died down by election time and the electricity accounts will have been forgotten.

The second commodity in the foodstuff line controlled in South Australia, is flour. I do not need to pursue that item because flour, of course, is a wheat product and is subject to control in Western Australia under the Wheat Products (Prices Fixation) Act the same as is bread. Therefore flour is already controlled and will not come under the legislation before us. To the best of my knowledge breakfast foods and infants' and invalids' foods are not subject to any control in Western Australia, but they are subject to control in South Australia.

The people of South Australia must be rather peculiar because one item listed under foodstuffs is "Soap—Tollet and laundry". Meat pies and pasties are listed as services.

Mr. T. D. Evans: I recall that under the Commonwealth sales tax legislation certain contraceptives were listed under sporting goods.

Mr. O'NEIL: They had an entertainments tax applied to them too, I think.

Mr. May: That is reasonable.

Mr. O'NEIL: Soap is listed as a foodstuff and is subject to control in South Australia, but not in Western Australia. I have not had an opportunity to ascertain whether soap costs more in South Australia than in Western Australia, but, by the same token, I have not heard a great deal of criticism relative to the cost of soap.

Another item controlled in South Australia is country milk. Milk sold in the metropolitan area there is probably already controlled by the South Australian Milk Board, because I will bet my bottom dollar that South Australia has one of those just as we have. Perhaps country milk refers to milk from the cow to the can to the consumer by way of an unpasteurised or unhomogenised route. However, in Western Australia very few areas exist in which country milk—if my definition is correct—is in fact available. The requirement is that all milk be treated. Consequently milk is already subject to price control from the cow to the consumer.

The only meat foods controlled in South Australia are the ones I referred to as being under "Services"; that is, meat pies and pasties. That item appears as No. 372 in division 19.

So the foodstuffs controlled in South Australia and not controlled here are only meat pies and pasties, soap, breakfast foods, and infants' and invalids' foods. So much for the South Australian prices legislation on which the Bill before us is based.

Mr. T. D. Evans: Don't you think the South Australian legislation has stood the test of time under three successive Governments?

Mr. O'NEIL: It is a gimmick and a farce.

Mr. T. D. Evans: It was introduced by a Government of your political colour.

Mr. O'NEIL: I could not care less. It is a gimmick and a farce.

T. D. Evans: The people of South Australia don't think so.

Mr. O'NEIL: This Government went to the people and said it would give them price control. I went through the old piece of legislation and ascertained how selective it was and I would remind the Minister how selective this is.

Mr. May: It is selective.

Mr. O'NEIL: Clause 30 reads—

(1) Any proclamation—

And a proclamation is to declare either goods or the price of goods. To continue—

—order or notice authorized to be made or given under this Act may be made or given so as to apply according to its tenor, to—

- (a) persons generally;
- (b) all or any persons included in a class of person;
- (c) in the case of a proclamation or order, any person to whom a notice is given in pursuance of the proclamation or order;
- (d) all or any persons in any area;
- (e) any particular person;
- (f) the sale of goods or supply of services to a particular person by a particular person;
- (g) goods or services generally;
- (h) any class of goods or any class of services;
- (i) all or any goods or services in any area; or
- (j) specific goods or a specific service.

In other words, under this piece of legislation the Minister—by a different means from that originally proposed, but still, in the ultimate, the Minister—may control the price of any goods anywhere at any time by any means.

Mr. A. R. Tonkin: He will select. That is selective.

Mr. O'NEIL: It is significant that no reference is made in either the short or long title of the Bill to selective price control. Irrespective of the Government's intention, the Bill does not confine the selection of goods. It makes the selection as wide as it could possibly be.

Mr. A. R. Tonkin: Like what?

Mr. O'NEIL: We cannot have a Bill which gives an all-embracing power—

Mr. A. R. Tonkin: It gives the Minister power to select certain goods. The word "selective" was used, meaning we will not control every commodity.

Mr. O'NEIL: It is no good the member for Mirrabooka apologising to me—

Mr. A. R. Tonkin: I am not apologising; I am explaining.

Mr. O'NEIL: —for what the Premier meant. I am indicating what the Bill states.

Mr. A. R. Tonkin: I agree with you. The Bill gives the Government the power to select as needed.

Mr. O'NEIL: From anywhere at any time. Let us accept it does that. If a Bill states that the Government can do anything to anyone it allows it to select anyone to whom it can do anything. The member for Mirrabooka has won the argument as far as that is concerned. The Bill does not confine the areas of choice but makes them as wide as possible. There is no limit to the power of the Minister under the Bill—no limit at all.

Many provisions in the old legislation were so farcical that they all disappeared but, in fact, the principle does not impress me at all.

Another area in the last Bill of which I was critical concerns a conflict in Labor policy. The provisions concerning the formation of prices committees include a plurality of votes. I think the member for Mirrabooka will be interested in reading page 10, commencing at line 15 as follows—

(3) In the event of equality of votes on any question before a committee the chairman shall have a casting vote, in addition to his deliberative vote.

How often have I heard members of the present Government, when in Opposition, criticising that sort of thing; how often? However, for the second time the Minister—not the present Minister—has introduced a matter which I discussed and brought to his attention during the debate on the previous Bill.

Little good can be said about the present Bill. I canvassed the attitude of my party on the previous occasion and I have now simply mentioned a number of major points which were raised then to show that we object, entirely, to prices control legislation.

I have recommended to members the reading of voluminous reports and documents on this principle and any member who follows my advice must reach the conclusion that one cannot have prices control without similar wages control. I was waiting for the usual interjection, that a worker sells his labour at a price which

the industrial arbitration authority determines, to enable me to develop the argument relative to these two matters. Fixing the prices of goods and services fixes the maximum prices which may be obtained. But the fixing of wages sets the minimum which may be paid.

Mr. T. D. Evans: It is still price fixing involving a determination.

Mr. O'NEIL: All right. Will the Minister introduce an amendment so that the Minister for Prices Control can fix minimum prices? Does he think that is fair and reasonable?

Mr. T. D. Evans: There is no need for that.

Mr. O'NEIL: Well, it is done in South Australia where there is a minimum price for wine grapes. In that case the minimum price is probably to protect the industry. However, generally speaking, when people think of prices control they usually think of a maximum price. Anyone who has had experience with prices control recognises that it could be part of a set of circumstances not so much to maintain the price of an article, but to reorganise, redistribute, and reorient national resources of a country into areas where they are needed. That is the usual thing. Prices control has been temporary and has operated under dire circumstances. However, it has never yet—without some form of wage fixation as well—been effective in stemming inflationary tendencies.

In most cases once the controls have been removed things generally find their own level anyway. However, there is an important exception. If pressures have been maintained long enough and there has been, in fact, a redirection of national resources—a movement from the manufacture of certain goods to other goods—when price fixing is lifted there is usually once again an imbalance and the prices of the goods which have been subject to prices control go up because not as many are manufactured. If circumstances are such that it becomes sufficiently unattractive to produce a tin of jam, that tin of jam will not be produced and the resources of industry will be used to produce something more profitable. A limited quantity of any product will produce a high demand. That is being as simple as I can about it.

I would suggest a great deal more research should be done into this matter. I repeat my recommendation to members: that they read the adequate material which is available regarding the history of what has happened in other countries. Innumerable documents are available. Perhaps one of the most important and most easily read is a basic paper produced by the Legislative Research Services, dealing with finance, industries, trade and development. The publication is available from the Parliamentary Library

and it gives the background to the prospect facing Australia at the moment. It was produced in February, 1973, and relates to the experience of most countries with a character similar to ours; it details experiences with various methods of prices control to combat the ever-increasing problem of inflation. I feel certain that if members read this document, and consider all the arguments canvassed on the previous occasion, they must come down on the side that prices control, *per se*, does not work. It does not work; it never has worked; and as far as I can see it never will work. We on this side of the House oppose the Bill.

MR. MENSAROS (Floreat) [9.16 p.m.]: For my part I would like to congratulate the Government for bringing down this measure which I would not call legislation, so much, but rather perhaps a very smart, slick, and smooth political exercise.

Mr. May: What rot!

Mr. MENSAROS: The measure is obviously designed to create a situation—hopefully—whereby the Government considers that it cannot lose and we cannot win. There are only two possibilities to the outcome of the Bill; it will either be accepted or rejected. If the Bill is rejected—and I suspect the Government hopes it will be—

Mr. T. D. Evans: That is not true.

Mr. MENSAROS: If the Bill is rejected the members of the Government can go back to their masters in Trades Hall and say, "We have tried it". The Government will be able to say to the public—which is being misled on this matter because of obvious inflation and rising prices—"We have tried it but the baddies on the other side have prevented us from doing anything." Then, of course, the Government would have an additional argument against the Legislative Council. I repeat: The Bill is designed to be a very smart political move.

Mr. Harman: Is the member for Floreat anticipating what the Legislative Council will do?

Mr. MENSAROS: I am anticipating that the Government hopes the Bill will be rejected. This is an example of the parliamentary version of the common question "When did you cease beating your wife?"

Mr. Bickerton: Have you talked the Legislative Council into opposing it?

Mr. MENSAROS: If the situation is such that the Bill is passed then, of course, the Government will be faced with a choice. It will either implement the provisions of the Bill with its tremendous administrative cost and associated empire building—which applies to any new administration—or it will just do nothing about the

measure. The second course would prove the complete insincerity of the Government.

On principle, and for the good of the people of Western Australia, we ought to oppose this measure and attempt the almost impossible task of explaining to the people why its implementation would be impossible. I must admit that I would not be able to explain the matter better than has been done by the Deputy Leader of the Opposition.

It might appear that I am contradicting the Deputy Leader of the Opposition when I maintain that it is not the policy of this Government—or, at least, it was not its policy when it faced the electorate—to introduce such a measure. The very brief comments in the Premier's policy speech concerning price control—apart from those which attempted to rubbish the then Government—were that Labor was of the opinion that some form of price control was necessary but it was desirable to have it on a Commonwealth basis. Accordingly, Labor supported the holding of a referendum of the Australian people to ascertain their wishes. That is all the Premier had to say on the matter in his policy speech. There was no promise of this legislation in that policy speech.

Let us go a step further and see what the real oracle of Labor policy—the hopeful future President of the Australian Union of Soviet Socialist Republics, Mr. Hawke—has to say. I taped his interview with the Leader of the Opposition and I consider that there are some extremely interesting pieces in the transcript. Mr. Hawke said, when talking about Labor policy to Mr. Court, as he then was—

It is not a policy which involves at this stage of society's acceptance of how we should organise our resources, it is not a policy which says we should have absolute price control of every commodity. It is a policy, Mr. Court, which goes something on these lines—

That if the society has said that it is appropriate to have an Arbitration Court which says to workers, "Well, we are going to ask you to justify your claim for the price of your labour, that is the only thing you've got to sell on the market", then I think it is appropriate for the society to be consistent and say to other major sellers in the community like the sellers of power, the sellers of steel and these sorts of things, that you should justify. B.H.P. for instance, should not be just left free to say we are going to decide this is the price increase.

Mr. Hartrey: Is that not equitable?

Mr. MENSAROS: I am pointing out that the remarks made by Mr. Hawke are entirely different from the content of this

measure. In the hopeful event from the Government's point of view that the Bill will be rejected one of the arguments will be that the Government had a mandate for it. I am proving that it was not part of the Premier's policy speech and, according to a much higher authority—almost the author of the *Bible* itself, Mr. Hawke—it is not Labor Party policy. The present Government does not have a mandate for it; this is all I am saying.

Mr. Hartrey: That is not nearly as important as whether the Bill is just and reasonable.

Mr. MENSAROS: That is a matter of opinion, of course, and I respect the opinion of the member for Boulder-Dundas. To my mind it is important to point out that the Government does not have a mandate for this legislation and I am doing this because the Government has made this claim so often.

I submit we are dealing with a measure which far exceeds the promises made in the policy speech given by the present Government. Obviously, as I have said, the Government is trying to use the situation of inflation in its own way and it is also trying to please its masters.

I have a great deal of respect for the Minister's intellectual capacity and I do not consider that he honestly believes anything would be achieved by controlling retail prices and services. I am certain the Minister knows, as the Deputy Leader of the Opposition pointed out, that it is impossible to achieve anything of benefit to the community without controlling the components of those prices and the main component, of course, is wages for labour.

Even if, theoretically, both wages and prices were to be controlled, I would go a step further and submit that achievement could be claimed only if we were in complete control of supply and demand. In other words, interstate and overseas trade would have to cease and there would need to be exact control of the demand of the public. Even totalitarian societies have not been able to do this.

In fact, the example in practice—and I experienced it—is that prices are bound to rise when prices control exists. I will not go into my experiences of some 25 years ago before I came to Australia. However, I will give one example of my experience shortly after I arrived in 1950 when there was prices control in Western Australia. The circumstances were quite similar to the present circumstances in that there was steep inflation. The result was, of course, that prices rose even more rapidly. I will give a personal experience because I worked in a furniture manufacturing and selling concern as a costing accountant.

The Prices Commissioner required the firm to justify the maximum price set. As the firm was a manufacturer as well as a retailer it had to start off by proving that the materials used and the labour accounted for amounted to a certain figure, to which sales tax and a profit margin were added. The employees of the Prices Commissioner were, perhaps, magnificent accountants or mathematicians but did not understand anything about timber. It was always submitted to them that wardrobe styles were 3 in. x 2 in. when in fact they were 2 in. x 1 in. Nobody knew this and it was lost on the bureaucracy. I knew that the time applicable to a job was easy enough to play with. In consequence, what happened was that a much higher price was arrived at than the market could virtually bear.

People came in wanting to buy certain goods and at the time there was a shortage of certain materials. If they complained the proprietor simply said that the price had been approved by the Prices Commissioner. This is human nature and it was repeated everywhere.

The Deputy Leader of the Opposition gave the example of the price of bread. I will go a little further and answer some of the interjections made when he was speaking. Several members referred to South Australia. During the last sitting I asked the then Minister for Labour whether he would give the consumer price index relative to certain dates and the percentual increase or decrease in the consumer price index. My question was ultimately answered as No. 28 on the 15th May. The Minister showed the price index in numerical as well as percentual increase or decrease in all capital cities. When we look at the statistics and compare South Australia with Western Australia, Victoria, or any other State we see that there is no marked difference in favour of South Australia where there is prices control.

The index was 100 in 1966-67 but from the point of view of percentual increase this would not matter. In 1972 the increase in South Australia was 6 per cent.; in Western Australia, 5.8 per cent.; in New South Wales it was slightly higher at 7.8 per cent.; in Victoria it was only 5.8 per cent.; in Tasmania, 6 per cent.; and only 5.3 per cent. in Canberra.

It could be claimed that South Australia had a lower percentual increase than New South Wales but, in actual fact, a similar one to Tasmania and a higher one than Western Australia, Victoria, and the Australian Capital Territory.

Mr. Bryce: Do you have the Australian national average?

Mr. MENSAROS: It is only necessary to add up the percentages of the various States to arrive at the national average. I

did not ask for this and the Minister did not supply it. If we add together 6 per cent., 5.8 per cent., 7.8 per cent., 5.8 per cent., 6 per cent., and 5.3 per cent. and then divide by six we arrive at the average.

Mr. Bryce: South Australia is nearly 4 per cent. below the national average.

Mr. MENSAROS: From these figures it is evident that the increase in South Australia is lower than that in one State, but higher than that in all the others. In the other years, virtually the same figures apply. I do not claim that South Australia is higher, but it is evident from this total that in no year was it lower than all the other States. I have not calculated the average.

Mr. T. D. Evans: South Australia has a lower medical fee structure than any other State at the present time.

Mr. MENSAROS: It is difficult to deal with an interjection which has nothing to do with one's argument.

Mr. H. D. Evans: It is easy to ignore it.

Mr. MENSAROS: I do not ignore it but I do not think the medical fee structure in South Australia has much to do with this legislation. I did not detect in the second reading speech or in any Press report so far anything about the professional fees of doctors and architects. We will see what develops. South Australia's argument with the medical profession is only in the initial stage.

On the other hand, this legislation, which has been designed in an endeavour to please and mislead the public, pointedly neglects all Government services; but the highest increases have occurred in Government services. I do not want to reiterate what has been said by us during the term of this Government but I mention two instances which occurred during the recess. One affects home builders.

The Government is always trying to bring down the cost of home building. Under the building by-laws, an increase of 100 per cent. was recently decided upon, as notified in *Government Gazette* No. 47 of the 22nd June, I think. That is not a small amount. In the case of aged persons' homes the increase might amount to between \$300 and \$600. The Minister for Works increased jetty hiring fees by 1,000 per cent. in one instance and from \$1 to \$50, which is 5,000 per cent., in another instance.

On the one hand the Government says it wants to control prices but on the other hand it is the instigator of the wildest price rises one can imagine. I do not think one would be exaggerating in saying this is sheer hypocrisy.

I could deal with the legislation in some detail but I will confine myself to general matters. The first thing that struck me

was that although, as the Deputy Leader of the Opposition said, the Bill now before us is somewhat different from the original measure, it was obviously designed by someone—I would like to know by whom—who lived through war years in a country other than Australia, I would imagine, and who had in mind shortages of materials and services. This is the thread running through the Bill. Those conditions are not prevalent today.

We have price rises because of cost inflation but we still have competition. With perhaps one or two exceptions, we have plenty of materials, and we have a reasonable amount of labour. When one reads the Bill carefully, one finds it is based on a false assumption. I would be interested to know who was the *spiritus rector* of the Bill. It might be a theoretical work or it might have been copied from some continental war-time legislation.

In clause 14 one finds the rigmarole which must be followed by a manufacturer of declared goods. Apart from the undoubted economic theory that price control cannot bring down prices but, on the contrary, increases prices, it is quite evident that prices must increase when a manufacturer has so much additional paper work and administration, apart from administration by the Government for which the taxpayer pays. This would be one more reason for increasing prices.

Then we have a curious provision in clause 21, which deals with the Minister's power to fix and declare various prices. Amongst other things, he can fix a maximum price on conditions. In clause 23 maximum rates for services are fixed upon any principle or condition specified in the order. I wonder what that means. I do not think one needs a wild imagination to realise that blackmail could occur if conditions were set in regard to price fixing.

One aspect of this legislation which I have never liked, apart from the general principle, is that clause 25 virtually provides for retrospectivity because it says that any previous contract is virtually invalid. This provision could create a tremendous degree of uncertainty in some trades, and I am thinking of trades which use long-term contracts for supplies—for instance, the building trade.

Clause 26 contains another interesting aspect. I cannot imagine that the intention of the Bill is what one can read into this clause. The clause says that any person who has in his custody or under his control any declared goods for sale in respect of which a maximum price has been fixed must offer those goods for sale. What would happen if a merchant kept some of his goods, which were undoubtedly designed for sale and would therefore be covered by this provision, under custody in another warehouse for which he paid rent? The proprietor of the warehouse would

have custody of the goods which were for sale, and if anyone asked him for them he would have to sell those goods. What kind of situation would arise? I am not suggesting this is the intention of the legislation, but I suggest it is evidence of lazy drafting.

Quite an interesting situation could arise in connection with clause 29, which is one of the provisions I had in mind when I said earlier that the person who drafted the Bill must have had either theoretical or practical experience of times when goods were in very short supply. Clause 29 provides that a person shall not do certain things in respect of goods, "upon or subject to any condition that any other goods or a specified quantity or value of any other goods shall be purchased before the goods referred to will be sold at the price specified."

This was an understandable measure during wartime because a retailer could perhaps find a loophole by saying to the public that they could only purchase a particular type of goods for the prescribed price if they purchased another type at a much higher price.

What will happen in connection with the Liquor Act? Certain provisions in the Liquor Act limit the consumption of liquor to certain places and under certain conditions. The Act prescribes that in certain places liquor may only be consumed with the consumption of a meal. If we pass this legislation, every restaurant licensee will infringe its provisions. Which legislation would prevail? The Minister has not told us but it will have to be his intention to control the price of liquor, and especially beer, as it is a major item of consumption. If the price of liquor is controlled, the licensee will offer liquor in combination at the same time as he offers other goods which are not subject to prices control. He cannot do it any other way.

The Government has produced a piece of legislation without properly preparing it. As I said in the beginning, it is being pushed through with gross hypocrisy in the hope that it will be rejected and the Government will gain some sort of kudos.

I would refer the member for Boulder-Dundas—I think he will like this—to clause 33. The general principle of law is that ignorance of the law will not exculpate an offender. This magnificent piece of legislation now before us reiterates that principle. It says—

33. In a charge for any offence of selling goods at a price greater than that fixed under this Act it shall not be necessary for the prosecution to prove that the defendant knew the price so fixed and it shall not be a defence for the defendant to prove that he did not know that price.

Is not that a general principle of law? Can a person successfully defend himself on the ground that he did not know his actions constituted an offence? I do not think he can.

I do not say that this provision will have any ill effect. It is unfortunate that after this legislation has been redrafted we are still faced with anomalies such as this.

I conclude my brief remarks by saying again that this is not really a piece of legislation. It is a political manoeuvre by which the Government hopes to create a situation whereby it will win whether the measure is rejected or accepted. I suggest that the Government would lose much more if the Bill were accepted because it would either use vast sums of the taxpayers' money to set up the various authorities—and of course, these authorities will grow according to Parkinson's law—or it would leave itself open to the charge that it did not implement the Bill. Perhaps the Government is hoping it will not have time to implement it.

MR. HARTREY (Boulder-Dundas) [9.44 p.m.]: I think it is time to say a word or two in support of the Bill.

Mr. O'Neil: There is not much to be said in support of it in my opinion.

Mr. HARTREY: That may be the opinion of the Deputy Leader of the Opposition, but I may cause him to change his opinion shortly.

The Bill before the House is a courageous attempt to deal with a very pressing problem. I admire the speech made by the Deputy Leader of the Opposition. It was a very adroit analysis of the difficulties in this type of legislation, and that such difficulties do exist is not to be denied.

I admire the member for Floreat when he so correctly put forward the very just and reasonable argument of the present Federal President of the Australian Labor Party on the subject of fixation of prices; that is to say, that the working class is the great consuming class and the only thing it has to sell is its labour. If wages are fixed by a tribunal, why is there any reasonably just objection to the idea of calling upon the owners of the vast resources which the workers have to purchase, such as steel, oil, and beer, to justify the prices they are charging? Having correctly quoted that proposition, he said that it is not Labor policy. Well, it is Labor policy, and it is the policy contained in the measure before us. This idea is the basis of the Bill.

It is very easy for anyone in the Opposition benches to say this is a bad Bill and that we hope it will not be passed as we are only putting it forward as a political gimmick. Everyone knows that the greatest problem facing Australia today, and

certainly not Australia alone, is the accursed financial problem of inflation. This Bill is a courageous attempt to deal with this particular problem, in so far as this State alone can deal with it.

We certainly will not abolish the problem by this legislation or any other legislation passed in this House. But we can mitigate it, and we are proposing to do so.

The member for Floreat quoted the Labor leader's speech prior to the last Federal election. The honourable member pointed out that all our leader said was that he would seek to implement price fixing on an all-Australian basis, and he would advocate the holding of a referendum to refer the power to an Australian authority so that price fixing could be established on a national basis. He is in fact complimenting our leader on a very sagacious comment, because there is no doubt whatever that prices control for all the six States, and the territories, of Australia will be much more likely to achieve some reformation than piecemeal legislation from the six individual Parliaments. However, as things are, the individual Parliaments are the only ones which have this power, and those Parliaments which have had recourse to this legislation are using the power within the limits of their jurisdiction; namely, the confines of their States.

What has the Opposition to offer us as a solution to the problem of inflation? Is it simply saying, "We do not know what to do about inflation," or "We do not care if nothing is done about inflation; all we intend to do is to throw mud at people who are prepared to tackle the problem"?

Mr. Thompson: What is the present level of inflation?

Mr. HARTREY: There is no present level. It is like a tank—filling up all the time. The level of two minutes ago has already altered. The amount of money one had in the bank a year ago has depleted greatly in value already, even without a withdrawal. This cursed inflation is decreasing the value of anything we possess, and the purchasing power of everyone's wage is evanescent weekly. What is the Opposition prepared to do about it?

The Government has put forward a proposition. We do not say it is a panacea for everything, and its results will not be as effective in our limited territory as they would be if the policy were implemented across the whole of Australia.

Our solution will not work perfectly. As the Deputy Leader of the Opposition pointed out, quite truthfully, it did not work perfectly during the war, when it was implemented on a national basis, because of the constitutional power to bring in price fixing during wartime. It did not work perfectly under Nixon's freeze a little

while ago. There is no way to make capitalism work perfectly; that is what we must appreciate.

I am sorry that the new Leader of the Country Party is not present at this time as I would like to congratulate him publicly on his appointment. When he took office recently he said he intended to fight resolutely against "the creeping hordes of socialism". Our job is to fight against the hoarding creeps of capitalism. That is what we all must do and we can never succeed under a capitalist system. The capitalist system is based upon a master class and a lower class, an owning class and a non-possessing class, a landlord class and a renting class.

Mr. Grayden: You are a capitalist.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr. Grayden: You all have cars and homes.

Mr. HARTREY: Oh yes, we are all millionaires! The member for South Perth will presently have people believe that I have some money; I wish to God he could make me believe it!

However, let us get back to the subject at issue. I admit that price fixing by legislation under a capitalist system will never provide for complete justice and will never counteract the burden of inflation which the financial authorities of the world inflict upon us, because the combined community legislation of Australia cannot control the banking systems of Australia or the world as a whole—and it is those systems alone which bring about inflation or deflation.

I am old enough to remember—and so are many other members—the situation in 1929 when the organised financial powers of the world decided to bring about deflation. Within about a fortnight in the United States, and about three or four months in Australia, the pinch of starvation was felt; not because there was nothing to eat, but because there was no money with which to buy food; and not because Governments did something wrong but because the people who control Governments in a capitalist system did something wrong, although it was right from their point of view. That situation went on for years and years. Ultimately that phase passed away because the people who created it uncreated it. But something had to be done to alleviate it. The then President of the United States (Mr. Roosevelt) did a great deal to alleviate the situation, but he could not obviate it because such situations are one of the inevitable products of capitalism.

But we are at least bringing forward—as South Australia has already done in a modest way—within a limited territory—as is South Australia—propositions to

diminish, to combat, to lessen, to mitigate the horrible results of the continuous inflation that has been occurring ever since price fixing was abolished after the war. We are making an effort to put water on the fire. We might not save a great deal; but my friends on the other side say that the difficulty, even the impossibility, of achieving legislation in individual States which would be as effective as legislation with Commonwealth-wide control—and the impossibility even if we had Commonwealth-wide control of achieving a reduction in inflation all over the world—is an argument in support of sitting back and doing nothing. That is precisely what the Liberal Federal Government did when it was in power—nothing—and it is precisely what the gentlemen on the Opposition benches said we should do tonight. They told us we should not worry and that we should not do anything at all because the Upper House will throw out the measure.

I do not know whether the Upper House will be game to do that. If it is we will fight the matter before the electorate and we will have more on our side than the Upper House will have on its side. The policy of *laissez-faire* went out with the era of an Upper House.

Mr. Thompson: That was not evident in Bunbury.

Mr. HARTREY: We know all about that. It would not be very evident in Nedlands either, but it would be if we had a by-election in Boulder. We would wipe the floor with members opposite in Boulder.

Mr. Thompson: Don't talk about wiping the floor with anyone after Balcatta.

Mr. HARTREY: The public of this State and of Australia—and for that matter the public of a large part of the so-called free world where nothing at all is free except hot air—are fed up with inflation, and we are striving to hit that evil as best we can within our limited economic, constitutional, and legislative powers. But the gentlemen opposite sit there and smile and say, "You cannot do it; you cannot do much about inflation." This Bill will not work perfectly, nor would an all-Australian Bill, but it will work a great deal more perfectly than members opposite, because they do not work at all!

MR. W. A. MANNING (Narrogin) [9.55 p.m.]: The member for Kalgoorlie described this Bill as a courageous attempt—

Mr. T. D. Evans: I think you had better identify the honourable member correctly.

Mr. W. A. MANNING: I am referring, of course, to the member for Boulder-Dundas; I am sorry I attributed his remarks to the Attorney-General.

The member for Boulder-Dundas highly praised the Bill when he said it is a courageous attempt. That is about all it

is—a brave endeavour. I think the Bill is also a little bit of kid stakes because I have in front of me answers given to questions asked last year by the previous member for Bunbury. He asked various Ministers to state what charges they had increased since the present Government took office, and the replies involved pages and pages of increased charges.

Mr. May: We had to cover up your mess.

Mr. W. A. MANNING: We have heard that before; it is a vague reference which just does not go down because the Government is simply trying to cover up what it has done since it took office. It has raised charges regardless of reason or of existing cost systems, and without referring the matters to anyone else. Why should the Government do that?

Mr. A. R. Tonkin: We are responsible to the people. That is the point you miss.

Mr. W. A. MANNING: The Government is responsible for raising charges. I suggest that the Government would call that action irresponsible if it were taken by a person selling goods. In this case I call it an irresponsible action on the part of the Government to raise charges which affect practically every person in the community.

Mr. Bryce: Were those increases excessive?

Mr. W. A. MANNING: In my opinion, yes; some charges were increased by more than 100 per cent. I have an example in front of me. The Town Planning Department increased the fee for a plan of a subdivision from \$2 to \$5, and the fee for approval of a diagram from \$4 to \$10.

Mr. Hartrey: When was the last increase made?

Mr. W. A. MANNING: The previous Government did not continually increase charges, but the present Government has increased practically everything under the sun.

Mr. W. G. Young: Even hot air.

Mr. Bickerton: We certainly have not increased the number of members on the other side.

Mr. W. A. MANNING: We will soon do that. Now the Government has presented a Bill which suggests that we should control the prices of all commodities. The member who has just resumed his seat has already pointed out that such legislation is not effective and does not work.

I remember very well price fixing in the post-war years because I was on the receiving end of it. The price fixing which was in existence then illustrated that the controlling of prices increases the cost structure of goods. The officers of the price fixing department invaded stores. These fellows were on high salaries and were mostly men who had failed in their own

businesses and had gone to the department to tell other businessmen what to do. They picked out goods here and there in a store and demanded to see the invoices for them. Whilst the officers were getting paid for doing that, the storekeeper had to have a staff to supply them with information, and had to keep records. The cost of doing that had to be added to the price of goods. The Government was paying for the price fixing officers, but the storekeeper had to pay staff to provide information, and this automatically increased the cost of goods. How does one reduce the cost of goods by increasing the charges applicable to them?

This is the real problem, and it was borne out in a report submitted to the Labor Minister controlling unfair trading and profit control (The Hon. W. Hegney) on the 31st May, 1958, by Mr. W. J. Wallwork, the Unfair Trading Control Commissioner. On page 9 of his report Mr. Wallwork said—

The results achieved by the Office can generally be considered satisfactory having regard to the confused position outlined earlier in this report. Information from overseas indicates that in most instances investigations even of a minor nature involve the use of large staffs and take a great deal of time before finality can be reached.

This is the farcical position in which we are placed with legislation of this nature because it cannot work.

Mr. Hartrey: You do not want to make anything work.

Mr. W. A. MANNING: Yes I do. There are other ways and means of approaching this problem and one of them is to look at the costs which lie underneath and make allowances for them. What I am about to say follows along lines similar to those I mentioned last year when I was speaking to a similar Bill. I quoted a great deal of information on costs and other figures. I do not intend to repeat them this evening because that would be a waste of time, but members can look at my speech in last year's *Hansard* if they so desire.

On page 3 of this Bill appears the following—

"service" means the supply for reward of water, electricity, gas, transport, or other rights, privileges or services (not being services rendered by servant to a master) by any person . .

This is the same provision that was included in the Bill introduced last year.

Mr. Hartrey: Is there anything wrong with that?

Mr. W. A. MANNING: Yes. That is the fallacy of price fixing; every factor relating to prices must be controlled yet the important item of service is excluded. I

have in front of me a copy of a report made by Broken Hill Pty. Ltd. I intend to quote the figures compiled by that company because a great deal has been said in regard to the prices it charges, and, in doing so, I point out I have no particular interest in that company. This is what its report contains—

Over the last eight years the average weekly earning of our employees increased at an average rate of 6.9% per annum, while steel prices went up at an average annual rate of only 2.6%.

This is the sort of information which makes one wonder where we are heading.

Mr. A. R. Tonkin: Are you going to move for the abolition of the arbitration system? You cannot have wages brought under the auspices of this Bill and under the arbitration system.

Mr. W. A. MANNING: The honourable member has just revealed the complete fallacy of his argument, because the Industrial Commission sets a minimum wage whilst a system of prices control sets the maximum price. If the Government introduces legislation which will guarantee any manufacturer or businessman a minimum price—I do not know how it will be done—the basis would be the same as that on which the Industrial Commission sets the minimum wage. This is exactly what the Government should be doing if it wishes to make a comparison. However, how can the Government set a minimum price and guarantee that the commodity will be sold at that price? This is where the whole system breaks down. No comparison can be made between a system which fixes a maximum and another which fixes a minimum. When fixing wages and salaries the workers are guaranteed a minimum figure, but there is no such thing when fixing prices. No manufacturer is guaranteed a minimum price. Further, if a retailer or a manufacturer cannot sell an article it must be sold below cost, because there is no point in holding on to it.

Mr. A. R. Tonkin: Why cannot he hold on to it?

Mr. W. A. MANNING: How can a manufacturer hold on to an article when he cannot sell it?

Mr. A. R. Tonkin: In actual fact he can hold on to it much better than a man can hold on to his wages. Let the honourable member visit any manufacturer and see how many goods are being held in store. Of course they hang on to them.

The DEPUTY SPEAKER: Order!

Mr. W. A. MANNING: It would not be an economical proposition for a manufacturer or a retailer to hold on to goods if he cannot obtain the price set, because whilst he is doing so various charges continue to mount. For example, there would

be storage charges, rent on the building, interest on his capital, and deterioration of the product. It is absolutely absurd to say that a manufacturer would continue to hold on to goods he cannot sell at a certain price. He may hold on to them for 12 months, but under no legislation has he any guarantee that he will then obtain a minimum price. In the ultimate he could sell the article for half the cost.

This shows how a manufacturer has to take the risk of selling the goods after he has produced them. He has to manufacture them whether he sells them or not. Usually he has a reasonable knowledge of what the consumer will pay for the article and this applies right through the system. When a storekeeper places goods in his store he does not know whether the consumer will buy them. He has a fair idea, but if he makes a mistake he loses on the deal. However, if he is right in his estimate he makes his margin of profit.

Mr. Harman: Are you happy that the price of bread is controlled?

Mr. W. A. MANNING: I have not examined the price of bread so I am not prepared to answer a question of that nature.

Mr. Harman: Do you believe that the people in your electorate should not have the price of their bread controlled?

Mr. W. A. MANNING: It is a moot point. If the price of bread was not controlled there could be greater competition. Once the price is controlled competition is wiped out.

Mr. Harman: When your Government was in office I did not see it introducing a Bill to repeal the legislation that controls the price of bread. In other words, apparently you believe that the price of bread should be controlled.

Mr. W. G. Young: We did in the previous Government.

Mr. W. A. MANNING: The Minister can say that if he likes, but I have not made any judgement on it. One of the peculiar provisions in this Bill reads as follows—

A person who has in custody or under his control any declared goods for sale in respect of which a maximum price has been fixed under this Act, shall not refuse or fail on—

- (a) demand of any quantity of the declared goods; and
- (b) tender of payment at the price so fixed for the quantity demanded,

to supply any such declared goods in the quantity demanded.

Therefore if a person has goods in his possession and a price is fixed, even if it is below the cost of production, that person has to sell the goods at that price. Who

will be compelled to do that by the Government? How absurd that provision is! The Government would be forcing a person to sell goods at a price on which he is not making any profit. If that person has goods on hand he cannot do much about it, but obviously he would cease to manufacture them in the future. That would create a shortage of the article because the manufacturer would be placed in a position where he would be unable to produce the article.

I would point out that some of the people who fix the prices of articles quite often do not have any idea of what the goods cost because of lack of experience. I quote the following taken from an article published in *The West Australian* on the 1st May, 1972, on the subject of a strike which took place at the Midland Junction Abattoir—

The strike started when four slaughtermen refused to kill any more sheep for the Middle East till they were paid a penalty rate.

About 170 men stopped work in sympathy.

Let members compare that news item with a clause in the Bill which provides that a person shall not refuse to sell at the price fixed. The slaughtermen mentioned in that newspaper article refused to sell their labour at the price fixed and they went on strike. How does one reconcile these two occurrences? They merely point to the absurdity of the sort of legislation this Government is trying to introduce.

I see no point in supporting legislation which simply seeks to destroy any ambition or any incentive to produce goods which the public demands at a price which they will pay. After all is said and done the members of the public are the ones to decide what the price of an article shall be. If they do not want to pay the set price for any article they will not pay it. In some cases there may be a monopoly, but this is a different question altogether. General price control definitely does not work and I illustrated this by quoting from a report. There is no doubt that the cost of any article is increased by the control of prices and, in the ultimate, the consumer has to pay for that increased cost. If a manufacturer's cost of production is increased, or if the cost of government is increased by appointing additional civil servants, it is the members of the public who have to pay for those increased costs in the long run.

So, we are building up an edifice of cost on the Government side, and an edifice of cost on the manufacturing and retailing side. Somebody has to pay, yet the ultimate result is supposed to be a lowering of costs. Until we can control the whole system which is involved we will not be able to secure the result that we desire because

adjustments have to be made under this legislation. In this respect I refer to clause 21 (2) (g) of the Bill which states—

maximum prices based on such standard of measurement, weight, capacity or other principles as are specified in the order, or based on prices charged by industrial traders on any day specified in the order, with such variations as are specified in the order or with variations determined by reference to a standard, or time, profits, wages, costs or other matters specified in the order.

These things have to be adjusted almost daily, and someone has to be responsible for these adjustments. Until we can control the wage cost on a maximum basis we cannot control prices. It is not a question of wanting to control prices; the fact is it cannot be done.

For that reason I say a Bill of this nature is really poppycock, because the Government is trying to show that it can control prices and implement what some people think is desirable. However, underneath it all there is no basis whatsoever for the Bill, because it simply cannot succeed. The basic factors which determine the cost of an article are known, and somebody has to make a profit to enable the article to continue to be produced. I shall not go into a lot of repetitive detail of what I outlined last year when I spoke to a similar measure. In my view the Bill is a complete waste of time.

MR. A. R. TONKIN (Mirrabooka) [10.13 p.m.] : I merely wish to make one or two brief points, mainly in reply to comments made by members opposite in the debate. We should realise that what we are talking about is prices justification. We already have wages justification. It is all very well to say that when wages are fixed by arbitration what is being done is to fix a minimum. The fact remains that a wage earner cannot approach his employer and say, "I want a rise of \$1 in my wages, and I expect to receive it immediately."

Mr. I. W. Manning: Have you not employed anyone?

Mr. A. R. TONKIN: Employees can ask for that, but they have not the power to increase their wages. If the employer refuses to increase the wages then the employee has to think about taking some action.

One aspect has to be borne in mind, and this makes the seller of labour very different from the seller of goods. The member for Narrogin says that a person cannot hang on to his goods, but I would point out that many people do hang on to their goods continually. If I walk into a shop and find that an article is priced at \$5 I could say to the shopkeeper that I am prepared to pay only \$4 for it. The

owner of the article will say that \$5 is the price, and he will not sell it for less. In doing that he hangs on to the article. If the article is still in the shop the next day perhaps I would be prepared to purchase it at \$5. The point is the article does not disappear overnight, because the shopkeeper hangs on to it, and he can do so from day to day and from week to week.

In the case of a person selling his labour he cannot hang on to it and if he withholds his labour today he cannot sell that labour tomorrow. In fact, labour is a commodity which is even more perishable than vegetables because the latter last for at least 24 hours. In the case of a person selling his labour, if he does not get his price for his labour and withholds it, he cannot sell that labour the next day. It is lost forever.

Mr. W. G. Young: Have you heard of retrospectivity?

Mr. A. R. TONKIN: That is the reason a person withholding his labour loses it forever. It is true, as the member for Roe pointed out, that if the price of labour is increased later on the worker can receive higher payment if he was working, but I have not heard of a person who is not working subsequently getting retrospective payment for it.

I stress again that if a person does not sell his labour today then that labour is gone forever. In the case of goods, these are not as perishable as labour and therefore it is possible to hang on to goods and sell them the next day or in the future. For that reason I say the seller of goods is in a much stronger position than the seller of labour.

To return to my main point, it is true that the arbitration system does impose a minimum in fixing wages, but it does inhibit wages and it tends to hold wages back. A worker cannot merely say, "I am going to put up my wages." He may ask for a rise in his wages, but if his employer refuses he has to go on strike. In that event he is not selling his labour, and the labour which he does not sell when he is on strike is lost forever.

Mr. W. A. Manning: He is holding on to it.

Mr. A. R. TONKIN: The honourable member may bleat as much as he likes, but he cannot deny that fact. The second point I make is that prices and prices justification make up only one of the many factors which control inflation. Some members opposite have suggested that the Bill before us will not do the job of controlling inflation, and so it is not worth worrying about. We on this side are not saying that prices justification is the panacea for controlling inflation. It is only one of the factors of control.

In recent times we have seen many measures adopted by the Whitlam Government to control inflation, and one

which I applaud was the recent 25 per cent. reduction in tariffs. Some people have written letters to the Press saying that such a step will not stop inflation. I agree that by itself it does not, but we have to bear in mind that this is one of the many weapons, which form part of the whole armoury, to control inflation. There are other means of controlling inflation such as the adoption of fiscal policies and the control of restrictive trade practices.

When members opposite talk about controlling inflation, and achieving this through competition, they have to be kidding. I would point out that they supported a Federal Government which was in office for 23 years, and they sat behind a State Government for 12 years, but both Governments did very little about the control of restrictive trade practices. In fact, in that period we saw restrictive trade practices grow and grow, so that today Australia is one of the countries in this type of society with the worst restrictive trade practices in operation.

Some members opposite tonight have mentioned the cost of price control, and have asked who will bear the cost. I admit that costs are involved, but I answer their query in this way: How did the McMahon Government make an attempt to control prices in 1971? It introduced a deflationary Budget, but who bore the cost of that? The 100,000 unemployed bore the cost, and that is typical of the elitist attitude of the Liberal Party.

The Liberals said: "We are not going to bear the cost of price control. We will make some poor unfortunate people bear the full cost. We will throw them into the pool of unemployed. We will have 100,000 unemployed, and we will stop inflation that way."

Of course, there are costs, but the costs involved in the legislation before us are a great deal more humane than the step taken by the McMahon Government in throwing 100,000 employed Australians out of work, through no sin of theirs but merely because the Government used its control of the economy to cause an economic downturn.

Mr. E. H. M. Lewis: It produced more goods at less cost.

Mr. A. R. TONKIN: That was the result of the shocking Budget of 1971 of the McMahon Government. It was not even used to deal with a problem which existed: it was used to deal with a problem which it thought might arise, because Australia had a huge build-up in liquidity which the then Government thought would be translated into consumer demand; but that did not happen.

The consumer demand expected to occur because of the excessive liquidity in the Australian economy did not eventuate, but Mr. Snedden brought down that Budget

and threw over 100,000 people out of work because of something which was expected but did not occur. The consumer demand did not eventuate so he was fighting a will-o'-the-wisp and not an actual enemy. He was endeavouring to prevent something which might occur but which did not occur.

Mr. W. A. Manning: How about getting back to the Bill?

Mr. A. R. TONKIN: I am answering points raised by the Opposition. If members opposite raise ridiculous points I must answer, that is not my fault.

Some members have referred to the increased charges made by the Government. Surely those members could not have been serious when they referred to the charges imposed by the Government and suggested that the Government should be subjected to control. Surely their understanding of basic political machinery is very much at fault if they cannot see a big difference between a Government which raises electricity and water charges and a board of directors which is not responsible to the people as a whole. That is the difference. When the Government came into office it felt it had to raise charges. I am not arguing as to whether or not those charges were justified. The point is that the Government was elected by the people and it is responsible to them. The people will decide whether or not the Government is a good Government.

Mr. McPharlin: You can say that again!

Sir David Brand: They have decided that already.

Mr. A. R. TONKIN: Members opposite cannot compare the Government with a board of directors which is not responsible to the people.

Mr. O'Connor: It is responsible to the shareholders.

Mr. A. R. TONKIN: It is, but it is not responsible to the people.

Mr. McPharlin: Yes it is.

Mr. A. R. TONKIN: It is responsible to certain selected people who have power over it because of the wealth they have invested. If that is the way members opposite would like people to be eligible to control our society—by an index of their wealth—that is not the kind of criterion I use.

Mr. O'Connor: I did not say that.

Mr. A. R. TONKIN: The member for Mt. Lawley said that the board of directors is responsible to the shareholders; in other words it is responsible to the people who have the money to invest.

Mr. O'Connor: You said people had no control over them.

Mr. A. R. TONKIN: That is not a proper criterion. Members opposite believe it is, but I do not.

The whole point is that the Government raised certain charges and in doing so it may or may not have been right. The Government is responsible to the people; but to compare that situation with a board of directors which is not responsible to the people is ridiculous. The member for Mt. Lawley was trying to be smart when he said a board of directors is responsible to people.

Mr. O'Connor: You said it was not.

Mr. A. R. TONKIN: I referred to "the" people meaning the people as a whole.

Mr. E. H. M. Lewis: The people as a whole must buy the goods produced under a board of directors and if the people as a whole will not buy those goods the company concerned will go broke. The manufacturers must produce an article to sell.

Mr. A. R. TONKIN: That is all right in theory.

Mr. E. H. M. Lewis: It is all right in practice, too.

Mr. A. R. TONKIN: It is not, because it presupposes competition and in actual fact competition does not exist to a very great extent because of restrictive trade practices.

Mr. O'Neil: Give it away!

Mr. W. G. Young: Tell us where.

Mr. T. D. Evans: Collusive bidding.

Mr. A. R. TONKIN: This is one of the worst countries for restrictive trade practices.

Mr. W. A. Manning: Tell us about it.

Mr. A. R. TONKIN: If members opposite want a lesson in basic economics they will have to go elsewhere. They have only to consider the situation involving oil companies to realise the truth of what I am saying. By a strange coincidence every oil company and petrol station sells petrol at the same price.

Mr. McPharlin: No they do not.

Mr. O'Connor: That is not right again.

Mr. A. R. TONKIN: They have been doing it for 25 years to my knowledge.

Mr. McPharlin: You would not like to bet?

Mr. A. R. TONKIN: There is the odd exception but, by and large, people are forced to pay the same price no matter where they buy their petrol.

Mr. O'Neil: A price fixed by the Prices Commissioner in South Australia.

Mr. A. R. TONKIN: The Prices Commissioner in South Australia has no authority over the price charged for petrol in Western Australia and the Deputy Leader of the Opposition knows that. He is merely skipping the question.

Mr. O'Neil: It is accepted throughout Australia that each State adopts the price fixed in South Australia.

Mr. A. R. TONKIN: But no law exists to prevent any company selling petrol at 1c less than that price if it so wishes.

Mr. McPharlin: And they do.

Mr. A. R. TONKIN: The point is that the same price is charged throughout Australia and the same situation applies to tyres, and so on. Because of restrictive trade practices we do not have genuine competition. If members opposite want a lesson on this subject they will get one at the appropriate time.

Mr. McPharlin: Not from you, we won't.

Mr. A. R. TONKIN: I am talking about a prices Bill and I am saying that the theory of members opposite about competition bringing down prices would be okay if in actual fact we enjoyed genuine competition and not restrictive trade practices, pyramid companies which control other companies, interlocking directorates, collusive bidding and tendering, full line forcing, and so on.

In 1962 the Commonwealth Government realised that this was something of a problem because Mr. Menzies, as he was then, promised to introduce legislation to deal with the matter, but of course he did not do so and it was left to one of his successors to introduce legislation which was found by the High Court of Australia to be not worth the paper on which it was written. Do members opposite know that Sir Garfield Barwick, the then Chief Justice of Australia, said that the legislation was invalid but that if the Commonwealth Parliament had desired to enact valid legislation it could have done so? In other words, because it did not want to do anything about the subject the Liberal Government of Australia deliberately enacted legislation which it knew would be toothless. Yet members opposite—including those representing country people who are grossly affected by restrictive trade practices—have the cheek to sit there and suggest there are no restrictive trade practices.

Mr. E. H. M. Lewis: What will happen to the interlocking companies if they cannot produce the goods at the prices fixed under the legislation? They will go out of business. This has happened before.

Mr. A. R. TONKIN: I thank the member for Moore for that comment which is one of the few sensible comments which have been made.

Mr. McPharlin: I will agree with you there.

Mr. A. R. TONKIN: The point the honourable member made is valid. I would say that this piece of legislation is only one of many required. We must have

other pieces of restrictive trade practices legislation to deal with interlocking companies. I am not suggesting that this Bill is a panacea; but it is one of several necessary measures. Members opposite are quite right when they say this legislation will fail if other measures are not taken. I am saying other measures should be taken.

Mr. E. H. M. Lewis: But that will not produce more goods; and this must be done in order to keep prices down.

Mr. O'Neill: It is the only way.

Mr. A. R. TONKIN: It is not the only way.

Mr. O'Connor: How else can it be done? By reducing wages?

Mr. A. R. TONKIN: Surely members opposite will not deny that occasions do arise when a person must increase by 1c the cost of the article he produces in order that he might cover increased wages and increased costs of other kinds, but he increases the cost of that article by 2c because he does not have to justify the increase to anyone. If the market will bear the increase, it is quite okay. If members opposite deny that this occurs, they cannot have much business acumen. To say that the only way to reduce prices is to increase the number of goods produced is wrong. It is not the only way, but there is no doubt that it is a factor involved.

Mr. O'Connor: In most cases the costs of goods have not gone up anywhere near as much as have wages.

Mr. A. R. TONKIN: The Deputy Leader of the Opposition quarrelled with my use of the term "selective". I think he believed I was being rather specious or flippant when I said that the legislation was selective because it enabled the Government to select. I was being very serious when I said that. If members opposite suggest that selective price control legislation should have written into it those articles it is thought should be controlled, then surely the legislation would be out of date before it was proclaimed or assented to.

To have any kind of flexibility we must have a Bill which gives the Government the power to investigate any increased charges. If we stipulate that only books or certain specified articles are to be controlled, then we will in actual fact impose immobility and inflexibility on the legislation and ensure that it fails.

Mr. E. H. M. Lewis: How would you determine what was a fair margin of profit?

Mr. A. R. TONKIN: It is not my job. I do not expect to be given a job on any of the boards. However, the honourable member opposite will agree that such matters are relative. It is quite clear that if

a certain commodity is being sold at a 10 per cent. mark-up by one person and at a 15 per cent. mark-up by another person there is a *prima facie* case that one is charging an excessive price. There may be other factors but it will be agreed that there would be a *prima facie* case.

Mr. E. H. M. Lewis: The board will not deal with all those other things.

Mr. A. R. TONKIN: I think it will because it will be flexible. Members opposite say the provisions are too wide or all-embracing, and they seem to be worried about some kind of police state. I am suggesting that the measure has to be wide or all-embracing because if it is narrowed to very rigid lines it will be circumvented.

Mr. E. H. M. Lewis: It could be possible for me to sell an article at \$1 and make more profit than someone else selling the same article around the corner for \$1.20.

Mr. A. R. TONKIN: All those points will have to be taken into account but in the final analysis they will be relative.

In conclusion, I think members opposite have missed the obvious point. The existence of this legislation will have an inhibiting effect and industrial concerns will not raise their prices irresponsibly because they will know they can be investigated.

Mr. E. H. M. Lewis: Therefore, they will not handle or stock the goods.

Mr. A. R. TONKIN: I am not saying that at all; I am saying that a person who is selling an article at the present moment is making a profit. If costs go up, by, say, 3c, then the price of the article will go up 3c and it will still be profitable. With no form of inhibiting legislation, and no check at all, what is to stop a manufacturer putting up the price of his article by 6c? This occurs all the time when manufacturers collude in the restrictive trade practices sense. If there is inhibiting legislation then manufacturers will increase prices only in cases where the increases can be justified. Prices will be put up to what is considered to be fair. However, without that kind of restraint, and with the existence of colossal restrictive trade practices, prices can be increased at a rate higher than would otherwise be the case if inhibiting legislation existed.

MR. RUSHTON (Dale) [10.34 p.m.]: After 2½ years one would have expected a rational approach to this very important subject. Judging by the presentation we have just witnessed it is obvious that a theorist has been speaking once again.

I think it is pertinent to give some thought to what was said by the champion of the Federal Labor Party in the person of the Minister for Labour (Mr. Cameron). What he had to say answers, to a degree,

what has been said by the member for Mirrabooka. I will quote briefly from Mr. Cameron's address to the Industrial Relations Society of New South Wales Industrial Convention at Terrigal on the 5th May, 1973. He had the following to say about the experiences of overseas schemes—

The experiences of overseas schemes of prices and incomes restraint is not encouraging. The U.K., which since 1948 has adopted a series of control measures, alternating between volunteer schemes and strictly controlled compulsory arrangements, seems to have been unable to control its inflationary tendency and this lack of success (except for short-term freezes) appears to apply equally to policies of tight or loose control. Other Western European countries are in a similar position, although some have had more success than others.

I think those few brief words from the champion of the Labor Government—the Minister for Labour in the Commonwealth Parliament—give an indication of the importance of the subject now before us. The problem is a vexed one and it is difficult to find the right solution.

I submit that we have the solution at least to the extent where we can contain inflation. It is only by co-operation and recognition of the economic structure of our country, and acting with restraint and responsibility, that we will diminish or hold at a reasonable level the viper, inflation. Mr. Cameron went on to say—

It would seem that while Britain and other European countries have been able to bring about a temporary halt to price increases by means of short-term freezes, this has in practice merely deferred the problem. One certain conclusion is that prices and incomes policies will not work well unless the economic, structural and institutional conditions are favourable.

I think those issues are clear. Mr. Cameron went further and said that the American efforts in relation to a price freeze were somewhat more successful but he does clearly state the nature of the problem. A little later he talks about some of the difficulties, and he then goes on to say—

Let us assume that we discovered powers to control all incomes. How would we do it? A total wages and salaries freeze is an unnecessarily Draconian measure at this stage. The alternative is a system of guidelines for wage increases. But as I have already said, the guideline is inevitably assumed to be the base increase. For example, if we set a guideline of 5 per cent, even those groups who would have moved less than 5 per cent otherwise will assume that it is right and

proper for them to increase by the 5 per cent that is considered an average increase by the government.

Those remarks explain the difficulties, and also supply the answer to the previous speaker. Here, under a system of prices control, people automatically adopt the fixed price even though they can produce at a lower figure. I think all members understand that prices control diminishes incentive and reduces production and the inevitable result is blackmarketing and economic turmoil which we deplore and to which we object.

It is interesting to note that in February, 1971, our Premier was moving towards prices control. He mentioned the statutory control of building society interest rates. We know what has happened to those interest rates. We know that what the Premier was proposing has been found to be unworkable and the opposite is happening. As a matter of fact, hardship would have been placed on the people instead of providing them with some relief.

Prices control, or selective price fixing, has been talked about for 2½ years but I think the talk has been more in the nature of politicking rather than practical application. When we refer back to 1970 we can recall the emotion which was generated effectively in an attack on the Brand Government. I would say that that emotion played a part in bringing to an end that very successful Government. However, I think the hens have come home to roost and what was said in 1970 is starting to react on this Government. The Government has been ineffective.

Others have mentioned the increased charges and costs introduced by the present Government. One of the most worrying of these was the 21 per cent increase by the S.E.C. which has affected our whole cost structure. I mention this increase only in passing.

I looked back with great interest at one of the questions I asked the previous Minister for Prices Control. On the 18th April I asked for comparisons of items between South Australia and Western Australia. The Minister then promised me he would arrange for these to be obtained and said that details would be supplied as soon as information became available from South Australia. I have not received those details as yet.

Such information would have given us an indication of the items which are controlled in South Australia and it would have been possible for us to compare them with similar goods in Western Australia. This would have been a practical exercise at least and it would have enabled us to compare the prices of certain goods which are controlled in South Australia with those of similar goods which are not controlled in Western Australia.

Mr. May: Do you think it would have made any difference?

Mr. RUSHTON: We should have had this information.

Mr. May: Do you honestly think it would have made any difference to the passage of this piece of legislation?

Mr. RUSHTON: I think the information should have been made available to prove whether prices control can work.

Mr. May: Do you honestly think that this piece of legislation would still go through if the information from South Australia had been obtained and had pleased the Opposition?

Mr. RUSHTON: I have alternatives which I am prepared to suggest. Had the information been made available we would, at least, have had a better chance of saying, "Frankly, the Minister has something to prove his point." If members read the second reading speech made by the Minister they will see there is nothing to prove his point. The speech is full of generalities.

Previously, legislation was introduced which the Minister realised—and admitted in the House—could not be accepted because of the extreme consequences. I consider that the actions of the present Labor Government in Canberra make this piece of legislation unnecessary.

The fact that the Minister was unwilling to give information requested last April to enable a comparison to be made between prices of goods which are controlled in South Australia and prices of similar goods in Western Australia is a fair indication of the insincerity behind this legislation.

I witnessed an extremely interesting discussion on "Monday Conference" on television, although I cannot recall the exact date. The members of the Joint Committee on Prices were interviewed and the resulting discussion was well worth listening to. The chairman was a Labor man and Senator Guilfoyle, the other politician, presented her case extremely well. Any fair-minded person who watched the interview would agree that this is a difficult issue to resolve. The chairman, who was chairing an independent committee, attempted to be fair but he found it difficult to marry his own beliefs, which shone through now and again, with the contentions of the committee. I am sure everyone would agree that Senator Guilfoyle played a magnificent role in presenting her case. I do not think for one moment that this lady would accept this description but, had she been nominated the champion of women she could not have presented her case better. Senator Guilfoyle did a magnificent job that night and I am sure most people would agree with what she said. I understand Senator Guilfoyle was a practising accountant at one time and she was certainly right up with her subject.

I took down some notes that evening and I will quote only a few to illustrate the approach of the chairman and that of Senator Guilfoyle. I shall also mention briefly one question which was put by a member of the audience. I have selected these statements at random and I think the chairman concerned was Mr. Hurford.

Mr. Harman: A good man.

Mr. RUSHTON: An intergovernment committee between the States was about to be formed. Of course this is one way of attacking the issue and I suggest it should be handled in this manner. We do not need legislation before us; we need intergovernment co-operation between the States. The chairman said there were no instant solutions—and I am sure the Minister would agree—to the question of inflation. He also asked that people should not have closed minds but should keep their approach to the issue flexible.

This is what the members of the Opposition are saying tonight. Let us forget about politicking; let us find the answer to the question; and let us get on with the job.

He also said, in a different context, that the A.C.T.U. would have to agree to any moves that may be taken in attacking this question. This is fair enough, because the A.C.T.U. represents a very important section of our community. However, I suggest the A.C.T.U. must show far more responsibility towards economic management than it did when we had what somebody described as a restricting budget. Through a lack of restraint and responsibility the President of the A.C.T.U. played a big role in encouraging galloping inflation at that time.

The Chairman of the Joint Committee on Prices also said there must be a voluntary acceptance of restraint. A mandatory measure of any form is not wanted. It must be an educational attack upon the question of inflation. In other words, everybody must be involved if inflation is to be brought to a satisfactory level.

Senator Guilfoyle advocated an incomes and prices policy, even for a short time, should the demands be such. She believed that economic inflation resulted from Government policy, employment policy, and use of resources. This is easy to see.

The few comments I have given show how ineffective the present measure is. I think the idea of this legislation was put forward in the heat of the moment in 1970 and 1971. In the first instance the suggestion was quite attractive to people who were placed under pressure through prices. The idea was easy to sell. The Premier, who was then the Leader of the Opposition, had a winner, I believe, in presenting this subject which he did emotionally. I think the idea attracted many people.

Now the tide has turned. People have now realised that what was said at the time was not what they supposed it to be. Senator Guilfoyle said that unless unions recognised their part in the cost structure we would not get anywhere. This means that all sides of the economic structure must come together to resolve the difficulties.

Senator Guilfoyle also said that she believed that wages should be related to productivity. Of course, productivity is an extremely important factor, as the member for Moore has said by interjection on a number of occasions. Without it, what do we have to share?

The questioner raised the issue of inflation and asked what the result would be from introducing four weeks' leave, increased Government spending, and a 35-hour week.

Can there be a genuine approach to the control of inflation when these other aspects are considered? There seems to be no deep appreciation of the causes of inflation.

I would like to offer the Minister the suggestion that he withdraw this legislation and seek to come together with his counterparts in the other States and in the Federal Government to work out a programme for the responsible economic management of this country, to the benefit of every person in it. Unless they come together and dovetail the economies of the States and the Commonwealth, and unless we have co-operation between all those forces, this legislation cannot hope to be successful.

Anything we might do towards economic management in this State could be destroyed by the Federal Government. In recent times we have learnt about the spending policies of the Federal Government. If it carries out what it has promised to do, there can be no thought of containing inflation. This legislation would be gone, like a piece of paper taken by the 40-knot wind last Saturday night. It would be useless and could not be effective without economic management from the central Government, which should get together with the States and manage the economy in the interests of all the people. Nobody would deny that the greatest threat to our way of life is the inflationary stress and strain we are experiencing.

The Tonkin Government's contribution has been a political one; it has not been a practical, economic contribution. We have not had sound management from this Government, and I think that is the factor which has done more than any other to destroy the Government. It has not been seen to manage the economy soundly.

Mr. Jamieson: It has not been destroyed yet.

Mr. RUSHTON: It has.

Mr. Jamieson: No, it has not, and you will find that out.

Mr. RUSHTON: In the circumstances, members on that side of the House should move off in shame.

Mr. Jamieson: What are you talking about?

Mr. RUSHTON: I submit that without co-operation and an inter-Government attack on inflation the legislation must fail. We have not seen any such moves in this place.

Mr. Jamieson: You should be careful not to fall off your pedestal. You will break your neck from that height.

Mr. RUSHTON: The Minister for Works would not know what "reasonable" meant. Some of the other States have already offered co-operation. I have not noticed that the Government of this State has made the same offer. I suggest rationalisation of the policies of the States and the Commonwealth is the only way to effect the intention of this legislation, which is to place a restraining influence on inflation. The Bill now before us could have the opposite effect. Generally speaking, price fixing has in the past allowed the lazy people to win and receive greater rewards than they would under conditions of full competition. We then had blackmarkets and the unsavoury and unacceptable results of shortages, which bring out the worst in people.

The Minister has taken over from another Minister who had this legislation before him for 2½ years. We have the newest Minister attempting to take it another step forward. I suggest he save his effort. He would win far more praise by withdrawing the legislation, seeking co-operation with his counterparts throughout the Commonwealth, and accepting the offers made by other States to come to grips jointly with this issue. This legislation will be completely ineffective, and for that reason I will not support it.

DR. DADOUR (Subiaco) [10.56 p.m.]: I shall not speak for very long. As most of the other speakers on this side have said, the legislation before us will not achieve very much. I believe the Government could help to stop the inflationary trends through good management.

I will speak about the cost of running our teaching hospitals, which has risen remarkably. If we look at the cost per bed per day at each of our teaching hospitals, we will be astonished to see that from the 30th June, 1969, to the 30th June, 1973, there has been an increase of well over 100 per cent. The percentage increases per year for the last five years at the five hospitals are: from 1969 to 1970, 18 per cent.; from 1970 to 1971, 23

per cent.; from 1971 to 1972, 14 per cent.—I spoke very strongly about the Royal Perth Hospital just after the 1971 figure was published and I believe I could have contributed somewhat to that lower increase—and from 1972 to 1973, 25 per cent. I have said time and time again that good management would improve patient care and cut the cost considerably.

The SPEAKER: I hope the honourable member will tie this up with the Bill.

Dr. DADOUR: I consider it is tied up with the Bill because I believe that if the Government exercised good management there might be no need for the Bill. I believe the Bill on its own can do nothing whatsoever, unless we stem the escalation of Government costs which is contributing to inflation. The intention of the Bill is the prevention of inflation. Is that a sufficient tie-up, Mr. Speaker?

The SPEAKER: I am not sure that it is.

Dr. DADOUR: I believe the Government should set an example by good management, as has been done in regard to the hospitals in New South Wales. I gave the Minister all the data concerning the investigation which led to the stemming of the inflationary trend and, at the same time, the improvement in patient care at those hospitals.

I do not believe this Bill will control the price of services very much. I suppose people believe that in some vague way medical services will come within the scope of the measure. Medical services have risen 100 per cent. from 1957 to the present day. A consultation in 1957 was \$1.75, and today it is \$3.50. That is exactly 100 per cent. Inflationary trends from 1957 until today are well in excess of 100 per cent.

Mr. Harman: Have you put your fees up by the recommended 25 per cent.?

Dr. DADOUR: I do not think that is relevant. I have already told members my present charges. If the Minister cannot work out the answer to his question, he cannot do arithmetic. The answer is that I have not put up my charges.

It may be that in some way the medical fees can be controlled under this legislation. However I do not believe it is practical.

Mr. Hutchinson: It is no cure, anyway.

Dr. DADOUR: I believe I have got my message across. The Government should set an example by trying to stem Government expenditure. This Bill is simply not needed. The private sector would follow an example set by the Government. Expenditure in the private sector is not as high as that in the Government sector, and Government expenditure is probably one of the greatest contributing factors towards inflation.

MR. HARMAN (Maylands—Minister for Labour) [11.03 p.m.]: This has been a very interesting debate. It has been consistent and punctuated with some half truths and red herrings. By and large its course was predictable—this is the way I thought the second reading debate would go.

Mr. Hutchinson: A white elephant!

Mr. HARMAN: I want to correct a statement made by the member for Floreat. He said the Government did not have a mandate from the people to bring in this particular Bill. He quoted from the pre-election policy speech of the present Premier of Western Australia who said—

Labor is of the opinion that some form of price control is necessary but it is desirable to have it on a Commonwealth basis. Accordingly, we support the holding of a referendum of the Australian people to ascertain their wishes.

This is the point at which the member for Floreat left off. He did not read any more of the policy speech made by the Premier of Western Australia. Had he read a little further, he would have seen that the Premier said—

Failing action being taken to enable price control to operate on a Commonwealth basis, we propose to institute a system of selective price control similar to that in operation in South Australia.

The member for Floreat says that we do not have a mandate; I cannot see his point at all. If he is not sure that these words were used, he will see them in the roneoed form.

Mr. Mensaros: I assure you my copy does not contain that, but I do not disbelieve you.

Mr. HARMAN: That is on page 3.

Mr. Jamieson: He has an abridged Liberal copy.

Mr. Mensaros: Page 3 commences with the Consumers' Protection Council.

Mr. HARMAN: That is right. Perhaps the honourable member will read the last paragraph under that heading.

Mr. Mensaros: Yes, you are right.

Mr. HARMAN: So I will not need to elaborate further with the comments in *The West Australian* of the 4th February, 1971, referring to the Premier's stated election policy speech including selective price fixing. It also carried an editorial dealing with selective price fixing based on the South Australian legislation.

Let us not be under any illusion—we had a mandate from the people to bring in a Bill providing for selective price control. We brought in such a Bill and it was passed in this House because the people of Western Australia elected a particular Government which has the numbers

here. Of course, the Bill was defeated in another place. The members in the Legislative Council were not concerned that we had a mandate for this particular legislation; they made up their own minds that they did not want prices control on a selective basis. We have another Bill before us now and again it is predictable that the Bill will pass through this House, because not only do we have the arguments but we also have the numbers.

Mr. Hutchinson: Brutal majority.

Mr. HARMAN: One of the red herrings put up tonight is that blackmarketing will occur. I was in South Australia for a few days a little while ago and I did not see any blackmarketing in pies or in soap. I am sure the people of South Australia are not disadvantaged by having a price fixing commissioner.

Mr. O'Neil: They are not being advantaged. The only one to gain advantage is the price fixing commissioner. He gets a very large salary for doing practically nothing.

Mr. T. D. Evans: What about the medical fees at the present time?

Mr. O'Neil: Within 24 hours they changed the mark-up.

Mr. HARMAN: The public ought to be satisfied if a completely unbiased body is available to investigate the charges for a particular product or service. Such a body would investigate a product or service and determine whether or not it is one which should be declared, and therefore, one which should be subject to price control. After looking at the service or product, the price fixing commissioner may say, "We think it is not necessary to fix the price of this commodity. The manufacturer is justified in charging this amount and the commodity should not be declared to be subject to price control."

The public of Western Australia would be quite happy with a set-up of this kind. I am sure people in country areas would be satisfied that the prices of various items are being investigated. I have heard no-one complain that the price of bread is controlled. I have sat in this House for 2½ years and I have not heard one Opposition member complain about the fact that the price of bread is controlled.

Mr. O'Neil: I have complained that it has gone up ever so much more with price control than without it.

Mr. Jamieson: No blackmarket.

Mr. HARMAN: What is wrong with the price of bread going up?

Mr. O'Neil: It proves my point that price fixing sets a higher price than the commodity is worth.

Mr. Hutchinson: It just does not function.

Mr. HARMAN: If the bread manufacturers can convince an independent committee that the price of bread should go up, at least the public knows that the price has been investigated. This would not happen under the system proposed by the Opposition.

Mr. O'Neil: The public believes price fixing will achieve cheaper prices. You are hoodwinking the public.

Mr. HARMAN: Bread must go up in price as do other commodities.

Mr. O'Neil: You are admitting it is a farce.

Mr. HARMAN: There are other products.

Mr. O'Neil: Name one. The Government has not been able to name a product despite repeated questioning.

Mr. HARMAN: I am saying that other items are subject to control.

Mr. Hartrey: I will name two—rent and interest.

Mr. O'Neil: The Government has refused to name any item that is controlled, and the Minister has refused to do so, too.

Mr. HARMAN: And for good reason.

Mr. O'Neil: Yes, because you wouldn't know.

Mr. Fletcher: How about starting on rent?

Mr. HARMAN: The simple fact of the matter is that we have a mandate from the people to present this legislation to Parliament. If the Opposition in the other House wishes to defeat the measure, then the responsibility for doing so will rest on its shoulders. We believe this is not a political gimmick; we are not trying to pull a fast trick. We present this legislation in the knowledge that the people in 1971 gave us a mandate to do so. It is selective prices control. It is not our intention to control the price of every product and service in the community; we wish only to have the ability to investigate a certain service or product and, if necessary, to control its price. I hope the legislation will be passed by this Assembly and that it will be given wise consideration in another place rather than merely being rejected out of hand.

Question put and a division taken with the following result—

Ayes—20

Mr. Bateman	Mr. Fletcher
Mr. Bickerton	Mr. Harman
Mr. Brown	Mr. Hartrey
Mr. Bryce	Mr. Jamieson
Mr. B. T. Burke	Mr. Jones
Mr. T. J. Burke	Mr. May
Mr. Cook	Mr. McIver
Mr. Davies	Mr. Sewell
Mr. H. D. Evans	Mr. A. R. Tonkin
Mr. T. D. Evans	Mr. Moller

(Teller.)

Noes—20

Mr. Blaikie	Mr. Mensaros
Sir David Brand	Mr. O'Connor
Mr. Coyne	Mr. O'Neill
Dr. Dadour	Mr. Ridge
Mr. Gayfer	Mr. Rushton
Mr. Grayden	Mr. Sibson
Mr. Hutchinson	Mr. Thompson
Mr. A. A. Lewis	Mr. R. L. Young
Mr. E. H. M. Lewis	Mr. W. G. Young
Mr. W. A. Manning	Mr. I. W. Manning

(Teller)

Pairs

Ayes	Noes
Mr. Bertram	Mr. Stephens
Mr. Taylor	Mr. Nalder
Mr. Brady	Mr. Kunciman
Mr. Lapham	Mr. McPharlin
Mr. J. T. Tonkin	Sir Charles Court

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

Question thus passed.

Bill read a second time.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [11.15 p.m.]: I move—

That the House at its rising do adjourn until Wednesday, 8th August, at 2.15 p.m.

Question put and passed.

House adjourned at 11.16 p.m.

Legislative Council

Wednesday, the 8th August, 1973

The DEPUTY PRESIDENT (The Hon. N. E. Baxter) took the Chair at 4.30 p.m., and read prayers.

QUESTION WITHOUT NOTICE

ROAD MAINTENANCE TAX

Abolition: Proclamation of Legislation

The Hon. J. HEITMAN, to the Leader of the House:

This morning the Premier received a deputation of farmers from the Lakes district in regard to legislation to abolish road maintenance tax and its effect in that area. The Premier promised that if the Traffic Act Amendment Bill (No. 2) were not passed and the Road Maintenance (Contribution) Act Repeal Bill were passed, he would still proclaim the Bill to abolish road maintenance tax. As this point will have a big bearing on our comments in connection with the two measures, will the Leader of the House confer immediately with the Premier to ascertain the truth of his remarks? When the Premier introduced the Bills in another place,

he said that he would not proclaim the Road Maintenance (Contribution) Act Repeal Bill if the Traffic Act Amendment Bill (No. 2) were not passed.

The Hon. J. DOLAN replied:

This is the first time I have been made aware of this matter.

The Hon. A. F. Griffith: It only happened this morning.

The Hon. J. DOLAN: Yes, I know, but if the honourable member had mentioned it to me before the House commenced sitting I probably would have had an opportunity to see the Premier.

The Hon. J. Heitman: We have only just left the deputation.

The Hon. J. DOLAN: I will handle the matter with all expediency and advise the honourable member as soon as possible.

QUESTIONS (8): ON NOTICE

1.

STATES' LEGISLATIVE POWERS

Federal Government's Policy

The Hon. A. F. GRIFFITH, to the Leader of the House:

In the issue of *The West Australian* dated the 14th July, 1973, the Premier is reported making the following statements:

"The Federal Government's policy of State legislative power reference was unnecessary and unwise. People were not ready to accept what was an erosion of State powers so soon after Western Australia had nearly seceded from the Commonwealth. It would mean the eventual destruction of State Labor Governments and their reduction to the status of Local Government. It was now Labor policy to call on States to refer legislative power to the Commonwealth if it was in the Party's interest. But it really will not have any practical result for Western Australia. The Commonwealth might call on us to refer a certain power and the Labor Party will introduce a Bill, but it will be blocked by the Upper House. Opposition majority in the Legislative Council would be a stumbling block that would prevent the policy working. The shift of power to a central body was a world-wide movement, but people here were not ready to accept it."