all sections of the dairy industry, because as late as yesterday the Farmers' Union sent the following letter to me—

> The Farmers' Union has been following the progress of the Bill to establish a Single Dairy Authority through Parliament with interest and concern.
>
> Our organisation believes that the establishment of a Single Dairy Authority is vitally necessary to secure the future of the dairy industry in Western Australia.
>
> The proposed Act is the result of close negotiation between the Union and the Government and has been thoroughly explained to producers at a series of meetings in country areas.
>
> The Farmers' Union represents in excess of 80% of producers in licensed milk and butterfat producing areas. Representatives of these producers carried the following motion, unanimously at the Dairy Conference and by a majority of 41-2 at the Whole-milk Conference:—
>
> > "THAT this Conference give its full support to the Executive and Joint Section Committee in securing the passage of the Dairy Industry Act to set up a Single Dairy Authority at this next session of Parliament and re-affirm its desire that the Bill be passed without amendment which would affect the main principles of the Act and thereby take from producers the ability to manage their own industry."
>
> We respectfully urge that this Bill be proceeded with in the Legislative Council, in the form in which it was received, as a matter of urgency.

There is real concern for this industry Bill to proceed. Mention has been made of the question of vesting. This is necessary for the good control of the industry, and as in other industries, vesting should take place in the dairy industry.

In this regard I can recall Mr. Syd Thompson interjecting when Mr. Logan was speaking on the question of vesting. Mr. Logan was saying that the producers would lose control of their products through vesting. However, if we look at the agricultural products which are vested in statutory marketing boards we find they include wheat, barley, linseed, rapeseed, eggs, potatoes, and lambs for slaughter. All these products are vested in boards.

The Hon. L. A. Logan: I did not say they were not.

The Hon. R. THOMPSON: I realise that, but the honourable member was very critical of milk being vested, as was Mr. MacKinnon.

The Hon. L. A. Logan: I am not critical of milk being vested. You have not read my speech.

The Hon. R. THOMPSON: If I have done the honourable member an injustice I apologise. I do recall Mr. Syd Thompson's interjection. He said, "What about wheat? Is that not vested?"

The Hon. G. C. MacKinnon: Perhaps misunderstanding might be a trait of Mr. Syd Thompson.

The Hon. R. THOMPSON: I think that a nod is as good as a wink from Mr. Syd Thompson, and what I have said is correct. He interjected and said, "What about wheat? Is that not vested?"

The Hon. L. A. Logan: What was said after that?

The Hon. A. F. Griffith: I suggest that the members concerned look at the *Hansard* reports and satisfy themselves as to what they have said.

The Hon. R. THOMPSON: I think sufficient discussion has taken place. There is a clear understanding by the industry as to what it wants. After a period of some five years, in an endeavour to bring about the establishment of a single dairy authority, we should support the legislation before us if we take any notice of what the Farmers' Union has said.

It is not my intention to enter into a debate or argument between the members of the Country Party and others as to whether or not the Farmers' Union is consistent or correct. This is a matter they can argue between themselves. The concern I have is in getting this legislation passed, so that the industry can make the progress it desires.

Question put and passed.

Bill read a second time.

House adjourned at 10.39 p.m.

Legislative Assembly

Wednesday, the 17th October, 1973

The SPEAKER (Mr. Norton) took the Chair at 2.15 p.m., and read prayers.

MACHINERY SAFETY BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Harman (Minister for Labour), and read a first time.

MEDICAL SCHOOL

First-year Students: Motion

Debate resumed, from the 2nd May, on the following motion by Dr. Dadour—

> That in the opinion of this House, we deplore the failure of the Government to take the necessary steps to alleviate the crisis in the medical

school whereby many first-year students are unable to continue with their medical course when there are emergency measures that can be taken to relieve the crisis partially in the short term while longer term solutions are implemented.

SIR CHARLES COURT (Nedlands—Leader of the Opposition) [2.20 p.m.]: My comments will be brief and to the point but I hope they will register with the Minister concerned and with the Government. I support the motion which has been moved by the member for Subiaco, because I believe it is timely. It is as timely today as it was at the time it was moved—although we have to go back to May to read of the introduction of the motion. To be precise, the motion was moved on page 1286 of *Hansard* of the first part of this session on the 2nd May. I refer members to the wording of the motion so that they may refresh their memories as to what it is all about.

At the time when this matter was first made public we were concerned at the situation that had developed. Admittedly it was not something that had developed overnight but we were concerned that it had developed in a way which seemed to smack of defeatism—so far as the authorities concerned expressed themselves in public, anyhow.

The Minister did little to relieve our feelings on the matter. I would like to refer to *The West Australian* of the 20th January, 1973, and an article headed, "Quota Bars 41 Medical Students". The article says, amongst other things—

> Forty-one W.A. University students who passed first-year medicine in 1972 will not be able to take the second-year course because of quota limitations.
>
> Some have been rejected for the second time though they twice gained pass marks.
>
> One student who just missed the quota last year, repeated the year, and despite a much improved performance still has not made the quota.

The next comments are extremely significant and, I believe, should be especially heeded by members. They are—

> The dean of the medical school, Professor E. G. Lennon, said: "He is a first-class boy with first-class leaving and matriculation results. I have no doubt he would make a first-class doctor."

In view of the situation that had developed, presumably that person was lost to the profession in this State. I do not know whether he battled on and eventually found another way to make the grade. Members will appreciate, however, that this particular student not only qualified the first time he did his first-year course but he also qualified again.

I have been given to understand from some of the students that when a person does a year like this for the second time in the hope of being accepted into the quota he has to do doubly well. It is not sufficient to obtain the required pass the second time, but it is necessary to obtain a much better pass. On the surface, to some of us that may appear illogical but when we look at it in practical terms it is not illogical. If a student did not do better the second time he would not be taking his year as seriously as he should be. He would be working on the fact that he had passed once and would, with his added experience, more or less go through automatically the second time. Therefore, some form of incentive is held out to make a student do his year doubly well. If that theory works out in practice that particular student should be all the better for it, if and when he is selected in the second-year quota. I am also informed by some of those involved in this matter that it does not quite work out like that and, in fact, the problem is a compounding one.

According to the statistics I have, it was originally arranged that the intake into the second year would be 60. Subsequently it was increased to 90, and that is the current figure. After all the trouble, controversy, and discussion which occurred, I gather the powers-that-be conferred and made a momentous decision designed to solve the problem. They said, "We will solve this problem of the second-year intake by not taking them into first year." That is a classic example of a doctor cutting off a man's head because he has a sore throat—just kill them off and we will not have them to worry about. I think it was a defeatist attitude.

At the time—and not without some research and consultation with people who, I believe, knew what they were talking about—I made a statement as to what our attitude would have been had we been in government. I want to say categorically that had we been in government at least half of the 41 students would have continued in second year, and I am assured by responsible members of the profession that this could have been done. We are in a situation where we have an acute need for these people.

Mr. A. R. Tonkin: Can you explain how that would have been done?

Mr. Davies: They are giving you advice which is different from the advice they gave me.

Sir CHARLES COURT: I am not necessarily dealing with the same people as the Minister is dealing with but I am dealing with people for whom I have a high regard in medical terms. I did put forward

a solution, as a layman. I expected some of the professorial staff to react, and I was not surprised when they did. In fact, I anticipated it. It is not very often I watch television but one night I happened to walk into the room and saw "This Day Tonight", in which the dean of the faculty was saying all sorts of things about Charles Court and was not impressed with his ideas. That did not worry me. Nevertheless, I would have liked to be in the studio to try to get his reactions to a few suggestions which had been put forward not only by a layman but also by responsible members of his own profession.

For some reason or other, we do not seem to be able to get the message across. We are very short of doctors, particularly general practitioners, and I believe with the passage of time we will need more and more of them, not just in an ordinary projection related to the population but on a scale greater than the rate of population increase.

Mr. Davies: We are not short of doctors, according to the experts; we are short on distribution.

Sir CHARLES COURT: I will deal with that, too. That may be the answer but I think we will solve one problem by solving the other. If we have plenty of them we will solve the distribution problem. We are badly in need of general practitioners. I and some of my colleagues have tremendous faith in good general practitioners. I have often heard it said one must be a top-line doctor to be a general practitioner.

I think it was the member for Subiaco who told a story at a public gathering—and, to his credit, in front of some of Perth's eminent specialists—about nine students who got the results of their examinations from the master of their class. Five had passed and four had failed. The chief instructor congratulated the five who had passed and when the four who had failed looked rather miserable the chief instructor said, "Don't worry, boys; you are specialist material." Some of us know that is quite true. To complete the story, two of the specialists who were at that particular public gathering were two of the four students who had failed and they now have positions of considerable eminence in their profession, which just proves the moral of the story. I think the member for Boulder-Dundas would agree that in his profession some of those who set up as specialists had not made the grade very well as general practitioners.

Mr. Hartrey: Quite true.

Sir CHARLES COURT: I know in my own profession that some practitioners often specialise in probate, taxation of one form or another, or some particular branch of the profession. Usually these people have not had a strong enough armament to carry on in the profession on a total basis. I am not attempting to vilify specialists—we need them.

Mr. Hartrey: The explanation is that they get to know more and more about less and less until they end up knowing absolutely everything about absolutely nothing.

Sir CHARLES COURT: I think that is about right, too. I know I became confused when I tried to specialise, so I stuck to the good old general sphere.

Mr. Davies: Was it Disraeli who said, "You have to specialise"?

Sir CHARLES COURT: I do not know. I have not heard that quotation and I do not know what it refers to.

Mr. Davies: I think he was talking of politicians rather than medical practitioners.

Mr. Taylor: I think you were there the day he said it.

Sir CHARLES COURT: Interjection understood.

Mr. Taylor: I could not resist it.

Sir CHARLES COURT: So far as general practitioners are concerned, I believe we have to step up the intake so that somewhere along the line we have enough practitioners to be able to deploy them where they are needed and in a way which will adequately service the community. I am not suggesting we should direct them, but I believe the day will come when it will be part and parcel of the training, through the Perth Medical Centre, to see that some of the students are committed to gaining this experience in the remoter areas during the course of their studies. If the students were able to learn something of the conditions encountered by the people living in the north and other rural and remote areas, and the way in which medical practice is carried out there, I believe they would be the richer for it. Some very remarkable medical practitioners have come out of the north, and in the days when timber mills were much cruder than they are today, we saw many remarkable medical practitioners come out of the south also. I believe these men were greatly improved in character and expertise because of their experiences.

Mr. Davies: The Government has given an undertaking to the college that it will pay for students to practise with general practitioners over a period of their training. Fortunately the Commonwealth has come in to support us. This is along the lines that you are suggesting.

Sir CHARLES COURT: The only fear I have is that duties of this nature will be regarded as a chore and not accepted in the right spirit as basic training and experience. This could form part of the

students' introduction into this particular profession. I also hope that such training is not undertaken for short periods of three, four, or six months. I believe it must be incorporated within their training in a much more meaningful way than that. If the idea is instituted properly, there would be no resentment from the students or from those who have just graduated.

In such a way the students would become aware of the conditions in which the people in the north live. We must ensure they go to decent facilities and that they would not be lonely and have to fossick around for someone of their own profession to talk to. A student could join a group of practitioners in a remote area, and he would gain support from them. Many of the young practitioners would return to the remote areas at a later stage, even if they did not stay after their first term. A proportion of the trainees would get a taste for this sort of life and would want to go back to it. I understand some success has been achieved already with people who were at first reluctant to go to these areas and who found that the facilities and conditions were quite different from what they had expected and they wanted to return.

Mr. Davies: We are letting the college advise us on this. It is fairly important. We have been sending students up north, as you are probably well aware, and thank goodness, some of them would not return to the city if we paid them.

Sir CHARLES COURT: I understand this has happened on the goldfields too.

Mr. Davies: Yes, some of them are very good.

Sir CHARLES COURT: One of the main problems which came to light when the public debate on this matter was generated was that even following the present programme, by 1977 we would get to the stage of being able to cope only with our present needs. In other words, the dog would chase its tail.

Having got to the year 1977 in a nice, orderly fashion according to the programme laid down, we would still finish up without sufficient practitioners for that time because in the meantime if we are going to progress as a State and to grow in population obviously the need for practitioners will become much greater; and also the sophistication of medicine will become greater and the numbers will compound. I would like to feel that we are not talking about that timetable any more; I would rather feel that somebody has stepped in and said that we have to organise this on a more imaginative basis to enable us to get ahead of the compounding factor.

Mr. Davies: It all depends on whether you listen to the university, the Public Health Department, or the college; they all have different views on what the figures are. But there have been some official statements lately.

Sir CHARLES COURT: I come back to the statement I made on the 25th January, because I think it is pertinent. I said—

> The statistics I have been able to obtain make it appear that the current planning only copes with the problem at its present level. It does not take care of the expanded demand that will occur between now and 1976.
>
> There appears to be resignation to the situation as though it does not permit emergency measures that can at least alleviate the problem and the frustration felt by the forty-one students who cannot go on to their second year.

We must realise these are not people who have failed or are not adequately equipped; they are not people who have been unable to pass the various tests, academic and otherwise; rather they are people who have passed the first year. Therefore, we must look at them in a different light altogether from that in which we look at people who might have the ambition and desire, but not the capacity. I carried on to say—

> Revolutionary though the idea might sound, surely there are ways and means of using the present facilities to a greater extent even to a point of using them on a shift work basis.

I knew that would bring forth an avalanche of criticism, but strangely enough the criticism I received from the practising profession was nil; on the other hand the criticism from the teaching side was, of course, fairly vocal.

Mr. Davies: Well, the practising profession does not have to worry about the teaching side, so that is only natural.

Sir CHARLES COURT: The practising profession must worry about the teaching side. One must realise that those in the practising profession were once students.

Mr. Davies: But they do not have to do the physical work of teaching students.

Sir CHARLES COURT: No, but they have been through all the trials and tribulations of qualifying in the first place and then doing a period of residence. Therefore they are fairly well informed, especially when we have regard for those men who had experience in teaching after they graduated.

Mr. A. R. Tonkin: It is all very well for you to say that, but they know they will be better off in private practice than they will be if they teach at the university.

Sir CHARLES COURT: I would not say that too loudly if I were the member for Mirrabooka—

Mr. A. R. Tonkin: Why not?

Sir CHARLES COURT: —because many people in the teaching profession—and I am talking about teachers in the medical profession—have much more ordered lives and much less demanding lives than those in the practice of full-scale medicine.

Mr. A. R. Tonkin: That is so; but the point I am making is that it is difficult to get people in the academic field, and part of the problem is the question of income.

Sir CHARLES COURT: Yes, that is one of the problems in all forms of academic life: and it is one of the things we on this side propose to face up to. I do not think there is enough interchange between the teaching side of the various faculties and the community, generally. The Americans have partially solved this problem; it is not unusual to find in America or in Japan a professor on the board of directors of some concern. He might be on the board for three or five years, and the next time one meets him he is back at the university. There is much more communication with that system. The professor within the university who has been in business or practised a profession enjoys much greater credence from the members in the practising profession. It is not easy to do this in some professions, but in most professions there is scope for interchange and I hope we are able to carry this forward.

There is a suspicion in industry, commerce, and the practising professions about the teaching side of their own profession, and the only way to break this down is to get some of the teaching people out into actual practice for a while. If that is done I believe they will go back to their teaching work and enjoy much greater credibility, acceptance, and support from their own professions.

Mr. Davies: Many of them have a private practice outside of the university—they practise physically.

Sir CHARLES COURT: This does happen in many faculties; for instance, it happens in the legal profession. We have the case of a legal practitioner who comes in from private practice and deals with a particular subject for a limited part of his time. That is a good thing.

Mr. Davies: University professors are difficult people to deal with sometimes.

Sir CHARLES COURT: They are, because some of them stay there all their lives and few of them transplant themselves out of the university completely and into the practice of their particular profession. I believe that if more of them did it would be to the advantage of both parties, because there is a suggestion on the part of people in day to day practice that the fellows in the "ivory tower", as they say, are out of touch; are unrealistic, and all the other usual phrases and adjectives which are used in referring to them, whereas if they were intermingling, one with the other, a great deal of this prejudice would be broken down.

I continue to quote the comments that I made earlier in the year as follows—

> I can imagine the expressions of consternation that will come forth from those who normally move in the rarified atmosphere of the higher professional and academic levels. But surely there must be some way in which the use of laboratory and teaching facilities can be extended.
>
> There is no permanent solution. On the contrary, there must be clear undertakings about the programme for permanent and adequate facilities to catch up.

I question that, because one of the problems that one strikes in government, universities, and other organisations is that the buildings that are erected as being temporary—and there is every intention of their being temporary—actually become permanent. An example of that can be given by referring to the old tin shed in which the *Hansard* staff was accommodated for about 50 years. That accommodation was intended to be temporary but it became more or less permanent.

Mr. Davies: It could have become one of the buildings that are brought under the National Trust.

Sir CHARLES COURT: That is one of the problems; if the building is left for too long it becomes a "State monument". I continue to quote—

> It would call for a great deal of dedication and tolerance on the part of students, teachers, technicians, hospitals and patients in both Government and private establishments. When the need is real, co-operation is usually forthcoming.

That, I think, is the crux of the situation, because experience in all walks of life is that if there is a degree of pressure, a degree of not exactly crisis but a situation that has to be dealt with in an atmosphere of pressure, the best comes out in people.

Many of the students who were involved in this issue—not only the 41 but others who were more fortunate—were some of the first to say that they believed that there was scope for understanding whereby at least some, and probably half, of the 41 students could be accepted. I know it would have called for some timetabling. They would not have been able to follow a set routine; they would have had to be given some co-operation from the teaching hospitals and private hospitals, and it would need a great deal of co-operation on the part of the students themselves. Also there would have had to be co-operation from the teaching staff.

I believe that if this were properly represented the people concerned would rise to the occasion and, somehow or other, they would leave an imprint on these particular students. I believe that if action had been taken along those lines we could have got a new dimension into the Medical School from which we could have had at least half of the 41 students saved from the anguish which was the result of their rejection. It is a sorry situation when a person qualifies through hard work and then finds, all of a sudden, he is not able to proceed even though he has done all that is necessary to qualify to meet all the academic and other standards.

So we on this side of the House support the motion. We believe it is a matter that should be raised. It is perhaps fortuitous it came up again before the House even though many months have elapsed since its introduction. I believe that action could have been taken to deal with this matter on an emergency basis. I know the dean of the faculty turned my suggestion down. He said it was impractical and that the person who made the suggestion did not know what it was all about. I was not relying on my judgment. I relied on the suggestions of people who have a practical approach to the problem and who have had a great deal of practical experience. This is the way we would have tackled the problem. Even if we had absorbed 10 students out of the 41 it would have been of some use and would have offered some degree of consolation. Further, it would have given encouragement to other students who come along.

The idea that has been introduced to restrict the intake to 110 or 120 students, so that the natural wastage and failures will keep the intake down to 90 students in the second year, is not the real solution.

Mr. Davies: What do you do about the question of quotas in any faculty, and not only the medical faculty? The fact is that the State could do with more doctors, which is the end result. We may not need more lawyers or arts graduates.

Sir CHARLES COURT: Obviously we need more doctors than we will obtain from the 90 students in the second year intake; and obviously the original quota was fixed with the object of achieving a desirable figure in the hope that the necessary facilities would be available. This is not the first year that there has been a rejection of qualified students for the second-year intake.

Mr. Davies: What do you do about quotas in all the faculties, not only the medical faculty? Why should anyone who wants to become a lawyer, an economist, a scientist, or a doctor not be given the opportunity to go through the university course?

Sir CHARLES COURT: There are two aspects to this question. I do not believe that we should take in students willy-nilly, and hope for the best. In my view two tests have to be made. The first is to determine the need for the products of that particular faculty, and the other is to consider the facilities available.

We could have a need for 100 graduates from a particular faculty, but we might not be able to afford or to obtain the instructors and the facilities to handle more than 60 students; and so we would have to rely on importations. I do not suggest that the lid be taken off completely. On the other hand, if there is need for only 60 graduates to make adequate provision within the State or the nation, it would be quite futile to train, say, 120 graduates when we know they cannot be absorbed here, and no other State or nation wants their services. We have to cut the suit according to the cloth.

One of the great problems which confronted some countries of the world, particularly France—and this was one of the reasons for the student riots—was that the universities of those countries were training graduates for certain degrees and professions when the authorities knew, before the students started their courses, there was no need for the end product. It is very frustrating to a person, who obtains a master's degree or a Ph.D in a particular faculty, to find there is no outlet for his services in the particular country or in any other country.

There are two aspects to be taken into consideration. The first is the capacity and the facilities to handle the intake; and the other is the need for the services of the graduates. In Western Australia it would be quite futile to train people in any particular discipline, without some regard for the needs of the people in this State, the other States of Australia, or countries in South-East Asia through some arrangements.

Mr. Davies: If I had the services of some eight doctors available I could meet every pressure point in Western Australia at the present time.

Sir CHARLES COURT: I still think the solution that has been put forward is a desirable one to adopt. I believe that as an emergency measure steps could be taken in co-operation with the teaching staff, the teaching hospitals, the private hospitals, the people who operate laboratories, and the like, to accommodate at least half of the 41 students. We could accept the pressure of such an arrangement for five or six years, if there was certain knowledge that the problem would be resolved before then.

Mr. A. R. Tonkin: You say with the certain knowledge it would be resolved before then, but you would not have the certain knowledge.

Sir CHARLES COURT: We have to have the certain knowledge. We could not allow these people to enter into the unknown, in the hope that after five or six years had passed, adequate buildings, teaching staff, and finance will be provided. I am assuming the Government of the day will commit itself to providing these things. I am not happy to place these people out on a limb, and hope against hope for the best.

As far as I am concerned, if we were the Government we would make sure the facilities were available to back up the intake. I am sure no Government would accept this lightly. I also believe that as part of this intake or increase in the number of future medical practitioners we should do two things: Firstly, we should ensure some of these people, as of right and as of commitment, undergo training in areas where, because of this training on a sufficiently long basis, they would be better placed to know what it is all about; and, secondly, we should replan our training facilities so that by 1977, instead of taking care of the need as at today, we will be able to take care of the expected need as at 1977 and up to 1980. With those comments I support the motion.

DR. DADOUR (Subiaco) [2.50 p.m.]: When I moved the motion some months ago I pointed out to the House that the heads of the Departments of Anatomy, Physiology, and Biochemistry were willing to take the extra 25 students into second-year medicine. They believed they could do this by careful timetabling. There is nothing novel or superficial about this. It was well considered. Had we been in government we would have promised that within three to five years the necessary building space and equipment would be available; and the heads of those departments were willing and prepared to work under adverse conditions for a short time.

No lessening of standards would occur because this would be intolerable. A similar situation obtained in Melbourne and Sydney immediately after the war and the numbers of students taken into the various years of medicine were far in excess of the number for which the available teachers could cater. However, in the long run they caught up with the backlog and were provided with the necessary building space and equipment.

I pointed out that the professors of the subjects in second-year medicine here were willing to undertake the necessary work. The same professors teach in third year and in second year because the third year is merely a continuation of the second year. I indicated that the professors in fourth year were willing to take the extra students, but that they would need some extra laboratories for teaching purposes. For $500,000 two laboratories could be built on the top of the existing mortuary because when that building was erected the foundations were laid to provide for an extra storey. When I introduced the motion I said that $500,000 was not a great deal of money when we considered that in the last 12 months more than half that amount was used to install a paging system in one of the major teaching hospitals.

I have already mentioned that no lessening of standards would occur because adequate teaching facilities could be planned in the ensuing two years. I think the pure simplicity of the solution bewildered the Government which did not approach anyone at the Medical School in regard to the position. The Government did nothing to alleviate the crisis and, believe me, it is a crisis which will worsen this year.

The only contribution the Minister for Health made to the debate involved a correction of a figure I gave. I said that 41 students had been successful in their first-year examinations but were not able to go into second year, and the Minister corrected me and said that the figure was not 41, but 52.

Surely this is a disgraceful state of affairs; the problem will be overcome next year by a system of quotas. People entering first-year medicine will qualify for the quota on a matriculation basis, and their aptitude for medicine will not be taken into consideration. We all know that two ingredients go towards making a successful medical student; firstly, intelligence and, secondly, aptitude for the profession. Those who have the aptitude, but who are unable to obtain a high pass—which will be necessary for entry into the first year at the Medical School—will not be accepted.

I agree there must be some form of quotas, but the selection must be on a realistic basis. The selection system must be based on what is required in the end product. The supply should equal the demand. It seems that the medical students are to be held back by what occurs in the other faculties at the university. Those in charge at the university decided on certain quotas for the different faculties. However, the quota with relation to the medical profession was unrealistic, and it will not bear fruit.

We cannot make light of the quota set for the medical faculty. For some reason or other there is no shortage of bachelors of arts or bachelors of science, but we do have a shortage of bachelors of medicine and surgery. There is a definite shortage and this is evidenced by the fact that we import 25 foreign doctors into Western Australia each year.

Surely, the quota for the medical faculty is unrealistic. Those who teach at the medical centre realised that the quota was unrealistic and were willing—and they probably still are willing—to overcome the problem and make some sacrifices in order to allow more students to enter the school.

The Minister said that the standards of entry are rising in the Faculty of Medicine, and he also said that those who did not get into the second-year quota were "dicey". That would be the most insulting remark I have heard; that anybody who is successful in passing four first-year units is "dicey". Those people who do not get into the second year enter other faculties and qualify in other professions. The member for Boulder-Dundas would be interested to know that a medical student who passes the first year is not able to continue and change over to law, and eventually become a lawyer. They pass in such professions as science and dentistry, and there is nothing "dicey" about those professions. I do not believe that any person who is able to pass four first-year units could be considered as being "dicey" and I think the remark made by the Minister was the most insulting I have ever heard.

The Minister also said that when students entered the first year of medicine they received a letter explaining that only 90 students were eligible to go to the second year. The students have to sign that letter on the understanding that they will abide by its contents. The signing of a letter might satisfy some people, but it would not satisfy me, and I know it would not satisfy many other members in the House.

We are all aware that the position at the Medical School is critical and the signing of a letter should not take the responsibility off the shoulders of those who are in charge. Such a procedure might suit a "little man", but it would not take the responsibility off my shoulders. I have strong feelings about this matter and we should not have the effrontry to claim that a letter of explanation is all that is required to ease our consciences. More than that is necessary to ease our consciences. We should be more constructive and we could have been.

Unfortunately the Minister fouled up all his reports on future medical student numbers. I do not mean "maybe"; they were completely fouled up. Doubtless this was due to the bad advice which he must have been given on this subject.

The first report was called the Davidson report because Dr. Davidson was chairman of the committee. That report stated that there was no need to expand the intake of medical students. The Faculty of Medicine refused to accept this and set up another committee, known as the Hobbs Committee. The Hobbs Committee report stated that there was a definite need to increase the number of medical students. I shall check with my diary and inform members of the numbers of students which the Hobbs Committee report recommended should go into second year. The report states that in 1977 the number of second-year medical students should be 120 and in 1983 it should be 150. These figures are definitely stated in the Hobbs Committee report.

The Faculty of Medicine endorsed the Hobbs Committee report but the dean of the faculty would not listen to the other members of the faculty. We must remember that the dean of the faculty was a member of the Davidson Committee, the report of which was diametrically opposed to the Hobbs report—and it was the Hobbs report which was accepted by the Faculty of Medicine.

The Faculty of Medicine was highly incensed when it found that both these reports had been presented to the Karmel Committee because it maintained that only one report should have been presented—namely, the Hobbs report which stated that there was a definite need to increase the student numbers in the Faculty of Medicine.

Mr. T. D. Evans: When you refer to the Karmel Committee, you mean the Australian Universities Commission?

Dr. DADOUR: Yes.

Mr. Davies: I do not think it is fair to say that any evidence given to that committee should have been restricted. The honourable member could have made a submission himself had he wanted to do so.

Dr. DADOUR: The Faculty of Medicine had not given the dean permission to do so.

Mr. Davies: He did not need permission.

Dr. DADOUR: The Minister stated that both the reports were endorsed by the Faculty of Medicine.

Mr. Davies: That is right.

Dr. DADOUR: Whoever informed the Minister has obviously informed him incorrectly.

Mr. Davies: The Karmel Committee had to make up its mind from the evidence available. Surely you would not restrict evidence that is to be put forward to such a committee.

Dr. DADOUR: The Faculty of Medicine was incensed that this had occurred. The Minister stated on page 1294 of *Hansard* of the 2nd May, 1973, that two reports had been submitted but neither one had been endorsed by the Faculty of Medicine. This is a prime example as to how the Minister has been misinformed on this subject.

Mr. Davies: Immaterial!

Dr. DADOUR: This is even more serious in that the Minister made the report to Parliament and that report was entirely incorrect.

Mr. Davies: I have the Karmel Committee report before me.

Dr. DADOUR: I made one mistake when I moved the motion in that I said that 41 students who were successful in passing first year were not accepted into the second year. The Minister said the number was 52.

Mr. Davies: That did not do my case any good, but at least I was honest. I have the Karmel report and the honourable member can read the evidence and the findings if he wishes. Has he seen the Karmel report?

Dr. DADOUR: Not as yet.

Mr. Davies: Has the honourable member read the Karmel report on medical manpower?

Dr. DADOUR: Not yet.

Mr. Davies: It would help the honourable member's case greatly if he did.

Dr. DADOUR: I have not had access to it as yet and, besides, it is irrelevant whether or not I have read the Karmel report.

Mr. Davies: It has been freely available at the university. Some of your colleagues who support you would have had a copy. People coming to you would have a copy of the Karmel report. They have not been fair to you and have let you down.

Dr. DADOUR: No-one has let me down. As far as I am concerned, the Karmel report is irrelevant to the subject with which we are dealing at the moment.

Mr. Davies: The Karmel report deals with the very question of medical manpower.

Dr. DADOUR: The Minister said that an increase in the number of students accepted into second-year medicine would reduce the standard of training for all students. This is not the case.

Mr. Davies: Professor Whelan said that the other night.

Dr. DADOUR: The information I am giving was obtained from the heads of the Department of Biochemistry and the Department of Physiology.

Did the dean bother to ask anybody for advice concerning this crisis? The Minister said that detailed knowledge was not available to him. If he does not have the knowledge, no wonder he cannot make any decisions. Detailed knowledge concerning the Medical School is obtainable from those who work in the school. It is easy to obtain the information; it is only necessary to ask for it. The people concerned would be only too happy to answer any queries and would be extremely helpful.

Mr. Davies: Just as you do not trust the dean, I do.

Dr. DADOUR: I have not said that. The Minister for Health has received advice from somebody—whoever it may be—and that advice has been incorrect. Without any doubt the Minister misled the House in connection with the reports, because they were fouled up completely.

Mr. Davies: You can obtain the Karmel report and check on it.

Dr. DADOUR: It is extremely easy to obtain the information by asking for it but the Minister prefers to stick to his same old guns; he goes to the same old people; and he receives the same old answers.

Mr. Davies: With the same confidence.

Dr. DADOUR: The Minister may be satisfied with the answers he has received from the dean, the Commissioner of Health, and the vice-chancellor but the fact remains that 52 first-year students, who passed their examinations, were not accepted into second year.

The Minister did admit that he does not know what the Medical School itself is doing. Why not? It is easy enough to ask and, if the Minister does ask, he will be able to find out what the school is doing. The Faculty of Medicine believes a crisis exists. Members of the faculty debated the position loud and long on several occasions and resolved at the end of last year that the dean and the vice-chancellor should make a public statement. The faculty and the public are still waiting for that statement to be made.

Mr. Davies: In whose hands is that? You are not suggesting the Government controls the Faculty of Medicine at the university?

Dr. DADOUR: The Medical School believes a crisis exists—in fact, it knows a crisis exists. Nevertheless, no official announcement has been made.

Mr. Davies: You are saying that the dean can defy the whole of the faculty.

Dr. DADOUR: The Minister is quite parochial in his attitude but, just the same, he said that we should look at the whole of the Australian picture. I remind the Minister that it is his job to look after Western Australia and not Australia. The Federal Minister for Health can easily make a mess of his portfolio without any help from our Minister.

Mr. Davies: Do not be insulting.

Dr. DADOUR: The Minister talked of a planned programme. Who is planning it? The Minister has admitted that he does not know what is going on in the Medical School. Consequently, what planning can he be involved with?

Mr. Davies: Read the Karmel report.

Dr. DADOUR: If there is to be a planned programme why should not those who are involved daily in this subject be the people doing the planning?

Mr. Davies: Read the Karmel report instead of making a speech. You would derive more benefit from it.

Dr. DADOUR: The Minister is going off on this tack for one reason alone; namely, because he made an utter fool of himself when he spoke to my motion.

Withdrawal of Remarks

Mr. DAVIES: Mr. Speaker, I ask that this kind of language be withdrawn. Ordinary vilification is all right but to say I have made a fool of myself is quite wrong and quite untrue, and I ask that it be withdrawn.

Dr. DADOUR: I withdraw, Mr. Speaker.

Debate (on motion) Resumed

Dr. DADOUR: I ask about the planning. What planning has been going on? The Teaching Hospitals Advisory Committee is not doing any planning as far as I can ascertain. It meets once every three months and does not seem to have anything to worry about or to discuss and plan. I received my information from the heads of the departments. I asked them exactly what should and should not be done as regards future planning for the Medical School. As I have said before, they are only too happy to do what they can to help in the present crisis. However, this does not seem to get through to the dean because he has taken no steps to alleviate the position in the near future.

Fifty-two students who passed last year were not allowed to continue into second year. This year the number will be greater. There is already a "dog eat dog" attitude among students doing first-year medicine, and competition is so keen that there were 81 "A" passes in chemistry alone this year. It seems that everybody who passes this year to go into second year will have at least four "A" passes, which will mean a great number of people who pass at a very high standard will not be able to continue into second-year medicine.

I come back to the "dicey" students. I wonder why the Minister made such a shameful statement and I wonder what was the source of his information. These students are accepted into other faculties and they eventually become scientists, bachelors of arts, and so on. They have been successful in passing four first-year units. I believe the information given to the Minister leaves much to be desired.

Mr. Davies: You did not say anything about your Government being three years behind with the Medical School.

Dr. DADOUR: I do not believe that is relevant to the present crisis in the Medical School.

Mr. Davies: Of course it is. Your Government was three years behind in its programme for the medical centre. Three years can make a big difference.

Dr. DADOUR: We have previously covered the point concerning the lag in the Medical School. I remember making a speech on that subject about 12 months ago. The lag was due mainly to the fact that the Medical School people could not make up their minds exactly how they wanted things. A great deal of the obstruction was due to the dean himself, and no-one else. The dean obstructed as much as possible.

However, nothing was done by the present Government in the crisis which has just passed and nothing is being done about the crisis which is coming at the end of this year. I am sure nothing will be done and that not even my motion will infuse any life into the Government.

Mr. Davies: Did you agree with what Professor Whelan said the other night?

Dr. DADOUR: Yes, except that I think he should have brought things forward.

Mr. Davies: He was agreeing with what I have been saying.

Dr. DADOUR: He should have brought the increased intake forward by two or three years.

Mr. Davies: He was relying on the Karmel Committee's report. They were the figures he was giving.

Dr. DADOUR: We are coming back to the same old point; that is, until this motion had been moved the Minister had done nothing to alleviate the crisis which existed and still exists. No matter how much he sidetracks or how often he refers to the Karmel report, which he is nursing so fondly on his lap, I am sure he will continue to fail as he has failed since he has been in office.

Let us look at the Fremantle Hospital issue.

Mr. Davies: Do not tell me the situation at Fremantle Hospital is my fault, after your Government had been in office for 12 years.

Dr. DADOUR: There has been no planning for Fremantle Hospital. All we have there are a few new toilets and a new kitchen.

Mr. Davies: Costing $1,170,000, and no planning for 12 whole years.

Dr. DADOUR: To get back to the Medical School, I reiterate that we are still faced with the problem that a number of students who pass first-year medicine this year will not be permitted to go into second year. The Minister believes those students are "dicey". I do not know how he comes to that conclusion. That is the most insulting remark I have ever heard from anybody

Mr. Davies: You are taking that completely out of context.

Dr. DADOUR: I am not taking it out of context. That is how it appears in the uncorrected and corrected versions of the Minister's speech, and it cannot be altered. He said in his speech they were "dicey".

No matter how much the Minister tries to sidetrack, the fact remains that we are faced with a far greater problem than ever before in the Medical School. No matter what he says about the Liberal-Country Party Government being responsible for a lag of three years at the Medical School, it does not take the fault from his shoulders. The fault remains with the present Government. Had the present Government had the initiative to look into the problem thoroughly at the grass-roots level, it would have discovered it could help these youngsters who pass their examinations and are denied the right to go on and become good doctors. It is for that reason and no other that the crisis at the Medical School has been brought to the fore and this motion is before the House. All these side issues are quite irrelevant.

The policy I would like to see adopted for the Medical School is, firstly, to increase the number of medical graduates in accordance with demand. That should be done now. At present we need approximately 25 additional graduates a year. This is borne out by the fact that, in addition to there being a need for an increased number of doctors, there is an increased demand by students to enter the medical faculty. I hope that when we are in Government next year the money will be made available.

Secondly, the present Medical School should supply Western Australia's needs for doctors until it reaches its maximum capacity of approximately 200 graduates a year, which will be about the turn of the century. A second medical school at the Murdoch University should be established then but not before, for economic reasons. If we cannot afford one medical school, how can we afford two?

Thirdly, the Perth Medical Centre should be completed and it should integrate all the medical institutions on the site; that is, the Medical School, the Sir Charles Gairdner Hospital, the State health laboratories, and the Institute of Radiotherapy.

Mr. Davies: What do you think is being done?

Dr. DADOUR: Good; I am pleased to see that that is also being done.

Mr. Davies: It has been done already.

Dr. DADOUR: My fourth point relates to the Hollywood Repatriation Hospital, and I am aware that negotiations are taking place at the moment to attempt to bring this hospital within the administration of the Perth Medical Centre. I know that negotiations have proceeded to an advanced stage—

Mr. Davies: That has been done.

Dr. DADOUR: —and finality is not far off. The fifth point is that I would like to see rationalisation of the laboratory services. One reason for this is to effect economies, and the other is to provide sufficient material for teaching. That is essential.

Dr. Davies: That has been done.

Dr. DADOUR: My sixth point is that I would like to see a controlling body set up for the Perth Medical Centre. I realise that this matter can be discussed when we deal with the legislation to establish the Perth medical trust. It is hoped that people who are presently in charge of the day-to-day planning at the Perth Medical Centre and who are not members of the trust may be able to be included.

Mr. Davies: That has been done too; that is happening.

Dr. DADOUR: The seventh point is that I believe the Medical School should have an independent budget to enable it to set realistic quotas. At the moment it cannot do this because it must share the money available with the rest of the university. I do not believe that the university should be administering the money for the Medical School for the simple reason that I believe the demands of the Medical School are very different from the demands of other sections of the university.

Mr. Davies: Should all faculties have their own budget?

Dr. DADOUR: No.

Mr. Davies: Why does the Medical School differ from the other faculties?

Dr. DADOUR: The Medical School differs from the other faculties in that from the economic point of view it is quite uneconomical.

Mr. Davies: You are quite right there.

Dr. DADOUR: The demands of the Medical School are much greater than those of any other part of the university. If the Minister looks at the Budget, he will see that about half of the total money available goes to the Medical School.

Mr. Davies: Would it be as much as that?

Dr. DADOUR: It is almost half. The eighth point is that I would like to see the salaries of the medical academics more closely related to those of their hospital counterparts.

Mr. Davies: They have had a rise recently.

Dr. DADOUR: They have had a rise, but their salaries are still lower than those of similar lecturers in hospitals.

Mr Davies: One goes ahead of the other for a time. The position is changing frequently.

Dr. DADOUR: If the salaries were more comparable, we would not have the dissatisfaction which we presently have with the medical academics. Many of the lecturers leave the university to take up hospital posts.

Mr. Davies: This is the way the different organisations are structured.

Dr. DADOUR: Yes, it goes back to that. My ninth point is my recommendation that all residents in their preregistration period of two years should spend at least one term in a northern area and/or with a general practitioner in the metropolitan area or in a country area.

Mr. Davies: Again I have announced that already. The college made application for such a scheme. We are ahead of you again.

Dr. DADOUR: That is the point I am bringing out.

Mr. Davies: This is old hat—it was done six months ago.

Dr. DADOUR: When the motion was introduced and I had this data prepared, it was new hat. However, in the time that has passed since I introduced the motion it has become old hat in some respects. However, not all the recommendations I have made have yet been implemented.

Mr. Davies: I think all except two at the moment. The first of these is in relation to the separate budget. We have no control over the university.

Dr. DADOUR: The first point I made was that the faculty intake should be increased straightaway so that 25 extra graduates are coming forward each year.

Mr. Davies: We will have to agree to differ on this one unfortunately. However, I have covered the other points already.

Dr. DADOUR: I believe that the motion I have moved is a good one. The problem still exists in the same way—it is unaltered. We will still be in trouble at the end of the year because only 90 of the first-year students will be permitted to proceed into second year. The number of students who have passed first year but who will not be permitted to proceed to second year will be greater than it was last year. Many of these students will have higher pass marks than the students who proceeded to second year last year. It is a shameful crime that such a situation should arise. The quota is unrealistic, and I believe that if the present Government were to approach the heads of the departments as I have done to ascertain how—

Mr. Davies: If you name the heads of the departments I guarantee that I will send them a copy of your speech.

Dr. DADOUR: Do I have to tell the Minister who the heads of the departments are? Surely he can find this out for himself.

Mr. Davies: Tell me who your supporters are.

Dr. DADOUR: I want the Minister to go out there himself and speak to these people. He will be surprised to find just how human they are and how co-operative they try to be.

Mr. Davies: I know a lot of them. I will send each and every one of them a copy of your speech and ask for their submissions. I guarantee to do this.

Dr. DADOUR: Once again the Minister is showing his ineptitude. Surely it is his place to go along himself and speak to these people.

Mr. Davies: You have a funny idea of the duties of a Minister.

Dr. DADOUR: The Minister should go out personally to see these people.

Mr. Davies: If you will support a Bill to provide for one more day in each week, I will go along to speak to them. I left my office about a quarter past one this morning. Had these people been there at that time, I would have had a discussion with them.

Dr. DADOUR: The Minister is attempting to tell us that he is overworked at the moment.

Mr. Davies: You have to be a bit practical about the whole thing.

Dr. DADOUR: He thinks he is overworked!

Mr. Davies: I do not have the time you have to run around and poke my nose into gossip.

Dr. DADOUR: This is quite typical of the type of remark we expect from the Minister. He does not know what the word "busy" means. I would like him to work my hours.

Mr. Davies: You are getting paid for it.

Dr. DADOUR: I am being paid for a job I am doing.

Mr. Davies: Twice!

Dr. DADOUR: The Minister is being paid for a job he is not doing. With those remarks I commend my motion to the House.

Question put and a division taken with the following result—

Ayes—20

Mr. Blaikie	Mr. McPharlin
Sir David Brand	Mr. Nalder
Sir Charles Court	Mr. O'Neil
Dr. Dadour	Mr. Ridge
Mr. Gayfer	Mr. Sibson
Mr. Grayden	Mr. Stephens
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. Mensaros

(Teller)

Noes—20

Mr. Bateman	Mr. Fletcher
Mr. Bertram	Mr. Harman
Mr. Bickerton	Mr. Hartrey
Mr. Brady	Mr. Jones
Mr. B. T. Burke	Mr. Lapham
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.)

Pairs

Ayes	Noes
Mr. I. W. Manning	Mr. J. T. Tonkin
Mr. Coyne	Mr. Jamieson
Mr. Rushton	Mr. Bryce
Mr. Runciman	Mr. Taylor
Mr. O'Connor	Mr. Brown

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

Question thus negatived.

Motion defeated.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Second Reading: Defeated

Debate resumed from the 23rd May.

MR. MENSAROS (Floreat) [3.32 p.m.]: It is almost half a year since the member for Subiaco introduced this Bill. Therefore, I think we should cast our minds back and recall the circumstances which prompted him to do so. It is not hard to do this because the issue which precipitated the Bill is still very much alive. The issue arose on account of the fact that the Government appointed the Boundaries Commission and gave it the task of proposing new local government boundaries, especially in the metropolitan area, and that commission produced recommendations which, it is fair to say, met with a tremendous negative public response.

As soon as the people heard of the recommendations in an unofficial manner—you might remember, Mr. Speaker, that we heard of the recommendations before the Minister announced them—we saw letter after letter written to the editor of the newspaper; and those members of Parliament who represent metropolitan districts received an unusually large number of representations from people saying how unhappy they were with the prospect of local government boundaries being changed so radically.

I think practical politicians might have seen the wolf in the sheep's clothing behind the recommendations—the recommendations were, after all, what the Government hoped to achieve because they represent political gerrymandering. I say that because I do not think it is merely a coincidence that the recommendations affect mainly those areas represented in this Parliament by members of the Liberal Party; nor do I think it is coincidental that the recommendations finished up in such a way that if local authorities were used for political purposes we would have nice Labor local authorities.

I think that contention of mine was amply proved in recent days when we heard the news that the A.L.P. wishes to introduce politics into the field of local government.

Mr. Harman: Do you think there are no politics in local government now?

Mr. MENSAROS: I am not saying that; many members of Parliament from both sides came to Parliament through local government. I can see no crime in that; but as local authority councillors they did not act as members of a political party. I think the Minister will accept that fact.

Mr. Harman: They were not members of a political party?

Mr. MENSAROS: No, they were not elected to local government as members of a certain political party, even though they may have been members of the party. Indeed, civil servants may be members of political parties, but if they are objective in the execution of their duties and do not let party politics intrude into their jobs no-one worries about that.

However, although some practical politicians might have been conscious of this fact, I feel the public were not. Perhaps that is just as well because the public, in their tremendous opposition to the recommendations, were genuinely protesting about what they felt was interference with the original principles of local government.

There is no doubt that local government is the first and the most democratic form of government in the community. There is no doubt that local government was not —and I maintain it still is not—built upon cold economics or geometrical boundaries: nor was it the result of a brain child of some administrator. Local governments came into being naturally as population increased in certain areas. When we consider the metropolitan area, anyone who studies the history of local government will see that certain local authorities came into being as their areas were populated. Therefore local authorities have a history behind them. They have a great proportion of reasonably permanent populations; they have within them members of the community who have strong feelings of loyalty for, and of belonging to, their local authority and for the facilities of that local authority. Perhaps some of those residents in olden times helped to construct facilities with their own hands.

Later many of these people took part in referendums in which it was decided that certain loan moneys should be appropriated for the purpose of providing facilities. These people are aware of the history of their local authority and do not want to be shifted from one place to another as a result of the will of some remote authority.

I will give an illustration which is perhaps an extreme, but extremes are good for the purpose of illustration. If we were

to say that a family has grown too large and, therefore, three or four children should be taken from the family and given to another family because it is contended that each family should have four or five children, that would be a nonsensical proposition. I look at local authorities, municipalities, shires, and towns in that way. They are happy communities; the people in them know one another; they know their representatives; and that is how it should be. Hence the opposition of the public was justified and was to be expected.

The opposition of the people was not based only on political reasons. We heard the speech of the member for Subiaco when introducing the Bill and we know that, for instance, the East Fremantle local authority protested about the recommendations. Indeed, we heard the member for Subiaco say that the Premier himself, when he was Leader of the Opposition, assured that local authority that he would use his influence and position in Parliament to prevent it being annexed to or eaten up by another local authority. The letter that the Premier wrote was read out by the member for Subiaco, and may be found in *Hansard* of the 2nd May this year.

I think these facts are important, not only because of the many voices we have heard raised in opposition; and not only because of the referendums which have been held—at least two were held recently which proved the feeling of the ratepayers and showed they were overwhelmingly against the propositions of amalgamation —but because they have been mirrored in the actions of the Government which did not simply implement the recommendations but instead appointed a Royal Commission. Probably the Government did not do that happily because the recommendations of the Boundaries Commission served its purpose; but the Government saw that if it implemented the recommendations without taking any other steps it would be in trouble with the public.

Instead of accepting these facts which I have highlighted and which I believe apply to local government, the State Government feels that the only important aspect of local government is cold efficiency, and the slide rule measurement of the boundaries.

I do not believe in this. If you will allow me to digress for a moment, Mr. Speaker, I do not believe even in the system of changing electoral districts for the Legislative Assembly. I realise we have a very sound system; I realise that the usual distribution which is made automatically every so often—and in regard to which we, as members, have no say—creates an equitable situation as far as the number of electors in any electorate is concerned. However, it makes it very hard for proper representation in the long run because this redistribution, by the very nature of the Statute concerned—the Electoral Districts Act—comes up approximately every six years.

The result is that after a member has become used to his electorate, and when he knows all the people, the schools, the kindergartens, sporting bodies and other associations, the hospitals, and all other organisations in his electorate, his electoral boundaries are changed because of the growing or diminishing numbers in the electorate, and if he is successful in being elected to the new electorate he has to start all over again. Such a procedure is not in the interests of the people the member of Parliament represents, or in the interests of the member himself who is of lesser importance.

I do not believe in this argument of cold efficiency, apart from the fact that it is not even true, because it has never been proven that merely because a local authority is large it is more efficient. In fact the contrary has been proved if by nothing else than by the fact that usually, in smaller local authorities, the rates are less than those struck by the larger local authorities. Another argument put forward is that the smaller local authority has fewer facilities and therefore often uses the facilities of a larger local authority. Neither of these facts is true.

Many small local authorities have just as many facilities—if not more proportionately—than some of the larger local authorities and yet the rates of the smaller local authorities are less than those of the larger local authorities because of less red tape and administration and because they use efficient subcontractors instead of using their own work forces. Of course this is one of the reasons that the Government wishes to amalgamate the various local authorities. With every measure introduced by the Government we see the tendency to do away with self-employed people with initiative and incentive and to substitute for them employees who do not have any incentive, which naturally results in lower productivity. Those workers are also compulsorily required to become members of trade unions which have the greatest monopoly this State or the country has ever seen.

Apart from all I have said and what I believe is true, let us look at what the Bill wants to achieve. It does nothing else but offer an alternative to the present situation. By deleting section 12 (3) the Bill seeks to do away with the situation that if a local authority petitions the Governor, then the Governor—which of course means the Government—should be able to excise part of the local authority concerned and annex it to another local authority. The object of repealing this subsection is to leave it to the ratepayers

to decide the issue. The Bill even provides that at least 40 per cent. of enrolled ratepayers should vote on the issue as this will mean that sufficient of them are interested in the recommended union of two local authorities.

The second provision in the Bill again gives an alternative to the one I mentioned before in regard to administrative action; that is, the ratepayers of both local authorities are asked to decide for themselves on the amalgamation proposed. So in short, what does the Bill do? It does nothing else but provide a democratic alternative for the present dictatorial rule.

Sitting suspended from 3.45 to 4.03 p.m.

Mr. MENSAROS: Before you left the Chair, Mr. Speaker, I was about to conclude my remarks. I was saying this Bill does nothing else than provide a democratic alternative for the present rule which I regard as dictatorial, because it hinges entirely on administrative action without seeking the opinions of the ratepayers concerned.

In only one part of the Act proposed to be deleted—that is, within the first amendment—is any reference made to a petition, but we all know that a petition has to be submitted by a number of people who, in most cases, are not entirely representative of the ratepayers. So, I submit that if this Chamber feels the technicality of 40 per cent. or that any other provision is not desirable, it could amend it or alter it. However, if the Chamber decides to reject the proposals it virtually will vote against democracy and against the most logical and most basic manifestation of an exercise in democracy. Hence, I cannot do anything else but support the Bill.

MR. W. A. MANNING (Narrogin) [4.05 p.m.]: I wish I could support the Bill which has been introduced by the member for Subiaco, and I commend him for his effort to improve the position in which ratepayers are placed in respect of adjustment of local government boundaries. However, I am not able to support his method of adjustment of such boundaries, because in my view I do not think the Bill will achieve what he seeks. I think it will be ineffective.

First of all, the member for Subiaco seeks to repeal subsection (3) of section 12. This subsection states—

> The Governor, by Order made after effective presentation to him of a petition bearing the common seal of one only of the municipalities which will be directly affected by the Order, may—
>
> sever from a district a portion of the district and annex the portion to another district which the portion adjoins.

So, by receiving a petition from one local authority the Governor may sever a portion of a district. This might be regarded as being an objectionable feature or as too harsh a provision.

I draw attention to section 12 (2) which states—

> The Governor, by Order made after effective presentation to him of a petition bearing the common seal of each municipality which will be directly affected by the Order may—
>
> (f) alter and adjust the boundaries of adjoining districts.

This provision is to be retained. So, if two municipalities agree on presenting a petition the Governor may proceed with it; but in the other case to which I have made reference only one municipality needs to put forward a petition.

The Bill then seeks to provide for the holding of a referendum of electors within the preceding 12 months. The amendment is as follows—

> . . . and the recommended union has been approved by the electors of each such municipality by referendum held within the preceding twelve months.

We are dealing with a portion of a local governing authority. Where are the ratepayers of that portion, which could be a very small portion, to be given a say? They might all vote for a referendum, but the bulk of the ratepayers might vote against it. This is to be done in each municipality.

So, the action of one municipality can decide the fate of the other. I fail to see how this will take into account the views of all the people concerned. The views of those most concerned could be swamped by the views of the others.

The last amendment in the Bill deals with the union of two or more municipalities, and this amendment has more to commend it. However, as a provision in the Act its effect is very doubtful. The Bill seeks to add the following subsection to section 12—

> (7) When union of any two or more municipalities is recommended by the Local Government Boundaries Commission appointed under subsection (6) of this section the council of each such municipality shall hold a referendum forthwith to determine whether the electors of the municipality approve of the recommended union or not.

This simply means that both local authorities will have to hold a referendum. What percentage of the ratepayers is required for such a referendum? Not much thought has been put into this matter. If this amendment is passed it will be very difficult to put it into operation. Will a simple majority of the ratepayers be sufficient?

My opinion is that something needs to be done to the sections of the Act which the member for Subiaco seeks to amend, but the Bill does not amend them in an effective way. The only fair way to do this is to appoint a more suitable commission to inquire into these matters, and to enable the commission to have the evidence of all persons who wish to give evidence, so that those in the minority will be given a full say as to what they desire, and so that all the evidence can be weighed by the commission.

I do not think the actions of the present commission sufficiently meet the desires of the electors. Unless they do, a fair opinion cannot be gained. Maybe the composition of the commission and the methods under which it works need to be changed. Perhaps we would then obtain fairer decisions which could be carried out. I certainly believe that the will of a few people should not be imposed on the majority who do not agree. On the other hand, a referendum could do just this because of the unfairness of the numbers involved.

The only way around the problem is by negotiation through a commission or inquiry of some sort at which all concerned can be heard. Then the whole position could be weighed and a fair result assessed.

So, although I agree with the objective of the member for Subiaco, and I agree that something should be done, I cannot accept that the Bill will provide the answer.

MR. **HUTCHINSON** (Cottesloe) [4.12 p.m.]: I support the Bill. Although I can understand his reason, I regret the stand taken by the member for Narrogin. However, more of that anon.

During the second part of the session of Parliament last year I introduced a Bill in an attempt to lessen some of the very great powers the Minister for Local Government has under section 12 of the Act. At that time my solution to the problem which is now being tackled under the Bill was to make it mandatory for notification of any boundary changes to be laid upon the Table of the House in the traditional way before they became effective.

My Bill was not accepted by the House although I still believe that that solution or part solution had some merit. I tried to point out at that time that many Bills give regulation-making powers to the Minister because it is impossible to write into all legislation the exact and precise terms of what is required. Therefore as time goes by the department can, on the advice and direction of the Minister, provide regulations to suit precisely the circumstances of the time.

As we know, when they have been drafted, such regulations are laid by the appropriate Ministers on the Table of the House after which they can be examined by members in both Chambers and subsequently be amended, approved, or rejected as the case may be.

My proposal was defeated and now the member for Subiaco believes that a democratic way to solve the problem would be to have a form of referendum to ascertain the will of the electors in this regard. For the benefit of the member for Narrogin I might say that if out of two or three authorities one did not want to be in it, it would not be. If the provisions of the Bill were not complied with, those involved would be affected by the amalgamation. I freely admit that no piece of legislation when introduced is perfect.

Mr. W. A. Manning: This is not.

Mr. HUTCHINSON: As a matter of fact I have said this on previous occasions. I suggest that this Bill is a substantial improvement on section 12 of the Local Government Act. Members have only to read the Act to understand something of the powers of the Minister and, as I have said on other occasions, the powers of the Minister for Local Government are very wide indeed. He has dictatorial powers. Now they have been used to establish an inquiry by the Boundaries Commission into amalgamations in our metropolitan area.

Mr. T. D. Evans: Which Government gave the Minister those powers?

Mr. HUTCHINSON: In reply to the Attorney-General, I freely admit they were placed in the Act by the Brand Government. Members are aware of the size of the Act. It is a tome of considerable size and diversity. Many of us were not completely happy with the powers the Minister had under section 12 and other sections. I suppose we expected that the powers provided would be used sensibly and, perhaps, conservatively. In all probability we were foolish in thinking that.

Mr. Hartrey: How did you come to kid yourselves that way?

Mr. HUTCHINSON: I suppose it is kidding oneself to think a Minister can act in a sensible manner all the time. As I have said before, absolute power corrupts. The greater the power the more power is used.

Mr. Hartrey: That is true.

Mr. HUTCHINSON: This is one of the great dangers in all countries of the world and it is evident now in Australia.

The Minister for Local Government requested the Boundaries Commission, established under the Local Government Act, to inquire into the possibility of wiping out the smaller local authorities by amalgamations. The commission then had to report back to the man who made the request. What do members believe the Minister would do upon receipt of the report? Of course he would accept it.

Section 12 provides that the Minister may act only after the Boundaries Commission has reported and made recommendations to him. The Boundaries Commission is compelled to carry out the request of the Minister after which, of course, the Minister approves of the recommendation. That is not democracy and it is not the way to ensure that local government is effective. The only advantage such a course has is to enable Labor to carry out some sort of policy plan. If it wants to use the Act for this purpose it certainly has an effective instrument.

However, that is not the way to ensure that local government works. The Prime Minister of Australia wants to wipe out local government as we know it and substitute great regions governed by regional councils. The Commonwealth Government does not want the States to operate as separate States; it claims that the boundaries of the States are a colonial anachronism.

Mr. Bertram: They are, of course, are they not?

Mr. HUTCHINSON: As a matter of fact, I suppose the outline of the coast of Australia is a geographical anachronism.

Mr. Bertram: I do not think that is a good argument.

Mr. HUTCHINSON: I do not care whether or not the member opposite thinks it is a good argument; I do not hold a very high regard for his opinion in any case.

Mr. Bertram: That is rather sudden.

Mr. HUTCHINSON: Do not think it is a sudden opinion. I am pointing out that the amalgamation of local governments into large regional councils will follow from the actions taken by this State Government through its Minister who is endeavouring to bring about amalgamations in the metropolitan area. It is a further step in the plan adopted by the A.L.P. regarding government in Australia, generally speaking.

I am horrified by the plan; I do not like it one scrap. I want the Federation to remain and I want Australia to be governed by that Federation. By that I mean a strong central Government based in our capital city of Canberra with plentiful powers; perhaps more powers than it has at the moment. I do not consider that the Constitution should remain unchanged over the years. Amendments should be made, from time to time. I also believe that the State Governments should be strong and effective in order to give a balance of power which goes with the government of a country. That is one of the basic ideas behind the making of a Federation.

In the third tier I believe local government should be close to the people, and not be too big. Not for one wild moment do I subscribe to the principle of, "the bigger the better". On the contrary, it is better to have smaller local governing authorities, which are closer to the people. This is where representation is available in all its facets.

There are many people in Australia, from the Labor Party, the Liberal Party, and the Country Party, who, when frustrated, occasionally say that we have too many governments, too many members of Parliament, and too many local governing councils. I do not subscribe to that idea. The cost involved is comparatively small when compared with the benefits which result to the people when they have representatives to whom they can go, and to whom they have reasonable access. It is much easier for John Citizen to approach a member of Parliament in Western Australia than it is for him to approach a Commonwealth member of Parliament.

The SPEAKER: I hope the member for Cottesloe will link these remarks to the Bill.

Mr. HUTCHINSON: It seems I have failed in trying to convince you, Mr. Speaker, that this is all related. I am sorry about that.

The SPEAKER: You have not been very successful.

Mr. HUTCHINSON: I will continue trying to impress you, Mr. Speaker, with the necessity for a Bill of this nature. It is necessary to have a large number of representatives so that the people can be well represented. I know I do a great deal of work which could be done by the Commonwealth member of Parliament, or by a Senate representative. I wonder how many other members in the House find themselves in exactly the same situation as I have just described. Of course, the Commonwealth members of Parliament and the senators have wider areas to look after. Local government representatives are easily accessible to the John Citizen ratepayer, as they should be.

If we are to have wholesale amalgamation of local governments—which we are trying to avoid—the people will lose touch with council representatives. More importantly, the regionalisation of local government is a step towards the centralist policy of the A.L.P. Therein lies the danger to Australia and this is the sort of thing which is happening in this country of ours right now.

Mr. Bertram: It has been happening for the last 20 years.

Mr. HUTCHINSON: The Labor Party believes in this policy.

Mr. Bertram: So do the Liberals.

Mr. HUTCHINSON: They do not.

Mr. Bertram: And, furthermore, they practise it, as history shows.

Mr. HUTCHINSON: I still think there is a residual feeling in the State Labor Party and that there may be some opposition to this grand plan of centralism. Unless the Opposition is given heart, in one way or another, by the people of the State—even by its political enemies—it tends to lose heart. I hope that there are some members opposite who feel the way we do.

I am convinced that one of the open secrets of avoiding centralism, and one of the secrets whereby the States may retain their identities is to continue to have small, solid local government areas. I am convinced they do no harm to the ratepayers; on the contrary, they do much good. I hope the House will support the Bill and have regard for the total involvement in wholesale amalgamation.

MR. RUSHTON (Dale) [4.28 p.m.]: This legislation is based on the fear that local government, which has followed its present structure for many years, will be destroyed. There are certain features of the Bill with which I am not happy, but I support the move by the member for Subiaco because it would achieve something better than that which we have at the present time. There certainly is room for improvement.

As has been stated previously, the size of a local government is not the beginning and the end of efficiency. Having belonged to a local authority I have seen the system work and I am well aware that the size of a local authority is not the basis of its efficiency. I believe other avenues could be used to give local authorities the viability which is necessary for their efficiency.

I have always been concerned about limiting the vote to a percentage. The people have a right to vote and the result of that vote should be the decision on which to act. The present Bill is a move to give local authorities some safeguard against indiscriminate actions.

Recently the question of the intrusion of party politics into local government was raised, and it was treated as though it was something new. In fact, the principle has been the policy of the Labor Party for quite a while. On a number of occasions the Labor Party has endorsed candidates for a local government with varying degrees of success.

I am one who disagrees with that practice. I think it is preferable that the decisions of a council be made with open minds after an assessment of the evidence presented, and that these discussions be not based on ideology.

This legislation is very timely. It is introduced at a time when the Commonwealth Government is intruding onto the local government scene, and I think it is very necessary that the Premier disclose to the House what the Commonwealth Government's intentions are.

The SPEAKER: I do not think that has anything to do with the Bill.

Mr. RUSHTON: I bow to what you say, Mr. Speaker. I mentioned earlier that the Bill stems from a fear for the future of local government. The point I was making is that the Commonwealth Government's intrusion into local government in this State adds to the fear and anxiety.

On the question of boundaries, at this very time one of the local authorities in my area—the Shire of Armadale-Kelmscott—is faced with the annexing of a portion of its territory by the Gosnells Shire. It is a totally illogical proposition which is, of course, opposed by the Armadale-Kelmscott Shire. I cannot believe anyone could see the annexing of the area up as far as Turner Road, Kelmscott, as being a practical solution to any deficiency in the Gosnells Shire. It is a totally unrelated area. There should be a rationalisation of the boundaries in the Roleystone area by taking the boundaries a little further north, because that is the shire to which that area is related.

The Bill proposes that certain practices be adopted when a change is suggested. I find it very difficult to accept clause 7, which requires a referendum to be conducted in all circumstances. If I had my way, a boundary change would be negotiated between the two parties concerned to reach a satisfactory decision, but if a satisfactory decision cannot be reached obviously the ratepayers should have the right to a referendum. However, in the main, boundary changes should be capable of being negotiated by the parties in question.

Generally speaking, the present size of local government areas makes for efficiency, and to my mind the concept of regionalisation of local government, which is being suggested at the present time, will destroy local government because local government must be related to the local area and the community of interests. People must have a say in what will take place in their community, and if the result is a little less than perfect it is better than being told what to do. It is the very basis of local government that the people have a say.

Perhaps this is the great difference between the Australian way of life which we enjoy and the way of life in other countries which are in turmoil from time to time. The very local government structure ensures that democratic practices are observed. Differences, confrontations, and disagreements occur at times, but in the end they are resolved by the people themselves, and the people who make the decisions stand by them. If they realise their decisions are somewhat imperfect, they

take steps to remedy them, but the people say what they will do and what they will pay. This is something which we treasure and something which should be treasured by us all, on both sides of the House.

If the Government does not accept this Bill in its entirety, it should accept at least a great portion of it or it should propose an amendment which will give security to local government. It is not good enough that people in local government should feel insecure. Our form of local government is treasured, has been fought for, and will be fought for again if it is intruded upon.

From the knowledge I have of my own electorate, I know the recommendation for the amalgamation of the Shires of Serpentine-Jarrahdale and Armadale-Kelmscott, if enforced against their will, will result only in confrontation, and I shall certainly do my best to represent the councils which see this as an illogical move. I will also assist the Shire of Armadale-Kelmscott to prevent its northern boundary being molested.

Mr. T. D. Evans: Why did you not mount this crusade while the Brand Government was in office? It is your legislation.

Mr. RUSHTON: The Liberal and Country Parties have a respect for local government.

Mr. T. D. Evans: But it was your legislation.

Mr. RUSHTON: There is no cause for fear when we have a Government which is on side with local government. The aim of the present Government is to reduce the effectiveness of local government.

Mr. T. D. Evans: You were the authors of this legislation.

Mr. RUSHTON: There were no fears at that time. I must say there is apprehension now because most of us like local government to have security and we want it to become stronger and work in harmony and partnership with the State Government in the interests of the people of Western Australia. That has been understood for a long time.

Mr. Taylor: The former Minister for Local Government actively voted against this provision going into the Act. He believed the existing provision was satisfactory. That was the Minister for Local Government in your Government.

Mr. RUSHTON: That is not to say the Minister for Local Government of the day must be agreed with at all times.

Mr. Taylor: He was the Minister for Local Government and presumably knew what was best in the interests of local government.

Mr. RUSHTON: I daresay in the present Cabinet there are differences in points of view on various issues.

Mr. Taylor: He was the Minister for Local Government.

Mr. RUSHTON: The Cabinet must follow whatever decision is arrived at collectively. We do not have this difficulty at the present time because we have the right to express our points of view in connection with the future of local government.

This Bill is actually brought forward in an atmosphere of fear, which is not satisfactory. This is what the member for Subiaco is trying to cancel out by introducing the Bill. He has an understanding of local government, he serves local government, and he wants to give local government some security. I commend the member for Subiaco for what he has done. He and I would not agree on every full stop, comma, and word in the Bill, but in the main it is a genuine attempt to remove fear and return us to a position of assisting local government. I therefore hope on this occasion the Government will accept the Bill in the way it has been presented.

If the Government wishes to amend the Bill in some form, I would be happy to agree with that as long as local government remains secure in the future. However, I hope the Government will acknowledge that the member for Subiaco is genuine in his efforts on behalf of local government, and that it will accept the submissions which have been presented.

DR. DADOUR (Subiaco) [4.41 p.m.]: When introducing the Bill my only thought was to preserve local government as I understand it. However, since I introduced the measure a number of changes have occurred, especially on the Federal scene. We find the Federal Government proposes to intrude into the field of local government with the introduction of regional councils. I believe that would be a very dangerous move so far as the State Government is concerned. I know this matter does not relate directly to the Bill, but I wish to point out that never before has a State Government faced such a problem in respect of preserving local government.

The problems which will confront us are quite obvious when one contemplates the words of Mr. Whitlam when delivering the policy speech of the Australian Labor Party. He said—

> As a Labor Party we do not envisage in future the continued existence of 6 State governments and some 975 municipal, shire and semi-government instrumentalities in Australia. We reject the idea that there should be so many of these bodies and that local government should comprise so many individual bodies. What we envisage in the future is one Federal Parliament in Canberra consisting of only one House, with the abolition of the Senate, and no State governments. But in the

place of the 6 State governments and the 975 municipal, shire and semi-government instrumentalities—

The SPEAKER: I do not think this has anything to do with the Bill.

Dr. DADOUR: Mr. Speaker, may I round off the quote by reading the following sentence—

—there will be 12 city assemblies and 2 score or so regional assemblies.

I believe if the State Government is to remain in existence it must preserve local government as it has been preserved to date.

When one reads section 12 of the Local Government Act one finds it is quite obvious that the Minister is entrusted with dictatorial powers. If he desires he can make or break any municipality. Under the present law he may amalgamate local authorities or change their boundaries as he wishes, and he may do so without even a petition being presented by a local authority. He may act on his own initiative and instruct the Boundaries Commission to consider the boundaries of certain municipalities without those municipalities being aware of it. The Boundaries Commission can present the Minister with a secret recommendation, which the Minister may present to Cabinet—still in secrecy—and the next thing we know is that two local authorities are amalgamated. The powers of the Minister are that great.

My Bill simply seeks to give the ratepayers of the municipalities involved a chance to air their views and to say whether they are for or against amalgamation. Labor Party policy has always been in favour of the holding of referendums in connection with matters such as this. However, suddenly we find a change. No longer are members of the Labor Party in favour of referendums.

The Deputy Premier, when he was Minister for Labour, asked why in the Bill it is proposed to repeal section 12 (3). The answer is that I tried to remove the unilateral approach one shire may make to sever a portion of another shire and to annex it to its own area. If both local authorities agree to amalgamation, then that amalgamation may take place under subsection (1) of the same section. However, in the case of this unilateral approach it is possible for one local authority to claim portion of another authority; and if it is successful in that claim it may then claim another part of the second local authority until eventually the second local authority is eaten up. That is the reason the Bill proposes to remove sub-section (3). I notice the Minister was not listening; so I do not know why I gave him that explanation.

The provision the Bill seeks to introduce will give the ratepayers of a municipality, which is about to be taken over or to have portion of it severed, a chance to voice their views by way of a referendum. I have asked for a poll of not less than 40 per cent. of the ratepayers. I thought that was more than reasonable because as members will realise a 40 per cent. poll is a very big one in local government. Only recently in Subiaco we obtained a poll of 49.5 per cent., and in Peppermint Grove a poll of something like 90 per cent. was achieved. If a 90 per cent. poll could not be achieved in a small area like Peppermint Grove then I would say the people were not very concerned about the point at issue.

However, I thought if the people of the municipality concerned wished to voice their opinion I should ask for a 40 per cent. poll. I seek merely a simple majority one way or the other. When I introduced the Bill the then Minister for Labour made the point that only 21 per cent. of the ratepayers of a shire are required to vote in favour of or against an amalgamation. So I stress the point that a 40 per cent. poll is a very big one. As a matter of fact, I believe that possibly I am asking too much, especially when one considers that most polls in the field of local government are attended by only 15 per cent. of the ratepayers. I think the highest poll we have had was 30 per cent.

I admit that the Bill will not do exactly what we would like it to do, but when it was introduced we felt that something had to be done in regard to section 12 of the Act to protect local authorities. As members realise, the Boundaries Commission presented this year its recommendations regarding what should occur in respect of the boundaries of metropolitan local authorities. It recommended a gross reduction in the number of local authorities in the metropolitan area.

The evidence that was taken to enable that commission to reach a conclusion was from Government instrumentalities, such as the Town Planning Department, the Main Roads Department, the Library Board, and others. Almost entirely on their submissions we find a recommendation that the number of local authorities be reduced.

At the time each local authority that would be affected had a right of appeal against the alteration in boundaries. However, it would have to appeal to the very people who, in the first instance, had ordered the boundary changes to be made. So, the Government decided to appoint a Royal Commission which is now sitting and deciding these very cases. I hope this aspect to which I am referring is not *sub judice*.

The policy of the State Government should be to involve local authorities more and more in the social welfare field. We have advocated such a policy for some years, because it is one means of effective

decentralisation. If we ask the Commonwealth to implement decentralisation, then the State should also take steps to decentralise; and one way to achieve that is to involve local government more and more in the fields of social welfare, social security, recreation, leisure, etc.

I am grieved to find that in the correspondence between the Premier and the East Fremantle Town Council there has been a sudden change in the Premier's attitude in regard to the preservation and protection of local government. In this regard I shall repeat something which has already been said. It is a pity the Premier is not in the House.

Mr. Taylor: He is in Canberra attending a special function with the Prime Minister.

Dr. DADOUR: I am not criticising the fact that the Premier is away on Government business. The Town Clerk of the Town of East Fremantle wrote a letter dated the 24th January, 1969, to the Town Clerk of the Town of Mosman Park. In this letter it was pointed out that the present Premier (Mr. J. T. Tonkin) was in favour of a referendum of the people concerned with any proposed boundary changes.

It was also pointed out in that letter the Labor Party went along with that proposal, which was part of the policy of the party. This was the tone of all the letters between the then Leader of the Opposition, who is now the Premier, and the Town of East Fremantle.

However, on the 26th October, 1971, we find a sudden change in attitude on the part of the Premier, and this leaves a great deal to be desired. I refer to his change of attitude from the time when he was the Leader of the Opposition and after he became the Premier. If my ideas changed as radically as his I do not know that I would be able to live with myself. All of a sudden we see a change of attitude on the part of the Premier.

I would now like to refer to the letter from the Town of East Fremantle to the Premier dated the 22nd September, 1971, and the reply of the Premier dated the 26th October, 1971.

The SPEAKER: I hope they are not too long.

Dr. DADOUR: They are not too long. I shall only quote some extracts from them. In the letter dated the 22nd September, 1971, from the Town of East Fremantle to the Premier the following appears—

> Re: Amendment to Local Government Act, 1960.
>
> A further meeting of representatives of the following Local Authorities was held on Tuesday 24th August, 1971 to discuss a proposed amendment to the Local Government Act:—
>
> City of Subiaco.
> Town of Claremont
> Town of Cottesloe.
> Town of East Fremantle.
> Town of Mosman Park.
> Shire of Peppermint Grove.
>
> It was the unanimous decision of all present that an approach be made for you to introduce an amendment to the Act along the lines of the attached draft, which would give the Electors the right to decide by referendum whether amalgamations or severance of districts should take place.

In his reply dated the 26th October, 1971, the Premier said—

> Dear Mr. Cowan,
>
> I refer to your letter of 22nd September in which you conveyed to me a decision of a number of local authorities that I be approached to introduce an amendment to the Local Government Act which would give electors the right to decide by referendum for or against proposed amalgamations.
>
> In your letter you stated that if I desired to confer with representatives of the various local authorities cited by you, you felt certain a meeting could be arranged.
>
> I have advised the Minister for Local Government of the desire of the local authorities to have the Act amended and suggested that he may think it desirable to receive a deputation.
>
> There is no possibility of amending legislation this year, but consideration could be given to the introduction of a Bill next session if believed to be desirable.

I might add that the Bill which I have introduced is the very Bill which these local authorities had asked the then Leader of the Opposition to introduce, and which he agreed to introduce. However, after he became the Premier we see a complete turnabout in his attitude. What calibre of people are we dealing with? This is the very Bill which the then Leader of the Opposition agreed to introduce. It seems that his attitude is: to hell with local government. That is what it amounts to.

Mr. Taylor: On the contrary, do you not agree there is a report being compiled by a commission inquiring into local government boundaries? Until it is available the honourable member should not criticise in the way he is criticising.

Dr. DADOUR: The Acting Premier is defending something which is indefensible.

Mr. Taylor: You have admitted that in your speech.

Dr. DADOUR: I could also have dealt with an amendment which I proposed to the Local Government Act relating to lavatory doors opening outwards instead of inwards.

Mr. Taylor: I repeat that action is being taken by the Premier.

Dr. DADOUR: What action is being taken on the Federal level?

Mr. Taylor: That is not part of your Bill.

Dr. DADOUR: Never before have I been confronted with such a sudden change in our way of life, as has occurred in this instance. Money is being received by the State Government which is all ear-marked for local government or regional promotion projects. The details are contained in the Budget but I shall not deal with the Budget now.

The Bill which I have introduced is the same one as the Premier, himself, promised in 1969; the very same Bill. All that I can say—which I do not like to have to say—is that the Premier is one of the most accomplished liars I have ever met.

The SPEAKER: Order!

Point of Order

Mr. TAYLOR: Mr. Speaker, I would ask that the member opposite retract that comment about the Premier.

The SPEAKER: Yes, the member for Subiaco will retract that statement.

Dr. DADOUR: I will retract the statement; I got a little worked up.

Debate Resumed

Dr. DADOUR: I do not give this Bill of mine—or should I say of ours—much hope of being passed, even though it has a lot of merit, and may need amending, which can be done at the Committee stage. I cannot see that anybody from the opposite side will have enough fortitude to do the right thing for a change, but I commend the Bill to the House.

Question put and a division taken with the following result—

Ayes—19

Mr. Blaikie	Mr. Ridge
Dr. Dadour	Mr. Runciman
Mr. Gayfer	Mr. Rushton
Mr. Grayden	Mr. Sibson
Mr. Hutchinson	Mr. Stephens
Mr. A. A. Lewis	Mr. Thompson
Mr. E. H. M. Lewis	Mr. R. L. Young
Mr. Nalder	Mr. W. G. Young
Mr. O'Connor	Mr. Mensaros
Mr. O'Neil	*(Teller)*

Noes—21

Mr. Bateman	Mr. Hartrey
Mr. Bertram	Mr. Jones
Mr. Bickerton	Mr. Lapham
Mr. Brady	Mr. W. A. Manning
Mr. B. T. Burke	Mr. May
Mr. T. J. Burke	Mr. McIver
Mr. Cook	Mr. Sewell
Mr. Davies	Mr. Taylor
Mr. H. D. Evans	Mr. A. R. Tonkin
Mr. T. D. Evans	Mr. Moller
Mr. Fletcher	*(Teller)*

Pairs

Ayes	Noes
Mr. I. W. Manning	Mr. J. T. Tonkin
Mr. Coyne	Mr. Jamieson
Sir David Brand	Mr. Bryce
Sir Charles Court	Mr. Harman
Mr. McPharlin	Mr. Brown

Question thus negatived.

Bill defeated.

PRIMARY INDUSTRIES

Effect of Currency Revaluation: Amendment to Motion

Debate resumed, from the 23rd May, on the following motion by Mr. Gayfer—

> That this Assembly endorses the Premier's concern and actions over the recent Australian dollar revaluation especially as it affects the primary industries and particularly the grain industry of Western Australia: and this House censures the Prime Minister and the Commonwealth Government over their decision and failure to protect the financial interests of the primary producer: and that this Assembly further calls upon the Commonwealth Government to take steps immediately to compensate adequately all primary producers for the losses suffered.

To which Mr. J. T. Tonkin (Premier) had moved the following amendment—

> Delete all words after the word "industries" in line 5 of the motion.

MR. GAYFER (Avon) [5.05 p.m.]: I will continue my remarks.

The SPEAKER: The member for Avon has nine minutes.

Mr. GAYFER: I do not very often disagree with your ruling, Mr. Speaker, but I think I should have longer than nine minutes. I spoke for three minutes on the last occasion, and if I have another nine minutes that makes a total of 12 minutes only.

The SPEAKER: You spoke for 11 minutes.

Mr. GAYFER: I refer you, Mr. Speaker, to page 2124 of *Hansard* where it will be seen that I commenced my remarks at 6.13 p.m. The sitting was suspended at 6.16 p.m. I have a calculator with me so I will check my figures!

Mr. Taylor: Is the calculator metric?

The SPEAKER: The time which I noted was 6.04 p.m.

Mr. GAYFER: I have raised this matter more or less as a point of order so that I may continue my remarks as soon as you have settled the question, Sir.

The SPEAKER: What was the page number of your previous comments?

Mr. GAYFER: They appear at page 2124 of *Hansard*. I hope this discussion is in your time, Mr. Speaker.

Mr. Taylor: Did the member for Avon calculate that time in metric?

The SPEAKER: I will amend the time.

Mr. GAYFER: Thank you Sir; that is very gracious of you. It is not very often that you are wrong and I am rather pleased that I am right.

It will be recalled that I last addressed the House on the 23rd May, when I spoke to the amendment moved by the Premier. He moved the amendment in a rather frivolous and capricious manner and he sought to emasculate my original motion, notice of which was given on the 15th March, the day this session commenced.

I say that the Premier moved the amendment in a frivolous and capricious manner because I can remember the smiling attitude he adopted when he looked around his side of the fence, as it were. He looked at his colleagues, gave that familiar TV smile for which he is renowned, and said—as if to say "Eureka, I have found it"—"I will move an amendment." An illustrious character—I think it was Archimedes, but it does not matter —was sitting in the bath and he discovered that the weight of his body displaced the water. When the water ran over the side of the bath he used the words to which I have just referred which meant that he had found the answer to a problem! The Premier adopted the same attitude when he hopped into hot water by moving the amendment to my motion.

Mr. Hartrey: I do not think you are right in referring to Archimedes.

Mr. GAYFER: I do not care whether I am right or wrong but the learned professor opposite can put me right later on. This is my story and I am sticking to it.

As far as I am concerned the Premier endeavoured to emasculate my motion in a most unbecoming manner. It was very noticeable that the Premier was replying to a speech made by me when he was not present in the Chamber to hear it. I spoke for a considerable time on that occasion. The Premier moved his amendment but I am sorry to say he is not here today to hear what I think of his amendment, and to hear what it does, in fact, to the motion.

Personally, I think it would have been better had he followed another proverb to which I will refer, and not the story concerning Archimedes where he was able to be happy and talk in a loving manner. There is another proverb of Chinese origin which I think he should have observed. It is to the effect that "when you are up to your ass in alligators, it is difficult to remind yourself that your initial objective was to drain the swamp." I feel sure the Premier forgot his initial objective when he moved the amendment. He fell into the trap which I laid for him.

I will now refer to the *Daily News* of the 16th March, which was long before I spoke to this motion. It has been dragging on for seven months. After being interviewed by a reporter I was reported as saying that Mr. Tonkin would find it difficult to counter with the normal method of deleting certain words after agreeing to the first part of my motion. The report said that the request of the Opposition was unlikely to be deleted by the Government. Throwing out the entire motion would show lack of respect by the Premier. Passing the entire motion would provide a straightout conflict between the Labor Governments of Western Australia and Canberra. Therefore, the Government was put in an awkward spot, because, as the report stated, Mr. Tonkin had publicly supported the devaluation of the Australian dollar. That is reported in the *Daily News* of the 16th March. So, for the Premier to prance around the place and make it appear that he had thought of something original was completely wrong.

Before I even spoke, and when I framed the original motion, I knew exactly what the Premier would do. By the action he has taken he has supported the very thing that I am trying to stress in the motion. However, he did not do that by reason of his support of my remarks. He moved the amendment so that he could rally all the members of the Labor Party behind him. He did not have that tie when he spoke in the first instance in reply to my motion.

At page 850 of *Hansard*, of this year, the then Deputy Premier (Mr. Graham) interjected and said that he believed the decision which we are now discussing was for the betterment of Australia. A little later he tried to refute the statement which he had, in fact, made. Up to that point he was, in reality, opposing the actions of the Premier.

Similarly, the member for Boulder-Dundas was most caustic in his remarks. In fact, he said that the value of the Australian dollar had always been determined by the Commonwealth Government and he believed no harm was being done to the mining industry. Those comments can be found in the remarks and in the interjections from the member opposite.

So it was necessary for the Premier to consolidate his ranks behind him so that his party would approve of the actions he had taken in the past. If we had taken a vote on the motion based on what those two gentlemen had said in the past the Premier would have been rather sorely put to hold them, and hold their remarks as being sincere. Possibly, they were taking advantage of the opportunity to express themselves when the Premier was, in fact, in the Eastern States.

The Premier attempted to emasculate my motion to consolidate his Government behind him and, at the same time, have some standing left as far as the motion is concerned.

The member for Boulder-Dundas, in the course of his interjections, said at page 845 that since the revaluation there is enough confidence. He was implying that there was confidence in the goldmining industry at that time—and that was okay.

Mr. Hartrey: That is right.

Mr. GAYFER: I notice a series of public meetings were held in Kalgoorlie recently and the tone of those meetings did not sound very confident to me.

Mr. Hartrey: You were not at the meetings.

Mr. GAYFER: Apparently the member for Boulder-Dundas went. I have heard the report and it has never been denied. There was a great deal of conjecture and the goldmining industry intended to prepare a case for presentation to Canberra. The Premier did in fact say—

> I was born and bred here, so perhaps I should have a stronger feeling to keep the industry flourishing. Good luck to you all and you can rely on me when you are ready to present the case to Canberra.

The Premier presented a case to Canberra which, in the light of my motion, was treated by the Prime Minister in a most shabby and arrogant manner. When the Premier moved the amendment to my motion he did, in fact, state that he had made representations to the Commonwealth. I refer to page 1314 of *Hansard* when the Premier said—

> I do not think there is the slightest doubt that we have suffered more in Western Australia, because of the nature of the whole economy.

He went on to say—

> We are the large exporters, and because we are the large exporters in a very big volume we suffer the losses without getting the corresponding gains.

The member for Cottesloe interjected—

> What did the Prime Minister say in response to your representations?

The Premier replied—

> He did not say anything.

The member for Dale interjected—

> That is right; not a word.

The Premier is attempting to turn my motion around in his favour by the deletion of certain words when, in fact, his concern was arrogantly treated without one word being said to him by the Prime Minister. The Premier's amendment will not achieve what he expects it to achieve—that is, to dismiss the motion lightly from the notice paper of the Parliament. This is a most insincere attempt to get rid of a motion of such complexity. It is a matter which means so much to the State. It is one which means so much to both the Government and the Opposition. The Leader of the Opposition supported the Premier's remarks and at page 2123 he said—

> We are in an entirely different situation, because basically we are a primary producing nation.

The member for Mirrabooka interjected and said—

> When you say "we" do you mean Western Australia or Australia?

The Leader of the Opposition said—

> I mean Queensland and Western Australia. To my mind the rest of Australia is very substantially riding on our backs, because it is the overseas income which we as primary producers generate that makes Australia as strong as it is.

That is almost word for word what the Premier had suggested when he moved his amendment. The amendment will effect nothing except the deletion of certain words. The Premier has asked for the deletion of those words in an endeavour to do something to save his face. In essence, the words which the Premier wishes to delete will leave a confirmation of the very principle embodied in the motion, and by his amendment, the Premier is completely disregarding the representations of all the industries which have approached him to do something for them.

The motion which I moved represents the cry of the many primary industries which have now suffered a loss in total since December, 1971, of 36 per cent. of every Australian dollar written into overseas contracts. In other words, they have suffered a loss of $36 in every $100. They have also suffered a loss of 29.6 per cent.—or $29.60 in every $100—for every contract prewritten overseas prior to the 2nd December, 1972. One will see this must have had a major impact on all the primary industries and it cannot be disregarded in such a manner. It is not only the loss to Western Australia but the loss to Australia. For these reasons members should support the motion in its entirety.

The SPEAKER: The honourable member has three more minutes.

Mr. GAYFER: Members should not support the emasculated version which the motion will be if the amendment is passed. Every opportunity should be taken to plead with the Government to reverse its intention to support the amendment. The motion is far too important to be dismissed lightly, especially in view of the other motions which have been carried right throughout the continent and especially throughout Western Australia.

It is futile to continue because it is difficult to speak within the ambit of what I am supposed to be speaking to. However, I do not intend to transgress and reiterate the reasons for moving my motion originally. Instead I say that I violently oppose the Premier's amendment which is an emasculation of my motion.

Amendment put and a division taken with the following result—

Ayes—20

Mr. Bateman	Mr. Fletcher
Mr. Bertram	Mr. Hartrey
Mr. Bickerton	Mr. Jones
Mr. Brady	Mr. Lapham
Mr. B. T. Burke	Mr. May
Mr. T. J. Burke	Mr. McIver
Mr. Cook	Mr. Sewell
Mr. Davies	Mr. Taylor
Mr. H. D. Evans	Mr. A. R. Tonkin
Mr. T. D. Evans	Mr. Moiler
	(Teller)

Noes—20

Mr. Blaikie	Mr. O'Neil
Dr. Dadour	Mr. Ridge
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Hutchinson	Mr. Sibson
Mr. A. A. Lewis	Mr. Stephens
Mr. E. H. M. Lewis	Mr. Thompson
Mr. W. A. Manning	Mr. R. L. Young
Mr. Nalder	Mr. W. G. Young
Mr. O'Connor	Mr. Mensaros
	(Teller)

Pairs

Ayes	Noes
Mr. J. T. Tonkin	Mr. I. W. Manning
Mr. Jamieson	Mr. Coyne
Mr. Bryce	Sir David Brand
Mr. Harman	Sir Charles Court
Mr. Brown	Mr. McPharlin

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

Amendment thus passed.

Motion, as Amended

MR. W. G. YOUNG (Roe) [5.27 p.m.]: I rise to indicate that in no way can I support the motion which now reads—

> That this Assembly endorses the Premier's concern and actions over the recent Australian dollar revaluation especially as it affects the primary industries.

As the member for Avon has just indicated, the position has changed dramatically since the motion was moved in the first part of the session earlier in the year.

The Premier has seen fit to twist the motion around and to delete the pertinent part which asked that some endeavour be made to protect the primary industries in Western Australia. The Premier attempted to turn the motion around so that it became an endorsement of the actions he has taken. In actual fact nothing has been done in relation to the primary industries in Western Australia and, for this reason, I think the matter has been treated purely as a joke. Something as serious as this cannot, by any stretch of the imagination, be taken so lightly.

Over a period of time the Premier has made two or three promises in regard to the motion. He guaranteed to do something for the goldmining industry.

Mr. Hartrey: He guaranteed to present the goldmining industry's petition.

Mr. W. G. YOUNG: Yes, the Premier guaranteed to present the petition.

Mr. Hartrey: He did it.

Mr. W. G. YOUNG: I agree entirely; the Premier did present a petition. The point I am making concerns the reaction of the Commonwealth Government. There has been no reaction. Last night the Leader of the Opposition accused the State Government of taking the people of Kalgoorlie for a first-class ride.

Mr. T. D. Evans: Taken for a ride by the Leader of the Opposition!

Mr. W. G. YOUNG: The Leader of the Opposition is quoted in tonight's issue of the *Daily News* under the heading, "Kalgoorlie taken for a ride: Court". The article reads, in part—

> At a recent meeting in Kalgoorlie to protest at the Commonwealth's treatment of mining and the goldmining industry in particular, the Premier, Mr. Tonkin, had told the people of Kalgoorlie not to worry.

Mr. Hartrey: The Premier did not tell them that at all.

Mr. W. G. YOUNG: I am quoting what is reported in the newspapers. We find that some time after that meeting the Premier was quoted in *The West Australian* as saying that he saw little hope of gold aid. This bears out my statement that up to this point the Commonwealth Government has not seen fit to take any notice of the protests made by this Government in relation to reducing, or in some way mitigating, the impact of the devaluation which has taken place in the Australian currency over the last few months. In fact, the first revaluation of 7.5 per cent. took place in December, 1972. In February, 1973, we had an effective revaluation of 11.5 per cent. when the Australian dollar did not follow the American dollar. We then find in July of this year—after this motion had been moved—the Commonwealth Government introduced an across-the-board tariff reduction of 25 per cent. I make the point again that the last decision was made after the motion had been moved and after the Premier had made his submission to Canberra seeking assistance for the industries of Western Australia.

Later in 1973 the Federal Budget was introduced. In September of this year, a further revaluation of 5 per cent. took place. Finally, in the same month, we saw an increase of 1.75 per cent. in interest rates. To my mind this proves that any approaches made by the Premier of this State to the Commonwealth Government have been completely ignored and that no effort has been made to militate against the actions of the Commonwealth Government which have affected the primary industries of Western Australia.

On the 2nd May, when he spoke to the motion, the Premier said he agreed that at the time the motion was moved our primary industries were in a serious financial position. He then said that the position had changed. Perhaps in that short period between the moving of the motion and his speech, with the increase in wool prices and the improvement in wheat marketing, the rural industry's position had improved. However this improvement was fairly short lived—the Federal Government saw to that. In every way it could, and with every move possible, it took steps to hamper primary industry.

I have already referred to the gold-mining industry, and with the revaluation, the Commonwealth Government has now stepped into the field of all the other primary industries and it is tearing down their structures. It will not be very long before the inevitable happens. Primary industry goes along with highs and lows, and a slight drop in the price of a commodity will run the rural economy into problems again.

On page 1314 of this year's *Hansard*, the Premier indicated that Western Australia would be the State hardest hit by this alteration in the value of our currency. He turns around now and expects the House to agree with and to endorse the actions he has taken when it is perfectly obvious that any action which has been taken—and I do not deny that some action was taken—was very half-hearted.

Mr. Hartrey: It certainly was not that.

Mr. T. D. Evans: It was not half-hearted at all. It is less than fair to say that.

Mr. W. G. YOUNG: I may have been wrong in saying the effort was half-hearted, but the results have been nil. I would have thought by this time—some seven months after the motion was moved—we could have expected a report of what has happened, and at least we should know whether or not the Prime Minister has replied.

If we look back again to the 2nd May, the Premier was asked a question by the member for Cottesloe as follows—

> What did the Prime Minister say in response to your representations?

The Premier replied—

> He did not say anything.

Well, from the 2nd May until today we do not know whether a reply has been received. By asking this House to endorse his actions, the Premier is making a shambles of the representation. What we should be doing is asking that the approaches be stepped up, that the inroad into the income of primary producers in Western Australia be checked, and that the effects not only of the revaluation but also of the Budget be looked into.

Even though we have had a good season throughout all the rural areas, we find that the gross farm product has dropped by 11.1 per cent. In absolute terms it is down by $283,000,000 in the last financial year. Of course, this is the Australian figure and I do not have the breakdown in relation to the States. The only reason that farm income has been in the vicinity of 20 per cent. above that of last year is the strong international demand for our farm produce. We know this has been brought about by a big upsurge in wool prices. I do not think the Premier or the Commonwealth Government can claim any credit for that—it was the result of the market situation.

The same thing applies, of course, with regard to the buoyancy in the wheat market. We have been told that we can expect a much higher price for grain on the open market this year. We have heard repeatedly that Dr. Cairns has sold wheat to China—and he takes the credit for this. I do not go along with this statement. I agree that wheat has been sold to China, but now the State Minister for Agriculture tells us that we may be paid for quota wheat only. Earlier in the year the Federal Minister for Primary Industry announced a 10c bonus payment on wheat to induce farmers to grow more wheat. I have tried to obtain an explanation of this anomaly. The Federal Minister for Primary Industry tells us to grow extra wheat but we now find we may have produced above our quota and we will not be paid for it.

Mr. Taylor: The promise was an extra 10c.

Mr. H. D. Evans: An incentive payment.

Mr. W. G. YOUNG: It was an incentive payment to increase wheat production. Now the State Minister for Agriculture comes out and says, "Unless the position is further clarified, farmers can expect to be paid for quota wheat only." Why should the growers be offered an inducement to spend money to put in extra crop only to find they may not be paid for it? All these points indicate that the Parliament has not been vigorous enough in putting the case for Western Australia to the Commonwealth Government.

Mr. Hartrey: Would you like us to call a general strike?

Mr. W. G. YOUNG: Over the period of some months that this motion has been before the House, very little has been done and no statement has been made—in the Press or elsewhere—about any further representation. In no way has the Prime Minister indicated that he was receptive to the idea. The Premier has told us nothing. We have been left completely in the dark. In these circumstances we were asked to agree to an amended motion to endorse the Premier's concern and actions over the recent Australian dollar revaluation.

Mr. O'Connor: And it does nothing about it.

Mr. W. G. YOUNG: Yes, it has done nothing about it. We do endorse the concern, but we have seen no result of the concern. We endorse the action, but we have seen no result of the action. The only comment I can make is that the proof of the pudding is in the eating, and the proof will be when we see some results or at least when the Premier indicates that the Prime Minister has replied to his submissions. The Prime Minister could at least reply and say, "Look, it is no go".

The Premier acknowledged in his speech to the motion that we were the most affected State of the Commonwealth with this alteration in the value of our currency. The Premier made another point and in the strange way he twisted this around he said—

> In view of that there is absolutely no justification for the latter part of the motion calling upon this House to censure the Prime Minister and the Commonwealth Government. If it were justified it is a strange thing that no similar type of motion has been under discussion in any other State Parliament.

What a thing to say!

Mr. Taylor: It is a very pertinent comment; it is worthy of repetition.

Mr. W. G. YOUNG: It is very pertinent, particularly in the light of his statement that Western Australia is by far the most affected State. However, even in these circumstances, we have to sit back and wait for another State to take similar action before ours is justified.

Mr. Taylor: No, the Premier did not say that.

Mr. W. G. YOUNG: He said this.

Mr. Taylor: I think you will find he said we were the only State to take action.

Mr. W. G. YOUNG: He said—

> If it were justified it is a strange thing that no similar type of motion has been under discussion in any other State Parliament.

The action is justified because the situation here is much worse than it is in the other States. Members will see on pages 1314 and 1316 of the current *Hansard* that the Premier said Western Australia would be the hardest hit State. Why would our action be justified only if the other States took action?

The Leader of the Opposition said the other night that the States of Queensland and Western Australia operated with similar economies. The Minister for Agriculture tried to say that because of Queensland's sugar industry it is in a different category from Western Australia. However, I would point out that Queensland's wheat crop forms only a small percentage of its farm produce, so I feel that the income from Western Australia's wheat crop would balance out the income from Queensland's sugar crop.

Whilst we are the State most affected—and the Premier acknowledged this in his speech—I cannot for one moment see why we should sit back and accept his argument that because no other State had taken action we should not do so.

The iron ore industry is another primary industry which has had to rewrite its agreements, and it has suffered from the revaluations in the same way as other primary industries have done. However, this does not alter the fact that in Western Australia a large work force is employed in primary industry and our major export income comes from that source.

If we meekly accept this amended motion and sit here without raising any objections whatever, I believe primary industry would have every right to feel that the Government certainly has let it down. As a representative of a country electorate, I consider that I personally would have let the rural sector down had I not objected to this.

It is my intention to move to insert words in lieu of the words deleted.

Mr. Bickerton: You are moving an amendment, are you?

Amendment to Motion, as Amended

Mr. W. G. YOUNG: I move an amendment—

> Substitute the following words for the words deleted—
>
> > and agrees that his pleas and representations were arrogantly rejected by the Prime Minister in utter disregard of the importance of West Australian primary industries not only to the welfare of this State but to the nation as a whole.

MR. TAYLOR (Cockburn—Acting Premier) [5.45 p.m.]: Although there is a temptation to adjourn the debate on this motion I think it would be only wasting time, and if I can recall them I would like to repeat a few remarks made by the member for Avon when he referred to the flippancy of the Premier in moving his amendment. I think that the words he used would apply with equal force to the amendment that has just been moved.

At the moment the motion reads as follows—

> That this Assembly endorses the Premier's concern and actions over the recent Australian dollar revaluation especially as it affects the primary industries.

The previous speaker went to some pains to cover a number of primary industries, although he would not give credit to the

Premier for showing concern and taking action in each of these instances. The words "concern" and "actions" are used in the motion as it stands.

The two previous speakers gave ample evidence, in their speeches, that the Premier had shown concern and had taken action in connection with these matters. In fact, both speeches were attacks on the Australian Parliament, which we have come to expect in almost every debate that is conducted in this Chamber. If this were a motion relating to the attitude of the Australian Government one might be expected to continue with the debate on the amendment, but that is not the case. We are debating a motion relating to the Premier's "concern" and his "actions".

There is ample evidence to show that the Premier did what he should do as Premier of this State, and also that he took action when it was in his power so to do. Let us look at some examples of this which were mentioned in the debate which was concluded last night, when it was suggested that the State Government was servile to the Commonwealth, and that the Premier's action was of no effect when it was put forward shortly after the revaluation of the dollar was announced. But the Premier made his statements publicly, and he was prepared to make his representations to the Australian Government in Canberra, and this he did.

If there is to be a claim that no action was taken following upon those representations being made—apropos of the quotation made by the member for Roe that the "proof of the pudding is in the eating" and until he saw some result from the representations made, as far as he was concerned no action had been taken by the Premier—I would remind that honourable member of an analogy in terms of farming which is more accurate, in my opinion. If a farmer puts a lot of hard work into ploughing his paddock and nothing comes up, that is certainly not evidence that no action has been taken by the farmer.

Mr. W. G. Young: I have never had that experience yet; something always comes up.

Mr. TAYLOR: The member for Roe is obviously one of the more fortunate farmers in this place. My purpose in using that analogy was to highlight the continual actions by the Premier in regard to primary industries despite the success or otherwise of his actions. We are aware that the iron ore industry was referred to by the member for Roe, and we are also aware that the Premier made a visit to Japan at a crucial time; that is, when the price for iron ore, a commodity primarily affecting this State, was lowered in value by the Japanese companies concerned. The Premier made representations to the Commonwealth Government and the Japanese Government, because Western Australia was the only State affected in regard to a lower price being obtained for iron ore.

Mr. W. G. Young: I conceded that.

Mr. TAYLOR: I agree. I make the point that the two previous speakers appeared to go out of their way to support the motion before the House, which is that this Assembly endorses the Premier's concern and actions. That is what we are debating.

Mr. O'Connor: Yes, and that he do something about it.

Mr. TAYLOR: He did something about it. The increase in the price for iron ore can be attributed to one of three sources: to the Commonwealth by itself, to the State by itself, or to joint action by both the Commonwealth and the State. I suggest that it can be attributed to the initiative of the State Government in making representations to the Commonwealth.

Mr. Rushton: What about the goodwill of the previous Government?

Mr. TAYLOR: If the member for Dale wants it that way he can have it. It was the approach by the State to the Commonwealth and the Premier's visit to Japan, accompanied by the Minister for Mines, that contributed to the Japanese reviewing their price for iron ore, which is a product of primary industry.

Let me cite another example. In the next motion to be debated we will be hearing something of the whaling industry, which is also a primary industry.

Mr. O'Neil: When might we be debating that motion?

Mr. TAYLOR: As soon as I sit down, possibly.

Mr. O'Neil: That is unlikely; hope springs eternal.

Mr. TAYLOR: In regard to the whaling industry not only the Premier but also several Ministers in this Government made representations to the Australian Government and took whatever action they were able to take within their spheres, to put a case in support of the whaling industry at Albany. At least the result was some action, to which this motion refers, because following on these representations, the Federal Minister concerned made a visit to Albany. This was the result of the concern shown and the action taken by the Premier.

Reference was made by the member for Roe to the goldmining industry.

Mr. W. G. Young: Now we are getting close.

Mr. TAYLOR: Yes. Once again the Premier was outspoken on behalf of the State in support of the goldmining industry and this is in conformity with the motion at present before the House. He made representations to the Australian

Government and led a deputation to Canberra. Again the claim is made that no result came from such representations and that this should be held against the Premier; that is, that his concern and action were to no avail.

Mr. W. G. Young: They were a farce.

Mr. TAYLOR: The information should be conveyed to the honourable member, as it should be to the House, that the Prime Minister—if I have it right—and the Minister for Minerals and Energy have both agreed to visit Kalgoorlie within the next four weeks.

Mr. O'Connor: They are both too unwelcome, anyhow.

Mr. TAYLOR: The "anyhow" at the end of that interjection satisfies me that the member for Mt. Lawley understands my point; namely, that the Premier, because of his representation on behalf of this primary industry, was able to get some action. Firstly he showed his concern and secondly he was successful in getting some action.

Mr. O'Neil: There will be no action.

Mr. TAYLOR: In regard to agriculture, I would point out that the Federal Minister for Primary Industry, in the short term that the present Australian Government has been in office, has already visited this State.

Mr. W. G. Young: He spent 1½ days in Western Australia.

Mr. TAYLOR: He made two visits. The member who interjected could perhaps tell me—

Mr. W. G. Young: He has been here only once.

Mr. TAYLOR: Rather than be called some of the names which members on the other side of the House prefer to use on other occasions, I will defer and say that the Commonwealth Minister for Primary Industry has made one visit to this State.

Mr. Bickerton: One more visit than the Liberal Minister ever made.

Mr. TAYLOR: That is the point to be made, and I had intended that to be the second half of the point I was making. It is my recollection—and this can be denied by other speakers if they so desire—that the former Minister for Primary Industry (Mr. Anthony), except during election time, did not make any visits to this State during the first 12 months we were in office.

Mr. W. G. Young: Mr. Anthony was not the Minister for Primary Industry during the first 12 months of your Government; Mr. Sinclair was.

The SPEAKER: Order!

Mr. TAYLOR: So moving the amendment he has, I think the member for Roe is not on safe ground. The motion itself is very simple and straightforward. It is—

> That this Assembly endorses the Premier's concern and actions over the recent Australian dollar revaluation especially as it affects the primary industries.

The member for Roe admitted he covered many primary industries—that he was aware of where he believed there had been some detrimental effects as the result of Commonwealth actions—but I believe I have been able to illustrate to him and to the House that the Premier has shown concern, has taken action, and has achieved results in each case. I oppose the amendment.

MR. O'CONNOR (Mt. Lawley) [5.55 p.m.]: I support the amendment moved by the member for Roe. Frankly I believe the original motion moved by the member for Avon was a better one, but this was emasculated by the Premier when he moved his amendment, which virtually made the motion a void. By his amendment the Premier left nothing in the motion that had any effect.

Mr. Bickerton: Can you read the amendment to the House?

Mr. O'CONNOR: If the House so desires, Mr. Speaker, I will read the amendment to the House. This is the first full amendment.

Mr. Bickerton: I mean the one moved by the member for Roe.

Mr. O'CONNOR: After the Premier moved his amendment, the motion then read—

> That this Assembly endorses the Premier's concern and actions over the recent Australian dollar revaluation especially as it affects the primary industries.

The member for Roe has moved an amendment as follows—

> and agrees that his pleas and representations were arrogantly rejected by the Prime Minister in utter disregard of the importance of West Australian primary industries not only to the welfare of this State but to the nation as a whole.

I am certainly concerned about the nation as a whole, but, more importantly, I am concerned about Western Australia, because I believe that this is where our work in regard to primary industries should be carried out.

I repeat: The Premier's amendment has made the motion virtually nothing. That amendment not only took the teeth out of the motion but also removed its arms and legs. The amendment moved by the member for Roe does put some teeth back into

the motion and it will add arms and legs thus preventing it from becoming a "do nothing" motion.

Mr. Taylor: Yes, and makes it look like a crocodile.

Mr. O'CONNOR: At least a crocodile will bite.

Mr. Taylor: And it has no brains behind its teeth.

Mr. O'CONNOR: If it has no teeth, it will be like the Premier's amendment to the motion; it will have no bite. All the Premier has done is to make a mockery out of the motion. On the other hand the amendment moved by the member for Roe indicates that we should do something about the situation and the members on this side of the House are with him all the way in regard to that. That amendment does not give the Premier a pat on the back. It is necessary for us to get off our tails and do something about the critical situation in this State as a result of the Commonwealth Government's actions at the present time.

Mr. May: The Minister for Primary Industry did not go to Kalgoorlie.

Mr. O'CONNOR: The Kalgoorlie people are extremely concerned about this issue and if an election were held in Kalgoorlie at the moment the member for Kalgoorlie would not be very happy, because he knows there would be more trouble for him there than he expected some months back.

We want to get some results in the area and to reach a decision. We are people with a future. We do not want to be people who have had their future taken from them as it has been in this instance as a result of the actions of Mr. Crean and the Prime Minister.

If members care to look at an article which appears on page 6 of the *Western Prospector*, September 1973, they will find the following—

Tonkin Pledges Funds

The article went on—

> He had written immediately to the Prime Minister on the effect of the Budget proposals. He said he would submit a report on the effects. He was prepared to go to Canberra and personally present the case.
>
> He had looked at the Act to help the union of two companies. He could not stop the Stamp Duty but agreed to defer it until 10 per cent. profit was shown.
>
> "I was born and bred here, so perhaps I should have a stronger feeling to keep the industry flourishing. Good luck to you all—and you can rely on me when you are ready to present the case in Canberra."

Great hopes, with no good luck, because nothing has been done for them! They have been wished good luck, but let us do more than is contained in this motion to indicate to those in Canberra that we are concerned and we want results. We do not want the primary industries in this State pushed underground.

If the Premier was sincere in his comments at Kalgoorlie—and it appears there is some doubt about his sincerity—he should prove it and at least support the motion.

The farming industry has suffered two very bad years and now at last it appears as if it will have a good year. So, what does the Federal Treasurer do? He has taken a tremendous amount of the profit before the farmers have even harvested their crops. Taxation concessions have gone by the board as have irrigation and various other concessions. Surely these people should be protected.

We all know the experience of Woodside-Burmah. That company is not permitted to plan past the well-head. The mining industry in Kalgoorlie is virtually showing signs of the death rattle.

I believe the honourable member has put some teeth back into the motion by his amendment, which I support. I hope members will demonstrate their sincerity by doing likewise.

MR. THOMPSON (Darling Range) [6.01 p.m.]: I rise to support the move by the member for Roe. I believe the Premier set about to murder the original motion moved in all sincerity.

Mr. Bickerton: That is not unusual, of course.

Mr. Lapham: Moved for politics, that's all. Political rubbish.

Mr. THOMPSON: It was moved with all the sincerity in the world.

Mr. Moiler: With all the sincerity the Opposition could muster, which isn't very much.

Mr. THOMPSON: The members of the Country Party and the Liberal Party believe that the action of the Commonwealth Government in adjusting the currency reacted to the detriment of this State; and I would like to read the original motion and compare it with how it was after the Premier had amended it.

The SPEAKER: The honourable member should be debating the amendment.

Mr. THOMPSON: Yes, but I would like to relate it to the original motion because I believe we must look at the intent behind the original motion and the intent behind the amendment. The original motion reads—

> That this Assembly endorses the Premier's concern and actions over the recent Australian dollar revaluation especially as it affects the primary industries—

Mr. Bickerton: He could have left it at that.

Mr. THOMPSON: To continue—

> —and particularly the grain industry of Western Australia: and this House censures the Prime Minister and the Commonwealth Government over their decision and failure to protect the financial interests of the primary producer: and that this Assembly further calls upon the Commonwealth Government to take steps immediately to compensate adequately all primary producers for the losses suffered.

The motion obviously was intended to convey to the Prime Minister and the Federal Government the concern felt by the primary producers of Western Australia and in no way could the motion be considered as anything but a censure motion.

Then the Premier amended the motion to delete the portion he did not like, and he has the right to do this. The honourable member who moved the motion was prepared to acknowledge that the Premier of this State had done something praiseworthy and he was prepared to include such a comment in his motion. However, following the political manoeuvres by those on the other side, it may be that never again will an Opposition attempt be made to pat the Premier on the back.

Mr. Bickerton: You were patting him on the back with a sledgehammer.

Mr. T. D. Evans: With a sharp knife.

Mr. THOMPSON: In *Hansard* a series of interjections are recorded following which on page 1315 the Premier is reported as follows—

> The member for Avon has said that the first part of the motion was to give the Premier full endorsement. Surely it is understandable that I would be in full agreement with the first part of the motion; and it is quite flattering to me, because I think this is the first time in my experience that I have known the Assembly, however it is constituted, to give full endorsement to anything a Premier has done.

The Premier who has been here for 40 years could not think of any other occasion on which the House, no matter how constituted, had given full endorsement to anything a Premier had done. I would have thought that he would be at least gracious enough to accept the sentiments expressed in the full motion and not just chop off the piece which contained the teeth and expressed the opinion of the member who moved the motion.

What the amendment before us seeks is once again to place some teeth in the motion so that it expresses the opinion of the mover of the original motion. We want the Government to join with us in expressing to the Federal Government our dissatisfaction over its actions which discriminate against the people of Western Australia.

The other night I indicated why I thought the present Federal Government cared little about the situation in Western Australia and I will again refer to the composition of the Federal House from which the Government is drawn; that is, the House of Representatives. Of the 125 members, only nine come from Western Australia, and I do not think the present Federal Government gives a damn about Western Australia.

Mr. A. R. Tonkin: We would have had 10, you know, if the previous Government had done its duty.

Mr. THOMPSON: The redistribution of which we have heard a great deal of talk for some time still has not occurred and we still have only nine seats. If a Federal election is held in a few weeks' time, as I hope it will be, we will still have only nine members representing Western Australia.

Earlier in the debate reference was made to the visits of various Federal Ministers to this State. We have had the debacle concerning the fact that the Minister for Minerals and Energy has not visited Western Australia, but since members on this side of the House have raised this criticism against him we now find that he is to visit Western Australia and, particularly, Kalgoorlie. I believe his proposed visit to that centre is an endeavour to win back some of the lost ground.

Mr. Bickerton: What has that to do with the amendment?

Sir Charles Court: He is not coming until December, anyway.

Mr. THOMPSON: It has everything to do with it because the fact that he has not visited Western Australia is an indication of the attitude of the Federal Government to this State. As my leader has so correctly pointed out, although the Federal Minister is to visit Western Australia, he will not be here until December. Perhaps he will give the people of the goldfields a Christmas present.

Mr. Nalder: No, it will be a swan song.

Mr. Bickerton: At least he is to make a visit which is more than was done by the Leader of the Country Party or the previous Leader of the Country Party.

The SPEAKER: Order!

Mr. THOMPSON: As a result of the actions of the Federal Government, Kalgoorlie, which was one of the lifelines of the economy of Western Australia in days gone by, is gradually winding down until finally it will be only a shadow of its former self.

Mr. Bickerton: Would the honourable member be kind enough to read the amendment to me?

Mr. O'Connor: The Minister is well aware of the contents of the amendment as it has been read three times already.

The SPEAKER: Order!

Mr. Bickerton: We have someone on his feet speaking to the motion and he does not even have a copy of it.

Mr. THOMPSON: For the sake of the Minister for Housing I will read the amendment as follows—

> and agrees that his pleas and representations were arrogantly rejected by the Prime Minister in utter disregard of the importance of West Australian primary industries not only to the welfare of this State but to the nation as a whole.

I think we ought to consider the situation in Western Australia at present in relation to the way development will take place. The majority of the development of resources in Western Australia will be on a capital-intensive basis. Huge amounts of capital will be spent, but comparatively few people will result.

Mr. Bickerton: The Member for Roe could not care less about the minerals.

Mr. THOMPSON: Oh yes he could because he recognises them as playing an important part in our primary industries.

Mr. Nalder: Of course the member for Roe is interested because a large proportion of the products will be shipped through a port in his electorate.

Mr. THOMPSON: It is interesting to note that although in Western Australia we talk about building up our secondary industries, 60 per cent. of our export income is still derived from the sale of primary produce which is the most important aspect of the Australian economy and will be for many years to come. Most of the iron ore projects are primary industries.

I return now to the matter to which I just referred. The development in Western Australia will be of a capital-intensive nature, and not labour intensive, so tremendous sums of money will result from the developments here, but very few people will be attracted to the State. Again referring to the composition of the House of Representatives, no dramatic rise will occur in the number of members representing Western Australia because we will not have the population to justify it. So we will not have the proportionate rise in representation as we would have if the development was done by labour rather than by capital.

Leave to Continue Speech

Mr. THOMPSON: As time is moving on, I seek leave to continue my speech at a later date.

The SPEAKER: Leave granted.

Debate thus adjourned.

Sitting suspended from 6.12 to 7.30 p.m.

QUESTIONS (23): ON NOTICE

1. ABORIGINES

Oombulgurri Settlement: Upgrading of Facilities

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

(1) How many Aboriginal people are presently at the Oombulgurri settlement?

(2) What number are children of school age?

(3) What provision is being made for their continued education?

(4) Is he satisfied that the old mission buildings are habitable and fit for their former use and that the water supply and toilet facilities are adequate?

(5) If "No" what action is being taken to upgrade these buildings and facilities?

Mr. T. D. EVANS replied:

(1) The population at Oombulgurri settlement is 47.

(2) There are 11 primary and 7 preschool aged children.

(3) The Oombulgurri Association has enrolled the above children in its own independent school which is run by qualified white staff and Aboriginal assistants. The Oombulgurri Association has also been in touch with the State Education authorities and desires to work in close contact with them.

(4) and (5) A recent health surveyor's report informed that the accommodation was adequate but generally there is a great deal of repair and renovation required on all building structures at Oombulgurri.

With a controlled work programme and experienced assistance the Aboriginal inhabitants should be able to renovate the houses to the previous standard.

Qualified white staff are on site dealing with the matter and finance is available from the Australian Government, Department of Aboriginal Affairs.

2. SCHOOLS AND HIGH SCHOOLS

Kimberley Electorate: Capital Works and Completions

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

(1) What is the nature and estimated value of capital works which are to be undertaken during the current financial year at—

(a) Derby Junior High School;

(b) Fitzroy Crossing primary school;
(c) Halls Creek primary school;
(d) Kununurra primary school;
(e) Wyndham Junior High School;
(f) Camballin primary school?

(2) When is it anticipated that school buildings will be ready for occupation at—
(a) One Arm Point;
(b) Looma (via Camballin);
(c) Oombulgurri (formerly Forrest River)?

Mr. T. D. EVANS replied:

(1) (a) A new airconditioned administration block as the beginning of a phased redevelopment, estimated at $90,000, but deferred pending the availability of funds.
(b) One demountable classroom, estimated at $11,000.
(c) Nil.
(d) Nil.
(e) A new science, home economics and manual arts centre, airconditioned, at a contract price of $178,720.
(f) One demountable classroom, recently erected, estimated at $11,000.

(2) (a) No scheduled date can be given as the situation with respect to teacher accommodation is still being negotiated and school buildings will be provided when teacher housing is available.
(b) There is no anticipated building programme for Looma in the 1973-74 financial year.
(c) Oombulgurri is an independent school using departmental buildings.

3. CROWN LAND

Development by Local Authorities

Mr. RIDGE, to the Minister for Lands:

(1) Has any action been taken by his department in relation to a resolution passed at the annual conference of the Country Shire Councils' Association, which read: " . . . that Crown land in town sites be released to councils to enable councils to release land for building purposes; councils to provide roads and other amenities to be recouped by sale of lots and profits to be returned to the Treasury."?

(2) (a) If "Yes" to which councils has any such proposition been submitted;
(b) will councils be permitted to nominate the area of proposed development;
(c) is it intended that the land should be bought by councils prior to or after development has taken place;
(d) on what basis will the initial purchase price (by councils) be assessed;
(e) who will be responsible for planning and survey of the areas selected;
(f) will provision be made to reserve areas for public open space?

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

(1) Yes.

(2) (a) Carnamah and Manjimup.
(b) Council views will be taken into account.
(c) Before.
(d) A reasonable price not exceeding Taxation Department valuation, plus the costs of planning and survey.
(e) Generally the Government will be responsible for the planning and survey of selected areas.
(f) Yes.

4. BUILDING REGULATIONS

Tabling

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

Would he lay on the Table of the House a copy of the proposed new building regulations?

Mr. HARMAN replied:

Yes. Copy herewith.

The regulations were tabled (see paper No. 418).

5. *This question was postponed.*

6. THOMAS STREET

Median Strip

Mr. HUTCHINSON, to the Minister for Works:

(1) Is liaison still being maintained with local government on the proposed beautification of the Thomas Street median strip?

(2) Will he please advise what progress has been made?

Mr. Bickerton (for Mr. JAMIESON) replied:

(1) Yes.

(2) A proposal has been adopted involving the reticulation of six median islands and the planting of grass and suitable trees and shrubs at a cost of $35,500. The work will be carried out by the Perth City Council. The Main Roads Department is contributing $15,000 towards the cost.

7. EDUCATION

School Holiday Study Tours: Transport

Mr. BATEMAN, to the Treasurer:

Would he consider providing transport facilities for school children in low income bracket areas for school holiday study tours, to enable them to enjoy the same privileges as those students in the more affluent areas?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

Some assistance of this type is provided from State funds for students in isolated areas. Similar assistance is likely to be extended to children in low income bracket areas under the provision for disadvantaged schools foreshadowed in the Report of the Interim Committee for the Australian Schools Commission.

8. EDUCATION

School Holiday Study Tours: Subsidy

Mr. BATEMAN, to the Treasurer:

(1) In view of the fact that the Commonwealth Taxation Department now refuses to allow taxation concessions for school students on holiday study tours, will he consider some form of subsidy to assist the parents of these students who during the last school holiday period travelled both interstate and intrastate on study tours?

(2) If "Yes" what form will this subsidy take?

(3) If "No" what are his reasons?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

(1) No.

(2) Not applicable.

(3) The State Government does not have the resources to make good changes in Commonwealth policy.

9. *This question was postponed.*

10. BUILDING INDUSTRY

Bricklaying: Inquiry

Mr. MENSAROS, to the Minister for Labour:

(1) Who are the members of the inquiry or who is the person appointed to examine the problems connected with the bricklaying trade?

(2) When was (were) the person(s) appointed?

(3) What are the terms of reference of the inquiry?

(4) For what date was the submission of a report requested?

(5) How far has the inquiry proceeded up to date?

Mr. HARMAN replied:

(1) My predecessor appointed Mr. J. B. Hawkins to conduct an inquiry into the shortage of bricklayers. Mr. H. A. Jones, Under Secretary, State Department of Labour and Mr. R. B. MacKenzie,. General Manager, State Housing Commission, were appointed to assist Mr. Hawkins. Mr. M. D. Robertson, Regional Director of the Australian Department of Labour assists the panel in an advisory capacity only.

(2) 29th March, 1973.

(3) The terms of reference are—

(a) what is the present shortage of bricklayers?

(b) what is the relatively short, intermediate, and long term need for bricklayers?

(c) how best can these needs be filled?

(i) by training of apprentices;

(ii) by recruitment from qualified persons working in Western Australia outside the trade;

(iii) by recruitment from the Eastern States;

(iv) by recruitment from overseas;

(v) by recognised adult training schemes;

(d) whether a combination of apprentice training and adult training schemes is desirable in part or in whole?

(e) any other matter relevant which will assist in the general aim of the inquiry.

(4) No specific date was mentioned, but the Minister indicated that he required the report as soon as possible.

(5) The Master Builders Association.
The Housing Industry Association.
The W.A. Employers' Federation.
Calsil Limited.
Clay Brick Manufacturers.
Sand Lime Bricks Pty. Ltd.
The Trades and Labor Council.
The Building Workers' Industrial Union, and several private persons made submissions to the inquiry.

The committee is currently finalising the report and I expect to receive the report by the end of November.

11. LEGAL AID SCHEMES

Commonwealth Allocation

Mr. MENSAROS, to the Attorney-General:

(1) Has he been officially notified, as reported in *The West Australian* on 10th October, 1973, that the Federal Government will distribute $2 million to the States this financial year to supplement existing legal aid schemes and that Western Australia would receive $166,000?

(2) In what form will this money be received and by whom in Western Australia?

(3) What are the conditions of the money so offered?

(4) If (1) is "No" would he make inquiries?

Mr. T. D. EVANS replied:

(1) I have been notified that the Federal Government proposes to provide the sum of approximately $166,000 to this State after the Parliament has made the necessary appropriation in order to supplement the existing legal aid scheme.

(2) The money will be received by the State Treasury and will then be passed on to the Law Society of Western Australia to be incorporated in the Legal Assistance Fund established by the Legal Contribution Trust Act. 1967, and administered by the society. I might add that is a Western Australian Act.

(3) The only condition is that the money be used to supplement existing legal aid services, with the proviso that in divorce matters not more than $150 of federal funds is to be spent on any one undefended divorce, and not more than $500 of federal funds on any one defended divorce. There are also some stipulations relating to the manner in which accounts are to be kept.

(4) Answered by (1).

12. LIQUOR

Bottle Sales

Mr. MENSAROS, to the Attorney-General:

(1) Was it correctly reported that liquor hours are likely to change before Christmas regarding sundry sales of bottles?

(2) Is the Government going to introduce legislation aiming to such changes?

Mr. T. D. EVANS replied:

(1) The newspaper report was speculation. The Government has no decision to announce.

(2) See Section 24 (2) of the Liquor Act 1970.

13. DEVELOPMENT

Kimberley Zone Development Committee

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

(1) Who were the nominees of the—
(a) Broome;
(b) West Kimberley;
(c) Halls Creek; and
(d) Wyndham-East Kimberley,
shire councils for appointment to the Kimberley Zone Development Committee?

(2) Who from each shire was ultimately appointed to the committee?

Mr. T. D. Evans (for Mr. TAYLOR) replied:

(1) Nominations submitted by local authorities—
(a) Broome—Messrs. K. A. Male, R. W. Lawrence, P. A. Haynes, B. Stracke and F. Lullfitz.
(b) West Kimberley—Messrs. W. H. Dyson, R. O. Heseltine, N. Longden, K. A. McKenzie, M. Gugeri and K. Birch.
(c) Halls Creek—Messrs. L. G. Hill, H. J. Fitzgerald, and L. A. Verdun.
(d) Wyndham-East Kimberley—Messrs. W. L. Grandison, A. D. Gray, R. Wainwright, L. Will, P. Ryan and F. Grimes.

(2) Appointments made—
(a) Broome—Messrs. P. Haynes, K. A. Male, R. W. Lawrence and J. DePledge.
(b) West Kimberley—Messrs. K. Kent and K. Birch.
(c) Halls Creek—Messrs. L. G. Hill and B. Quilty.
(d) Wyndham-East Kimberley—Messrs. W. L. Grandison, R. Wainwright and P. L. Kimpton.

Selection has been made, based on the depth of background and breadth of experience of the various nominees, so that a broad spectrum is represented on the committees.

14. CROWN LAND

York, Beverley and Brookton: Release

Mr. GAYFER, to the Minister for Lands:

What is Government policy in respect of the further release of land in the West York, West Beverley and West Brookton areas as embraced by the Crown Lands Tribunal of 1961—

(a) to the making of uneconomic holdings viable;

(b) for general release for farming purposes?

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

The release of land in these two categories is being investigated. Reference will be made to the Department of Agriculture to assist in determining the extent of release.

15. LAND

Release for Agriculture

Mr. GAYFER, to the Minister for Lands:

(1) What land has been released by the Lands Department for agricultural purposes in the past 12 months?

(2) Where are these lands situated?

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

(1) and (2) A list detailing the lands released under conditional purchase conditions since 29th September, 1972, is submitted for tabling. These releases have been published in the *Government Gazette*.

The papers were tabled (see paper No. 419).

16. COMPREHENSIVE WATER SUPPLY SCHEME

Submissions to Commonwealth: Tabling

Mr. GAYFER, to the Minister for Water Supplies:

Will he table the relevant files dealing with submissions by this Government to the Federal Government for financial assistance towards the furtherance of the comprehensive water scheme within the bounds of the original comprehensive water scheme?

Mr. Bickerton (for Mr. JAMIESON) replied:

No, but there would be no objection to the Member visiting the Public Works Department office to peruse the file and have discussions with departmental officers.

17. COMPREHENSIVE WATER SUPPLY SCHEME

Phase 2: Completion

Mr. GAYFER, to the Minister for Water Supplies:

What date is completion of phase 2 of the Comprehensive Water Supply scheme expected?

Mr. Bickerton (for Mr. JAMIESON) replied:

Phase two of the Comprehensive Water Supply scheme is programmed for completion not later than June, 1974, when work on upgrading of the Narrogin-Katanning main will be finalised.

18. NAVAL BASE AT COCKBURN SOUND

Request for Continuation of Work

Mr. RUSHTON, to the Premier:

(1) Has he appealed to the Commonwealth Government to continue construction of the *H.M.A.S. Stirling* as previously programmed?

(2) If his answer is "No" and considering Government announced decisions such as Salvado and Naval Base developments have caused a loss of confidence in the Rockingham region, will he immediately ask the Prime Minister to continue the scheduled work on Garden Island?

(3) Will he advise the House of the progress made towards negotiating developments on Garden Island for—

(a) recreational facilities;

(b) shipbuilding facilities;

(c) protection of flora and fauna;

(d) establishment of the State explosives depot?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

(1) and (2) No. However, I would refer the member to the answer given to question 41, on Thursday, 20th September, 1973.

(3) (a) (c) and (d) Following a meeting of Commonwealth and State officers in late 1972, an outline of understanding was agreed to in principle by the Commonwealth and State Governments. Currently, an *ad hoc* working group of

senior State officers is continuing its inquiries into these matters.

(b) Ship building facilities. I—that is, the Premier—am currently in touch with the Prime Minister, who has advised he will take up this question in conjunction with the Minister for Defence, and the Minister for Transport. Further advice is now awaited.

19. ARMADALE-KELMSCOTT DISTRICT MEMORIAL HOSPITAL

Geriatrics Wing

Mr. RUSHTON, to the Minister for Health:

(1) What is the present planning towards building a geriatrics wing onto the Armadale-Kelmscott District Memorial Hospital?

(2) Will this facility be provided next year?

(3) What is the present priority for the establishment of geriatrics accommodation in this Statae?

Mr. DAVIES replied:

(1) to (3) I would refer the Member to my answer to his question 10 (5) dated 8th May, 1973. The position is unchanged.

20. *This question was postponed.*

21. DUMBLEYUNG SCHOOL

Toilet Block

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

(1) What is the current position regarding the toilet block building at the Dumbleyung school?

(2) Is it a fact that the new contractor cannot start operations because of complications with the previous contractor?

Mr. Bickerton (for Mr. JAMIESON) replied:

(1) The project is 80% complete and is awaiting the granolithic workers to lay the floor topping.

(2) No.

22. LAMBS

Throughput at Abattoirs

Mr. NALDER, to the Minister for Agriculture:

(1) How many lambs have been treated at—

(a) Midland abattoirs;

(b) Robb Jetty abattoirs,

since the Lamb Marketing Board has been operating?

(2) How many lambs have been treated at all country abattoirs since the Lamb Marketing Board has been operating?

(3) What were the number of lambs treated at metropolitan abattoirs for the same period in the previous year prior to the coming into operation of the Lamb Marketing Board at—

(a) Midland abattoirs;

(b) Robb Jetty abattoirs?

(4) How many lambs were treated at all country abattoirs for the same period in the year prior to the coming into operation of the Lamb Marketing Board?

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

(1) (a) Midland—322,337.

(b) Robb Jetty—215,014.

(2) 304,668.

(3) (a) Midland—368,391.

(b) Robb Jetty—331,808.

(4) 337,416.

It should be noted that the figures in (1) and (2) are for the period 4th December, 1972 to 30th September 1973.

The figure in (4) was calculated from Department of Primary Industry and Commonwealth Census and Statistics sources for the period 1st December, 1971 to 30th September, 1972.

23. *This question was postponed.*

QUESTIONS (6): WITHOUT NOTICE

1. GOVERNOR

Appointment

Sir CHARLES COURT, to the Acting Premier:

(1) When does he anticipate that an official announcement can be made of the new Governor's appointment?

(2) Is this likely to be expedited or delayed because of the presence of Her Majesty in Australia?

Mr. T. D. Evans (for Mr. TAYLOR) replied:

(1) and (2) I regret I am personally unable to offer the anticipation and the expression of opinion sought. On his return the Premier may be in a better position to advise.

2. RAILWAY SLEEPERS

Timber: Rejection by Commonwealth Government

Mr. BLAIKIE, to the Minister for Forests:

(1) Has the Minister seen the report in the *Daily News* of the 16th October that the Federal Government has rejected usage of Western Australian timber sleepers in favour of concrete sleepers from South Australia?

(2) Did he have any prior knowledge of the Federal Government's decision?

(3) Will the Minister table all papers and correspondence relating to appeals and subsequent communications between his office and that of the Federal Minister for Transport relative to that Government's decision to reverse the decision of the McMahon Government favouring Western Australian sleepers?

(4) Would he give urgent consideration to leading an all-party deputation from this Parliament to request the Federal Government to reconsider its decision in this matter?

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

This question was asked yesterday and I am therefore able to answer it on behalf of the Minister for Forests. The answer is as follows—

(1) Yes.

(2) An unofficial indication of a decision was given to me by telephone at midday yesterday. A telegram to the Minister for Transport and Civil Aviation brought the following reply at 4.53 p.m.—

> Reference your telegram today concerning contract for concrete sleepers for Commonwealth Railways I confirm that I have approved the award of this contract to Monier Pre-stressed Concrete of Seacliffe South Australia this decision was announced after I tabled a report by the Bureau of Transport Economics on this matter in Parliament today yesterday I despatched a letter to you conveying my decision and enclosing copies of the BTE report and the press statement on my decision.

(3) The following approaches at the levels indicated have been made to the Australian Government—

> 29th November, 1971—Submission by Premier to Prime Minister McMahon requesting time for the timber industry to submit its view.
>
> 7th March, 1972—Timber industry's submission forwarded by Premier to Prime Minister McMahon for examination.
>
> 20th March, 1972—Minister for Forests to Chairman, Australian Forestry Council, in support of approach by A.S.T.M.
>
> 6th April, 1972, and 7th April, 1972—Telephone and telegram to Minister for National Development requesting feasibility study on comparative merits of timber and concrete sleepers for Commonwealth Railways. Confirmed by letter 7th April.
>
> 7th April, 1972—Letter and relevant papers to Minister for Supply for meeting with the timber industry (local).
> 11th April, 1972—Letter to Minister for Shipping and Transport commending his call for a report by the Bureau of Transport Economics.
> 27th April, 1972—Minister for Forests' personal call on Minister for Shipping and Transport; no decision to be made on tenders until Bureau of Transport Economics report received. Written submission handed over complaining that tenders called 21st March, 1972, only four days after the Prime Minister had received the W.A. timber industry submission, etc.
> 5th May, 1972—Further submission to Minister for Transport and Shipping re interest charges on capital outlay Commonwealth Railways.
> 11th May, 1972—Letter to Minister for Transport and Shipping re broadening the terms of reference for Bureau of Transport Economics report (sociology).
> 17th May, 1972—Letter Premier to Prime Minister stressing relevant points.
> 6th June, 1972—Letter to Minister for Trade and Industry briefing him prior to his W.A. visit, and discussed with him the following week.
>
> 12th July, 1972—Letter to Minister for Shipping and Transport requesting copy of B.T.E. report, particularly in relation to sleeper size.
> 15th August, 1972—Letter to Minister for National Development and copy to Minister for Shipping and Transport re conflicting reports in newspapers.

20th September, 1972—Document of information to all W.A. Federal members; support of each requested.
24th October, 1972—Minister for Shipping and Transport—request for copy of the report of the Bureau of Transport Economics.

6th November, 1972—Minister for Shipping and Transport querying assumptions in B.T.E. report.

10th January, 1973—Minister's personal submission to new Minister for Transport and Civil Aviation (Jones) re rescinding of decision to use timber for maintenance of Commonwealth Trans. line.

18th January, 1973—Premier to Prime Minister stressing desirability of appointing independent firm of consulting engineers with railway experience.

24th January, 1973—Meeting with F.P.A. re sleeper tenders for South Africa.
26th January, 1973—Discussion between Premier and Prime Minister.

2nd February, 1973—Updated report to all W.A. Federal members.

22nd February, 1973—Minister for Transport: further comments on independent inquiry.

21st March, 1973—Discussion between Premier and Minister for Forests and Federal Minister for Transport (Jones) in Perth.

26th March, 1973—Letter from Premier to Israel Ambassador re report of Israel's reversion from concrete to timber sleepers.

5th April, 1973—Letter to the Federal Minister for Transport acknowledging receipt of the study undertaken by Commonwealth Railways with respect to the Port Augusta-Whyalla railway and request for deadline on submission in support of timber.

9th May, 1973—Telegram to Federal Minister for Transport protesting over the calling of tenders by Commonwealth Railways.

10th May, 1973—Letter to Federal Minister for Transport requesting cancellation of tenders as this action conflicted with previous undertakings given.

17th May, 1973—Submission to Federal Minister for Transport outlining reasons for continued use of timber sleepers.

17th May, 1973—Letter from the Premier to the Prime Minister questioning the specifications currently adopted in view of earlier statements by Commonwealth Railways Commission. A further request made for the question of sleeper specifications to be referred to independent consultants.

26th June, 1973—Letter to Federal Minister for Transport questioning the change in specification by Commonwealth Railways and requesting any decision on tenders called to be held over until after the International Railway Sleeper Conference from 13th to 17th August, 1973.

8th August, 1973—Letter to Federal Minister for Transport commenting on the Cement and Concrete Association's submission.

7th September, 1973—Letter to Federal Minister for Environment and Conservation with a copy to Minister for Transport outlining differences in environmental impact between concrete and timber.

16th October, 1973—Telegram to Federal Minister for Transport seeking verification of news report that contract awarded for concrete sleepers.

Relevant files covering the correspondence will be tabled as requested for one week.

(4) When an examination of the B.T.E. report and the bases upon which the decision of the Minister for Transport was taken has been made, the most appropriate course of action will be taken immediately. At that time the suggestion made by the honourable member will receive full consideration.

The files were tabled (see paper No. 420).

3. BOARD OF SECONDARY EDUCATION

Members

Mr. A. R. TONKIN, to the Minister representing the Minister for Education:

Will the Minister name the members of the Board of Secondary Education and the interest they represent if applicable?

Mr. T. D. EVANS replied:

Ex-Officio Members—
Mr. J. H. Barton
Father J. Nestor
Dr. R. R. Bovell

Education Department Administration: Nominated by the Director-General of Education—
Dr. D. Mossenson
Mr. H. Louden
Mr. R. E. Biggins
Mr. L. W. Louden

Education Department Teaching Staff: Nominated by the State School Teachers' Union of W.A. (Inc.)—
Mr. W. L. Streat
Mr. H. W. Bennett

Education Department Teaching Staff: Nominated by the Director-General of Education—
Mr. F. McKenzie

Non-Government Schools: Nominated by the Association of Independent Secondary Schools of W.A.—
Mr. C. Hamer
Sister M. Gerard
Mrs. A. Symington
Brother J. C. Woodruff

University of Western Australia—
Professor T. A. Priest

Western Australian Institute of Technology—
Mr. N. Milne

Community—
Mr. W. D. Benson
Mr. R. M. Graham

4. HISTORIC WRECKS

Items Recovered

Mr. MENSAROS, to the Minister for Cultural Affairs:

Referring to his reply to question 19, asked by the member for Mt. Lawley on the 16th October, 1973, would he please say—

(1) How many of the approximately 50,000 items obtained from historic wrecks are displayed for the public to view in Western Australia?

(2) At which places are they displayed?

(3) How many, and what approximate proportional value to the aggregate value of all the items, have been given to Governments, institutions, or persons outside Western Australia?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

(1) to (3) I have to advise that because of the absence of senior Museum staff I must request that the question be placed on the notice paper for Tuesday, the 23rd October.

Mr. O'Connor: Have they slipped away while the Bill was being debated?

5. RAILWAY SLEEPERS

Timber: Rejection by Commonwealth Government

Sir CHARLES COURT, to the Minister for Forests:

My question arises from the answer to the question asked by the member for Vasse. In view of the fact that we cannot place a question on the notice paper for tomorrow, and in view of the urgency of the matter, would the Minister be good enough to advise the House at question time tomorrow of the details of the claim by the Commonweath Minister for Transport (Mr. Jones) that concrete sleepers would be 2.5 per cent. cheaper than timber sleepers?

The reason I ask the question is that it seems to be rather odd that the determining factor is a question of only 2.5 per cent.; and this does not seem to bear any relationship to the difference in the prices quoted by Mr. Jones when announcing the letting of the tender.

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

If the Leader of the Opposition writes out his question I will hand it to the Minister and have it replied to; or on the other hand perhaps he could phone it through tomorrow.

Sir Charles Court: I will give you a copy when the *Hansard* proof comes down.

6. FISHERIES

Rock Lobsters: Seismic Survey

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

My question arises from the article appearing on page 2 of tonight's issue of the *Daily News*:

(1) Is it a fact that a seismic survey is being planned to take place during the

remainder of this month and early next month in the waters near Jurien Bay?

(2) What sources of energy are generally used in such seismic surveys?

(3) If the answer to (1) is "Yes", what energy source is being used?

(4) If the answer to (1) is "Yes", is the Department of Fisheries and Fauna satisfied that the survey will not affect next season's rock lobster catches?

Mr. BICKERTON replied:

(1) Yes. It is planned to commence on Thursday, the 18th October, and must finish by midnight on the 12th November, 1973. The rock lobster season commences on the 15th November, 1973.

(2) (i) Aquapulse, which utilizes compressed gas as an energy source.

(ii) Aquaflex, which uses a detonator as an energy source, which spreads along a 30-metre cord flowing from approximately two to five feet beneath the surface.

The energy developed is approximately the same for both methods. The Aquapulse produces no water spray because the energy source is approximately 30 feet below the surface; Aquaflex, which has its energy source between two and five feet below the surface, produces a spray of about five to 10 feet.

(3) Aquaflex.

(4) The Director of Fisheries and Fauna holds the view that the survey is most unlikely to affect next season's rock lobster catch. A study of the literature on this subject shows that crustaceans are mostly unaffected by explosives. For example, Gowanloch, in 1948, reported that a charge of 800 lb. of dynamite failed to injure shrimps in any way at a distance of only 50 feet. Kemp, in 1956, used 40 lb. of nitramon at distances varying from 200 feet to less than five feet and found shrimps and crabs completely unaffected. The energy source in Aquaflex is equivalent to about 3 lb. of explosives spread over the whole 30-metre cord, as distinct from a point source. The reason that crustaceans are unaffected is that, unlike most fish, they possess no air bladder.

It is necessary to undertake seismic surveys along the coast, using Aquapulse or Aquaflex depending upon the area, in search of oil or gas reserves. On previous occasions, when surveys have been carried out during the rock lobster season, there have been complaints that the survey vessel has been responsible for the loss of rock lobster pots.

The actual survey lines are approximately six miles apart and no lines are less than 3½ miles apart.

BILLS (2): RETURNED

1. Official Prosecutions (Defendants' Costs) Bill.

2. Broken Hill Proprietary Company's Integrated Steel Works Agreement Act Amendment Bill.

Bills returned from the Council without amendment.

AUCTION SALES BILL

Second Reading

Debate resumed from the 11th October.

MR. STEPHENS (Stirling) [8.06 p.m.]: This Bill provides for the repeal of the Auctioneers Act, 1921-1972, and the Sales by Auction Act, 1937, and consolidates the law in relation to auctions and auctioneers into one composite Statute. Although the Sales by Auction Act dealt with livestock and farm produce, I think it is generally agreed that the inclusion of its provisions in this measure is a desirable move.

It is interesting to note that the Auctioneers Act of 1921 repealed a similar Act known as the Auction Duties and Auctioneers' License Act, which was first enacted in 1873. Later it became known as the Auctioneers Act, and it survived until 1921, being amended only in 1881 and 1897. A period of 48 years passed before it was considered necessary to rewrite that legislation. Now, 52 years later, it has been found necessary to update the legislation to bring it into line with modern-day requirements.

In reviewing the debates which have taken place since the introduction of the 1921 Bill, and the debates of subsequent amendments, it is also interesting to note that this subject has never been controversial, nor have the debates been protracted.

This Bill, with some minor modifications, contains most of the provisions of the Auctioneers Act, 1921-1972, with two new provisions both of which are highly desirable. The first of these is the prohibition of what have been commonly referred to as mock auctions; and the second provides that books and records of account must be kept by licensees and that a person, with the written approval of the Minister, may conduct a full examination of those books, including accounts at a bank.

I will have more to say about the last point when I discuss several clauses of the Bill.

In his second reading speech the Minister clearly outlined what is meant by mock auctions, and it is not necessary for me to repeat that interpretation. This is a most undesirable practice and once again it is a case of enacting legislation to protect the public from themselves. The provision in the Bill will affect only a few unscrupulous salesmen who have capitalised on the gullibility of the public. The five types of license defined in the Bill will be ample to cover all situations, and as they were clearly outlined by the Minister there is no need for me to elaborate further upon them.

The simplification of the hearing of applications, and the provision to allow applications for a license to be suspended due to misconduct—which would indicate that a licensee is not a fit and proper person to hold a license—are desirable and important provisions, and have our support. In respect of the latter provision, I would like to indicate that during the case which is commonly referred to as the "Borthwick Affair" it was clearly shown that some auctioneers aided and abetted the offences which took place. However, as it was not possible to charge the auctioneers due to weaknesses in the Sales by Auction Act they were allowed to continue in their profession. A provision in the Bill before us will assist in enabling action to be taken against such auctioneers if it is shown that they are not fit and proper persons to continue in the profession.

With the exception of the provisions relating to the sales of livestock and farm produce, I have discussed all the provisions of the Bill with two licensed auctioneers—who, incidentally, happen to be of different political persuasions—and they both accepted the provisions, although with some slight reservation regarding one aspect to which I will refer later when discussing the clauses of the measure.

With regard to the matters previously covered by the Sales by Auction Act of 1937, the Bill proposes some amendments to those provisions, but I do not intend to go into great detail on these as they were fully discussed during the second reading debate on a Bill to amend the Sales by Auction Act in 1972. If members wish to refresh their memories regarding that debate I would refer them to page 5765 of Vol. 197 of *Hansard*, 1972. However, I feel a brief resume of the position is desirable.

The Sales by Auction Act, 1937, was first introduced by the late Hon. A. F. Watts for the purpose of overcoming a practice known as lot splitting or tossing. These were methods by which buying competition was reduced and hence the prices received by vendors and the commission received by auctioneers were also reduced. The Sales by Auction Act of 1937 contained no policing provisions because at the time it was felt the measure would enable auctioneers to keep the buyers honest.

However, when the police were investigating the people involved in the "Borthwick Affair"—I mention here that although it is known as the "Borthwick Affair", that is no reflection upon the Borthwick firm; it is merely known as that because some of the firm's employees were engaged in malpractices which led to their conviction—it was found that the Sales by Auction Act was full of loopholes which enabled the auctioneers who aided and abetted the crimes to escape the just processes of law.

The proposed amendments to the Act which were introduced in the other House by The Hon. J. M. Thomson, M.L.C., and which I was privileged to handle in this House, were designed basically to keep the auctioneers honest. A great deal of time was spent in the other House discussing those amendments. However, I do not think that time was wasted because basically what we attempted to achieve then has been incorporated in the Bill now before the House. Further, I think by starting afresh rather than amending the legislation the various points we tried to cover have been presented in a far more concise form.

I would like to refer to one part of the Minister's second reading speech, and to correct a comment which I do not think is quite accurate. The Minister said—

> Whereas the Bill now before Parliament—to amend the Sales by Auction Act—contains a proposition whereby auctioneers conducting sales within the precincts of the Midland Junction Abattoir Board saleyards at Midland would be exempted from keeping certain records of sales and compelled to make these records available for inspection—and I emphasise that—this Bill makes no such exemption.

The position is that there would be no obligation on auctioneers at the Midland saleyards to keep a register as prescribed in the amending Bill which was introduced previously, but they were compelled to keep accounts and records of sales, and these were to be made available

to the police. It was only on the question of the keeping of the register that sales at Midland would be exempt.

We support the second reading of the Bill but there are a few points which need elaboration. I refer to the exemption provisions contained on page 4 of the Bill. Most of these are taken from the existing Act, but there are two additional exemptions. In his second reading speech the Minister did not explain why it was necessary to include the extra exemptions, so perhaps in his reply he might give us some indication of the reason. The exemptions in question are—

> (b) any sale authorized by the Commissioners under the provisions of the Rural and Industries Bank Act, 1944.
>
> (e) any sale conducted by or under the authority of the Public Trustee.

I also refer to clause 20 on page 19 of the Bill, which provides that there shall be no appeal against the decision of any magistrate granting a license or refusing any application under the Act.

I realise that a similar provision appears in the Auctioneers Act, but I do not consider it desirable that a person's livelihood can be terminated by the decision of one magistrate, without any right of appeal being granted. I am of the opinion that some right of appeal should be available to a person who is refused an application.

I wish to raise a small point in relation to clause 25 of the Bill which deals with mock auctions. I agree with the clause almost entirely, but I disagree with proposed subsection (2) (c) which reads as follows—

> For the purposes of this section and subject to subsection (3) of this section a sale in any way commonly known and understood to be by way of auction or purporting to be by way of auction shall be a mock auction if . . .
>
> (c) any money or article is given away or offered as a gift or in addition to the lot bought.

I refer to a situation which pertains in Albany. A *bona fide* auctioneer has been conducting sales of secondhand goods over many years. The goods are brought in over a period of a month before they are sold. Admittedly this auctioneer employs a few gimmicks to create good public relations. One gimmick is that four times during an auction a bell is rung, and whoever has purchased an article nearest to the ringing of the bell receives a little gift costing 30c to 40c, and sometimes a ticket entitling the holder to free afternoon tea. Under the provision in the Bill this gimmick would be illegal.

Another gimmick employed by that auctioneer is to select an article for sale and invite the clients to guess the price at which it will be sold. Whoever guesses the correct price, or the price closest to the correct price, receives a gift which does not exceed $2 in value. If the successful bidder of the article also happens to be the person who has guessed the correct price, then under this provision an offence is committed. I do not think that these types of gimmicks should be prohibited.

I refer to clause 28 of the Bill. The provisions of subclauses (1) and (2) deal with the inspection of records, and state that all books, accounts, documents, and other records that are required to be kept by a licensee shall at all reasonable times be open to inspection by any person duly authorised in writing by the Minister. However, he is limited to inspection of the records relevant to the particular auction sale.

Subclause (3) is also relevant. This states—

> (3) The Manager or other principal officer of a bank with which a licensee has deposited any money whether in his own account or in any other account, shall, upon demand in writing delivered to him personally by the person so authorized, disclose each such account to any person authorized in writing by the Minister to examine the accounts of the licensee, either generally or in relation to any particular account and shall, whether or not the licensee consents, permit the person so authorized to inspect any book, account, document or record in the possession of the Manager or principal officer that relates to any of those accounts.

Whereas in subclauses (1) and (2) the powers of inspection are limited, they are unlimited under subclause (3).

We should bear in mind that some licensed auctioneers have a variety of business interests. Some also act as land agents, commission agents, and the like. They could have a variety of bank accounts. To give an authorised person unlimited power to inspect all the bank accounts of an auctioneer is to go too far, and is an unnecessary intrusion into the legitimate business affairs of that auctioneer.

There is also the possibility, although it is an extreme possibility, of a breach of confidence and a disclosure of the business affairs of an auctioneer which are not related to the auction business. Under this provision such information could be obtained and passed on to people who are not entitled to it. Consequently, I propose to move an amendment which will qualify, to some extent, the powers of the authorised officer to investigate accounts. I have supplied a copy of this amendment to the Minister, and I shall deal with it in greater detail in the Committee stage.

I refer to clause 30 (2) which states—

> (2) A licensee, and any firm or corporation named in a licence as that for the benefit of which it is to be used, acting as, or carrying on the business of, an auctioneer of stock shall—
>
> (a) keep or cause to be kept a register in the prescribed form;

When the Sales by Auction Act Amendment Bill was before another place this provision covering the keeping of a register caused considerable trouble. Bearing in mind the nature of the business that is conducted at the Midland saleyards, it is very difficult for the auctioneers to carry on their business in accordance with the register as set out in that amending Bill. The details of the register were contained in the schedule to the Bill.

The provision in clause 30 of the Bill before us is an improvement, and it ought to overcome the objections of the Opposition, because it specifies that the register shall be kept in the prescribed form. This assumes that before regulations are brought down the department will discuss the type of register which the stock firms concerned are to keep and would be able to keep. If that is so, and some objection is raised to any such regulation, a move for its disallowance could be made. To a large extent this overcomes some of the objections raised against the Sales by Auction Act Amendment Bill.

I now refer to clause 30 (3) which states—

> (3) The provisions of section 28 apply, subject to this section, to any records relating to a sale of stock by auction, and any member of the Police Force of the State or person appointed as an inspector for the purposes of the Stock Diseases (Regulations) Act, 1968, shall be deemed to be a person duly authorized in writing for the purposes of subsection (1) of that section in relation to the records of any sale of stock by auction.

Nobody should take exception to the fact that a member of the Police Force is automatically regarded as a person with the written authority of the Minister. I do not think we can object to a stock inspector looking at the register or records relating to a particular sale of stock at the saleyards; but it is taking the powers conferred on the stock inspector too far to permit him to go to a stock firm and ask to see all the records of its transactions.

In this regard I would ask the Minister to give consideration to reducing the authority which the Bill seeks to confer on the stock inspector, of enabling him to go to a stock firm after a sale of stock to check on all the records.

Some query could also be raised in respect of clause 30 (4) which states that a licensee, a firm, or a corporation named in a license as that for the benefit of which it is to be used shall, whether directly or indirectly, make a purchase on his or its own behalf of any stock placed in the licensee's hands for sale by auction, unless the vendor has previously consented in writing to that purchase.

I realise this provision will prevent a stock firm which might have a contract to supply shipping wethers from buying such wethers at a sale conducted by it, unless it has previously obtained the consent of the vendor in writing. This might be a little inconvenient to the firm, but I feel it is an inconvenience which the firm has to put up with in order that we might have a fairly tight piece of legislation.

Generally speaking when shipping wethers are forwarded to a sale, it is fair to say that the representative of the stock firm in the area consigning the sheep would advise his superiors at the Midland saleyards that certain types of sheep were being forwarded, and if any were required by the stock firm the permission of the vendor could be obtained.

Without this provision in the legislation it would be possible for an unscrupulous employee of a stock firm to have such stock knocked down to the firm, and subsequently by private sale to transfer the stock to his own account or an account of one of his friends for the employee's own benefit.

It is my interpretation that when that clause is read in conjunction with subclause (5) of clause 31 it will be quite legal for a stock firm, or a stock firm employee, to act on behalf of a client and make use of buying orders. This is a fairly common practice and it appears it will still be legal under the provisions of the Bill as outlined.

Subclause (1) of clause 32 reads as follows—

> Subject to subsection (2) of this section, where an auctioneer receives any cattle or pigs for sale he shall require from the person who is the drover or carrier of those cattle or pigs at the time they are so received the original of the waybill referred to in section 46 of the Stock (Brands and Movement) Act, 1970.

I appreciate that this provision is included to assist in the tracing of stolen stock, but I cannot understand why sheep have been omitted. The definition of "cattle", on page 2 of the Bill, includes bulls, bullocks, cows, heifers, steers, or calves. Of course, there is no definition of "pigs", but there is a definition of "livestock" which includes cattle, sheep, pigs, goats, and horses. It may be desirable to omit horses, because I understand that bloodstock sales

are a little different from other auction sales, but I cannot see why sheep are omitted. The definition of "sheep" includes ewes, wethers, rams, or lambs. Whether or not there has been a drafting error I do not know, but I do consider that sheep should be included.

Mr. Bickerton: Does the honourable member realise that he is dealing with the Committee stage of the Bill?

Mr. STEPHENS: I am dealing with some of the items which I feel could be controversial, and on which I anticipate some discussion. I might mention that I did not know we had a Deputy Speaker down here in the ranks!

Finally, the provisions relating to liquor are virtually the same as those which have been in the Act for many years, and they require no comment. With those remarks, I support the Bill.

MR. BLAIKIE (Vasse) [8.35 p.m.]: I have some comments to make on the Bill. Of course, my speech will be much shorter than that of the member for Stirling because he covered much of the matter on which I intended to comment. As he said, the Auctioneers Act and the Sales by Auction Act have been welded together to produce the proposal now before us.

The last major amendment to the Auctioneers Act was in 1921 and since then the Act has remained relatively unchanged for a period of 50 years. The Sales by Auction Act was introduced in 1937 by the late Hon. A. F. Watts as a private member's Bill. The purpose of the legislation was to prevent collusive buying which, apparently at that time, was rife.

One of the provisions of the 1921 Bill was that no auction could take place before sunrise or after sunset. Considerable debate occurred in an attempt to prevent auctions taking place on Mondays. It seems a problem was created because of the inroads of the Chinese market gardeners, and the effect they were having on the other market gardeners. It was pleaded, at that time, that the Chinese market gardeners would work all day and all night on Sundays in order to get their produce to market on Mondays. As far as the other market gardeners were concerned Sunday was the Sabbath and a day of rest. For that reason an attempt was made to amend the Bill to prevent auction sales of fruit and vegetables on Mondays. Possibly that move was the first attempt, by a subtle amendment to the Sales by Auction Act to prevent auctions on Mondays, to introduce the 35-hour week.

The debates which took place in those early years are most enlightening. After doing some research in an attempt to find out just when the auction system commenced, I think it could well be classified as probably the second oldest profession in history. I think we all know what the oldest profession is! The auction system is recorded in Greek history, during the Homeric period. The Spaniards conducted auctions at Seville, and Englishmen conducted auctions in the Americas. Of course, I am referring to the slave trade.

One can go back centuries, and discover that auctions were in vogue in those times. There are two forms of auction. The first form is where an article is put up for sale and those interested in buying it bid against one another. The highest bidder gets the article. On the other hand, there is what is known as a "Dutch" auction. I have not been able to find out the reason for the title.

Mr. Bickerton: Because it originated in Holland!

Mr. BLAIKIE: That may well be. However, it seems to me to be more like the barter system associated with India, Singapore, and Fiji because an item is offered for sale at a high figure and the price is progressively reduced until one decides to purchase the article. If the article is not reduced sufficiently in price it is not sold.

It is rather interesting to examine some of the procedures adopted in relation to auctions. One system involved a candle. A piece of candle would burn approximately one inch while bidding was carried out. The person who made his bid at the time the candle burned to the measure collected the item up for sale. Another procedure was for a boy to run from one place to another while bidding was in progress, and when the boy reached a given point the person bidding at the time was declared the successful bidder. Another method involved the use of a sand glass to time the auction.

Today the auction system has reached a tremendously sophisticated state and I refer to telegraphic auctions conducted in America. I understand—although I have not been able to verify this statement—that such auctions are also operating in Japan. Under that system bids from buyers throughout the country are sent by telegraph and relayed to a central auction floor. So there has been considerable change and advancement over many centuries and as a result of those advances and changes we realise there is some necessity for legislation.

I suppose one could imagine in the case of a slave auction using the candle system a bidder, wishing to secure some lusty wench at a reduced price, inducing some person to blow out the candle at the appropriate moment. In the case of the boy running between two points, he could be induced, to run a little slower or a little faster, as the case may be. I could also imagine that the foundation for the false advertisements legislation may have been the result of a short-sighted buyer attending a slave auction many years ago.

The auction system is widely used and acknowledged throughout the world, and we are well aware of the tremendous volume of sales conducted under this system, especially with regard to works of art, paintings, philately, and real estate. The auction system has proved to be a reliable and competitive means of disposing of goods. The system is reputable to the degree that there is no problem when dealing with auctioneers and vendors of repute. However, it is necessary to have legislation to guard against those who would attempt to take advantage of others.

The interpretations which appear on page 3 of the Bill do not include "wool". I would be appreciative if the Minister, in his reply, would give the reason for wool not being specified. In the limited time I have had available to me I have not been able to discover the reason for this exclusion.

Clause 5 of the Bill exempts Commissioners of the Rural and Industries Bank. Also, the Public Trustee is exempted. I would like the Minister to explain why those bodies are exempted from the provisions of the Bill. Paragraph (f) of clause 5 relates to the sale of any animal impounded according to law, and sold under the laws relating to impounding. I find myself at variance with the proposal on this issue and again ask the Minister to show some justifiction for the exclusion. I believe that a registered auctioneer would obtain the fairest possible price for such an animal, or animals as the case may be.

The Bill also provides for the granting of various types of licenses. There are to be general licenses, restricted licenses, occasional licenses, interim licenses, and provisional licenses. The provisional license will be issued to a newly licensed auctioneer; one who is in fact, in training. The only thing the Minister has not done is to make provision for a "P" plate to be attached to his arm to show that he is a trainee. I stress that I am not suggesting that this should be the case.

In relation to all classes of licenses other than a general license provision is also made that the magistrate who is presiding can issue a license in respect of any type of classification or to any area, as he sees fit.

However I make the point that, even though wool is not mentioned in the interpretation clause, under the classification of licenses, which is mentioned in clause 10 (2) (c), wool is, in fact, included. Once again I ask the Minister for some information in connection with this.

Mr. Brady: Is it in 10 (2) (c) or 10 (3) (c)?

Mr. BLAIKIE: Thank you: It is 10 (3) (c)! Together with the member for Stirling, who has already indicated his views, I, too, am concerned over clause 20 of the Bill which refers to the inability of an applicant to appeal against the decision of a magistrate who has refused to grant a license.

Clause 24 relates to misrepresentation. I intend to circulate to members and to place on the notice paper an amendment to this clause. At the moment clause 24 (1) reads—

> Any person, firm or corporation who makes or publishes or causes to be made or published in the course of business as an auctioneer any representation or statement which is false or misleading in any material particular, in relation to any lot put up for sale at an auction sale . . . commits an offence.

I intend to move in Committee to add the word "knowingly" before the word "makes". This would strengthen the measure and I hope members will support the amendment. I will give further information in the Committee stage.

Mr. T. D. Evans: You do not want me to run into "knowingly" trouble?

Mr. BLAIKIE: "Knowingly", no. The member for Stirling referred to clause 25 (2) (c). I, too, wish to make some reference to this paragraph which refers to mock auctions where articles or gifts are offered in addition to any lots which may be bought.

Some internationally famous bull sales are held in this State. The purpose of the measure under discussion is to protect the innocent public from mock auctions but I hope that it will not go past the point of protection and adversely affect the beef industry—say the Orleans Farm.

Mr. Hartrey: The whole idea of the Bill is to protect people from "Bull"!

Mr. BLAIKIE: This is right. An inducement is given to people to purchase. The company advertises to induce people to attend but, at the same time, it does a tremendous job. Of course meals are supplied to the people who come not only from that area but also from many other areas of the State and from interstate. I know of people who have attended sales there and, to do so, they have flown down. In almost every area of this State the auctioneering firms involved will, in fact, transport buyers to the point of sale and return at no cost to the buyers.

Mr. Gayfer: It is lucrative to the buyers.

Mr. BLAIKIE: As the member for Avon has said, other items are freely given to the buyers by way of inducement. I believe this is necessary to persuade them to go to remote areas. I trust the Minister will give serious consideration to this provision in the measure and will offer a satisfactory explanation to the effect that the

provision will not disadvantage any of the recognised, satisfactory auctions which are currently held in Western Australia.

Clause 26 relates to the records which are to be kept. As late as this afternoon I was contacted by one firm that is most concerned about this provision. The firm —which is a stock firm—interprets the clause to mean that it could involve the necessity to keep a trust account for the sale of livestock. We have tried to check this out, as best we can, but we have not as yet received advice from the legal counsel. However, if that interpretation of the stock firm is correct, that firm would be placed at a tremendous disadvantage, as would any other stock firm for that matter, if, in fact, there was a necessity to maintain a separate trust account for the keeping of funds. I ask the Minister to give due consideration to checking this out.

Clause 27 (1) (a) relates to holders of licenses—firms or corporations which carry on business as auctioneers. The provision states that they must render accounts to the persons on whose behalf they have done the business. Paragraph (c) states that within 42 days of the completion of the sale the account must be rendered. I consider that a period of 42 days after a sale is far too long. I would like to be given a satisfactory reason as to why this period has been stipulated. If it is possible it should be shortened.

Clause 30 (2) on page 29 states that a licensee, firm, or corporation is required to keep a register, in the prescribed form, of all sales which are conducted. I am not prepared to agree to this provision because, firstly, we do not know what, in fact, the prescribed form is. Quite frankly I am not prepared to support the clause unless a reasonable explanation is given.

Clause 30 (4), once again, was referred to by the member for Stirling. Under this provision no licensee, firm, corporation, or employee of that firm shall either directly or indirectly make a purchase on his own or its behalf of any stock placed in the licensee's hands for sale by auction, unless the person has previously been given consent so to do. On this question, too, I seek clarification.

In connection with this clause I also ask the Minister whether he would give an undertaking to investigate and establish whether the provision would apply to an accredited commission agent of a firm as distinct from an employee. Commission agents also do a tremendous amount of business but, in fact, they are not necessarily employees of any particular firm.

The provisions in the Bill generally are fairly sound. I ask the Minister to undertake to clarify the matters I have raised and, with those comments, I support the second reading.

MR. W. G. YOUNG (Roe) [8.55 p.m.]: I will be far briefer in my comments than the previous two speakers.

Mr. T. D. Evans: Hear, hear!

Mr. W. G. YOUNG: The member for Stirling and the member for Vasse have certainly covered the measure very thoroughly and have completed practically the second reading and the Committee stages.

I indicate that generally I support the measure and I think it is possibly high time that the previous legislation had an overhaul.

My main reason for speaking is to mention that wool is specifically excluded from the measure. In fact, this point was raised by the member for Vasse. I have looked back at the debate which ensued when the Sales by Auction Act was originally introduced by The Hon. Arthur Watts in 1937. At that time wool was specifically included. I refer to *Hansard* No. 5, Vol. 1, of August 1937, at page 302 when it was stated—

> I think that that takes into consideration practically all the livestock likely to be put up at an auction sale in this State. "Farm produce" means wool . . .

He goes on to refer to other items of farm produce.

Mr. T. D. Evans: Section 7 was never proclaimed.

Mr. W. G. YOUNG: That was the point I was about to make. Subsequently he went on to say that the inclusion of wool would come into effect at a date to be fixed by proclamation.

That was in 1937 and we are now in 1973. I cannot find anywhere that any attempt has ever been made to proclaim that provision. The subsequent remarks indicate that the reason for not proclaiming it at the time was that the majority of the States in the Commonwealth would not agree and it was necessary to have cover on an overall-State basis if it was to be put into effect. It was also stated that, in 1936, the Australian Wool Growers' Council passed a resolution asking for this to be done.

As I have said, my main reason for speaking to the measure is to ask why wool has been specifically excluded. I want to know under what Statute wool will be covered in the future. There must be some regulations controlling the sale of wool by auction. We may eventually have introduced a wool acquisition scheme. I am not certain as to how it would operate but it could embrace the auction system. This would then need some form of control. It is pointless to acquire a product and to apply controls if the whole market can be upset by a rigged auction. I ask the Minister to tell me the Statute under which wool sales by auction will be covered and whether, in fact, they are covered. I also

wish to know the reason for the specific exclusion of wool from this piece of legislation.

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [8.59 p.m.]: I thank the three members who have contributed to the debate; namely, the members for Stirling, Vasse, and Roe. I was most interested to hear the comments of each of these three speakers, particularly the preamble given by each one before dealing with the essential ingredients of the measure. I refer to the dissertation on the history of auction sales. I found this most interesting. This goes to show that the species—*homo sapiens*—has always been an acquisitive character.

I suppose the rationale behind the streamlining of the measure and the incorporation in it of new provisions is that the fund of human knowledge suggests that man will always continue to be an acquisitive animal.

The member for Vasse asked me to give an undertaking to clarify the matters he raised. Of course, that would be asking me to sign a cheque whilst leaving the quantum quite open. However, I will give an undertaking to seek to clarify this situation at a later date. Of course, whether or not I can clarify it is a matter that only the member for Vasse and other members can determine.

I give an undertaking now that the Government does not intend to proceed right through the Committee stage of the Bill tonight. We intend to go into Committee and report progress on clause 3. I am doing this so that I may have the opportunity to examine, and indeed have examined, the comments made by the three members concerned. I believe they will realise that basically the measure may have been better handled by the Minister for Agriculture—it has more agricultural overtones than legal ones. So I do not intend to attempt to clarify the points raised this evening but I give an undertaking that when the debate is resumed on the Committee stage—assuming the second reading has the blessing of the House—I will attempt to give the clarification sought. I thank the members for their support and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Bateman) in the Chair; Mr. T. D. Evans (Attorney-General) in charge of the Bill.

Clauses 1 to 3 put and passed.

Progress

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

CHURCH OF ENGLAND (DIOCESAN TRUSTEES) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 11th October.

SIR CHARLES COURT (Nedlands—Leader of the Opposition) [9.05 p.m.]: This Bill introduced by the Attorney-General is one of considerable importance, both in historical terms and also in so far as the future of Perth is concerned. The Minister gave us a clear statement of the intentions and desires of the church and we, on this side of the House, see no reason to oppose the measure in any way. It is quite obvious that the Diocesan Trustees, of the Cathedral Chapter of the Church of St. George, and all the other parties involved, looked at the matter very closely and came up with a request from the Government. This Bill is not only good from their point of view, but also is desirable in the life of the church throughout the whole of the State, and it has some value so far as the State itself is concerned.

Most of us know this site because of our long association with it. It is bounded by Cathedral Avenue, Hay Street, Pier Street, and St. Georges Terrace. If my memory serves me correctly, the whole of the land in that area is vested in the Church of England in one way or another, except for one small piece of land which is probably held by the Crown. I do not think it is held by the Perth City Council, although it may be.

On this site we have the law chambers building, and of course, the cathedral—a building of historic interest and outstanding merit. It is in need of some rehabilitation; something like $250,000 would be involved to rehabilitate it to a safe condition as well as to preserve it for the future. Then there is another building on the site which is very dear to many people—the deanery itself. That is a building I hope to see preserved. I do not believe this burden could reasonably be thrust on the church alone; it will need some assistance for such a project.

The Playhouse was intended originally to have only a limited life; it was built on leasehold land, if I recall correctly. So the future development of the whole block is of considerable interest to the Parliament both from an historical viewpoint and for town planning purposes.

It is desirable that the titles should be consolidated into one title, and I commend to members of the House the *Diocesan Year Book* of 1972, and in particular pages 78 to 83 inclusive. The title details are completely set out there as are the desires of the diocese. It was from this expression of the desires of the diocese that the measure before us was drafted.

One of the important things about the Bill is that the church has made this decision and that it did not exhibit a parochial attitude towards this piece of property which has an ever-increasing value, commercially as well as ecclesiastically. The fact is that the income which will flow from this total area will be available for the whole of the metropolitan province of the church in Western Australia. In other words, we are simply not talking about the Perth Diocese but the whole of the area served by the metropolitan province in this State. This is commendable, because in the past the tendency has been for local parish and cathedral churches to be very parochial in their attitude. It has now been decided by the diocese, with proper deliberation both within the synod and in consultation with the Cathedral Church, that the property shall be consolidated into one title and that the income from it shall be available for the purposes set out, including work in the whole of the province and not only in the diocese itself.

In speaking to this Bill, if I may cover one or two points in the measure itself it will save time in the Committee stage. I suggest it would be a good idea for the draftsman to confer with the solicitor for the Perth Diocese because I think the provisions to transfer the title from the original form to the form now proposed in the present Bill may have produced one or two minor inconsistencies.

On page 3, in lines 6 and 7, we see a reference to "and the Deanery". Further down the same page, at line 33, we see a reference to "a Deanery". When we turn over to the definitions on pages 6 and 7, but particularly page 7, the definition of "Deanery" is as follows—

> "Deanery" means the residence from time to time of the Dean of the Cathedral Church of the Perth Diocese of the Church of England in Australia;

There appears to be a conflict here, because the deanery as we know it—the building which is one of historical importance within this Cathedral Square property—is of course not lived in. I do not think it has been suitable for occupation by a dean for some considerable time. It may be used for offices or for similar purpose, but for obvious reasons it is not lived in. I would like to ensure that no misunderstanding arises later because of a distinction between "the Deanery" and "a Deanery". I am not being pedantic, but on my reading of the definition, as a layman, the deanery is the residence of the dean, whether it be in Perth, Subiaco or elsewhere.

Mr. T. D. Evans: Do you know where Dean Hazlewood lives at the moment?

Sir CHARLES COURT: To the north of Perth, I think.

Mr. Davies: I think it is out Doubleview way.

Mr. T. D. Evans: I do not know. I am seeking the information: Is his residence now referred to as "the deanery"?

Sir CHARLES COURT: This I do not know, and it is only a minor point. When we get to the application of funds, this particular questions is dealt with. However, the definition of "Deanery" means the residence from time to time of the Dean of the Cathedral Church of the Perth Diocese of the Church of England in Australia. I am assuming that if he lives in Kalamunda, Scarborough, or the salubrious suburb of Nedlands, his residence will be "the Deanery" for the purpose of the definition. In other words, it is where he lives from time to time.

No objection is taken to that because obviously the dean must live somewhere, just as the parish priest must live in the rectory or vicarage. I am not questioning that point, but I wish to ensure that no argument arises later on because when we look at clause 3(3)(a)(ii) we see the provision as follows—

> all costs and expenses of and incidental to the maintenance and repair and insurance of all the buildings and all other improvements on or forming portion of Cathedral Square and the Deanery and other usual property outgoings;

I think this really means "the Deanery" as we know it—the historical building alongside the cathedral. Quite obviously it has to be maintained until such time as an historical trust or other appropriate authority takes it over and is responsible for its care, maintenance, and preservation. I leave this matter with the Minister so that he may refer it to the legal people representing the Perth Diocese because it would be unfortunate, after going to all this trouble to consolidate the titles by Statute, to find that a technicality causes problems later on.

The other point I raise is in connection with the new section 3A to be inserted. Proposed subsection (5) reads as follows—

> (5) Any act, matter, or thing, for or with respect to which provision is made in this section, made, done, or executed before the coming into operation of this section which would have been lawful if this section had been in force at the time such an act, matter, or thing was made, done, or executed is hereby validated.

I do not question the provision; I think it is necessary because transition periods can always be tricky, but as long as we understand that this does have some retrospective effect it should be quite all right.

The other point I wish to refer to is on page 5. I refer to new section 3B(8) which reads as follows—

> (8) At a meeting of the Foundation—
>
> (a) not less than five members thereof, including, where the case requires, deputies, forms a quorum;
>
> (b) a question arising at the meeting shall be determined by a majority of the valid votes of the members, including, where the case requires, deputies, present; and
>
> (c) the Archbishop or his commissary shall have a deliberative and a casting vote.

That fixes a fairly stiff quorum for themselves, because this means a quorum of five out of six, as I read the subsection. Perhaps the Attorney-General may have some other views on it but I assess the foundation as having the following membership—

> (a) the Archbishop or his commissary appointed pursuant to the Perth Archbishopric Statute of the Church as amended from time to time or pursuant to any Church statutory replacement therefor;
>
> (b) the Dean for the time being or the person for the time being fulfilling the office of the Dean; and
>
> (c) four Laymen, two appointed by the Cathedral Chapter and two appointed by the Diocesan Council.

So the membership will be the Archbishop the dean, and four laymen. As I have said, to my mind, that means they have fixed a fairly stiff quorum for themselves.

They can appoint deputies, as is provided in subsection (3) of proposed new section 3B which reads as follows—

> (3) The Cathedral Chapter and the Diocesan Council shall respectively appoint a deputy for each of the Laymen appointed by them to the Foundation, to act at a meeting in the place of the Layman for whom he is a deputy if for any reason the Layman is absent therefrom.

Therefore it is quite easy for them to make sure that there will always be someone available to represent some of the laymen. Nevertheless it is a fairly stiff quorum, and I can only assume that this was intentional because of the nature of the transactions that will be conducted.

The last point to which I will refer is in respect of new section 3A. Subsection (3)(b) reads—

> (b) as to the balance thereof after those applications, in distributions towards the needs of any one or more of the Cathedral, the Diocese, and the Province in accordance with the determinations and directions of the Foundation under paragraph (b) of subsection (11) of section 3B of this Act.

That commences at the bottom of page 3 and continues on at the top of page 4 of the Bill. There appears to be some inconsistency there. Then, when we go to subsection (11) of proposed new section 3B, it provides—

> (11) The functions and duties of the Foundation shall be—
>
> (a) to give advice to the Trustees on the matters referred to in paragraph (a) of subsection (3) of section 3A of this Act;

The Minister, no doubt, will have picked up that particular subsection as I have gone through the Bill, because that is the subsection dealing with the application of the funds; the income that is received by the foundation from Cathedral Square. This subsection sets out how the money will be first applied.

Then we come to paragraph (b) of subsection (11) of proposed new section 3B. That deals with the advice, and the determinations and directions of the foundation. There is a difference somewhere along the line between, advice, direction, and determination. Unless I am being a little dull they have their wires crossed at some point. I gather that the foundation will be the really powerful body in directing how the funds will be applied. I think it is important that it be cleared up beyond any doubt the point at which advice is given, and the point at which determinations and directions are given. As I read it as a layman again, the advice does amount to direction and determination.

Mr. T. D. Evans: It could be a polite way to refer to direction.

Sir CHARLES COURT: I say that because it does appear that if the trustees do not accept the advice, nothing would happen, and there would be a residue of income that did not have a home. That is not the intention, I am sure. I refer to that by way of a query so that before we get to the third reading these matters can be cleared up by the Diocesan Trustees. No doubt all these points have been thrashed out, because I think, with the care and attention that has been given to the Bill, plus the obvious consultation that has taken place between the Diocesan Trustees and the Cathedral Chapter, as well as all the other authorities involved, these matters have been well and faithfully taken care of.

I sincerely hope that, with the passage of time, a plan will be worked out for the whole of this area so that it will become one of the important landmarks in the

City of Perth. I am certain that the people who are the Diocesan Trustees at present and those who form the St. George's Cathedral Chapter are very history conscious; they are people who are anxious to be leaders in this field. They have a great love for the cathedral and all it stands for in the life of this State and the community. They have a great love of the old deanery, and the improvements they have made already are a clear indication that they want this area to become one of the important features of land in the City of Perth; this total area bounded by Cathedral Avenue, Hay Street, Pier Street, and St. George's Terrace.

As far as the Opposition is concerned, we are prepared to indicate here and now that if any further reallocations have to be made so as to better consolidate the total title in view of this one piece of land that is not in the hands of the church, we would be prepared to take a sympathetic and generous attitude, because now is the hour to make sure beyond all doubt about this total square of land, including the deanery and the Cathedral Chapter. This should not be left to chance. They are important historic landmarks in the city in which Parliament and the public have a genuine interest to ensure their preservation. I support the Bill.

MR. STEPHENS (Stirling) [9.23 p.m.]: I will be brief. I have studied the Bill and I find that in passing it Parliament will only be giving statutory effect to the wishes of the members of the Anglican Church as expressed at a properly constituted meeting of their Synod.

The provisions of the Bill allow greater flexibility in the use of funds, and this can only be to the advantage of the State as a whole. We support the Bill.

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [9.24 p.m.]: I thank the Leader of the Opposition and the member for Stirling for their comments and support of the measure. I agree with the Leader of the Opposition that this square in our city has a deep history. It has a present and continuing charm and all of us are aware of its great potential.

I have taken the opportunity to study the file that has developed on this measure and whilst the original draft appears to have quite a few pencilled hieroglyphics on it, in particular it has some of the points raised by the Leader of the Opposition. For example, I see, in regard to the quorum, a pencil mark indicating that five out of six will be required to form a quorum.

I am unable to comment specifically on the points raised by the Leader of the Opposition, but I would indicate that there would seem to be at least cause to have the points raised by him closely examined. I undertake to do this and to report to the House in that regard at the third reading stage of the Bill. Once again I thank the members who have spoken for their support of the Bill and I commend it for a second reading.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Bateman) in the Chair; Mr. T. D. Evans (Attorney-General) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Addition of Sections 3A, 3B, and 3C—

Sir **CHARLES COURT**: I return to the point I raised at the second reading and in regard to which the Attorney-General will have an examination made so that there will be no doubt in his or my mind as to what we are concerned about.

In clause 3 we have three new sections to be added, and the first of these is proposed new section 3A. In 3A(3)(a) we find the provisions are set out with six headings for the allocation of the income and how it will be applied.

On page 6 of the Bill appears subsection (11) of proposed new section 3B, and paragraph (a) of that subsection reads—

> (11) The functions and duties of the Foundation shall be—
>
> (a) to give advice to the Trustees on the matters referred to in paragraph (a) of subsection (3) of section 3A of this Act;

It is in that particular paragraph—that is, 3A(3)(a)—that the primary allocation of expenditure will take place. I do not know whether the Attorney-General has studied this particular provision, but it talks about advice and I am intrigued as to what will happen if the advice is not acted upon, because the trustees would then be in a situation that they may have some difficulty in demonstrating why they had acted contrary to the advice.

As a layman it does appear to me that the advice is actually telling them what to do. On page 6 of the Bill there also appears paragraph (b) of proposed new section 3B(11) which reads—

> (b) to make such determinations as the Foundation thinks fit of the distributions to be made by the Trustees under paragraph (b) of subsection (3) of section 3A of this Act towards the needs of any one or more of the Cathedral, the Diocese, and the Province, and to direct the Trustees to make the distributions accordingly;

As I understand it, it is intended to make certain that the Cathedral Square Foundation is paramount in these matters

even where the normal orthodox expenditure under the six headings is involved. But the foundation will be the only one to say how the surplus income is to be used in the cathedral within the diocese or within the province and it will direct the trustees accordingly. I also notice that subsection (12) of proposed new section 3B reads—

> (12) Determinations and directions of the Foundation under paragraph (b) of subsection (11) of this section are binding on the Trustees but advice and recommendations of the Foundation under paragraphs (a) and (c) thereof are not so binding.

I am a little intrigued as to what happens if the trustees decide to cut up rough and make their own determinations. If it is not convenient for the Attorney-General to deal with the points I have raised this evening it does not worry me as long as we clean them up before we finish the third reading of the Bill. However, I hope I have got my point across.

Mr. T. D. EVANS: I believe I have understood the Leader of the Opposition but, with his approval, I would like to obtain a copy of his speech, not for the purpose of quoting it but in order to have it closely examined. If he has no objection I will check with *Hansard*.

Sir Charles Court: I might have confused the *Hansard* reporter, so I will check my speech as soon as I receive it.

Clause put and passed.

Clause 4 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL

Second Reading

Debate resumed from the 11th October.

MR. RUSHTON (Dale) [9.32 p.m.]: The Minister said when introducing the legislation that he anticipated it would not arouse any controversy, and I trust this belief will not be shattered. Anyone who has read the legislation will know that it contains three provisions and I will deal firstly with the one relating to the appointment of the Director of Environmental Protection thus enlarging the authority to 13.

As interested members would know, in 1959 the authority comprised 11 members. Subsequently it was increased by one with the addition of the Director-General of Transport, and now it is intended to increase it by a further member.

My own interest in the authority goes back to its early days when, being on a local authority, I was that shire's representative on group "C". Consequently I have considerable understanding of how the authority was created and how it works. I wish to apply some brief remarks to that facet of the authority.

From time to time I meet people who are still engaged in the organisation of the authority and they have played their part in these groups.

I understand from hearsay that in recent times it has been considered that the group system is not working as effectively as it should. I recall that in the early days of the authority we believed that we played a part in its creation and we assisted with the passage of the legislation. Since then, however, the authority has become a little detached from the groups.

Important matters are being dealt with by the authority without any reference to the groups. I hope that the information I have received by hearsay is not as deeply rooted as I am led to believe it is. Obviously this aspect needs the attention of the Minister. All those answerable to the authority should play their part to ensure that the original concepts are adhered to and that the administration is as efficient as is humanly possible. The workings of the authority must be constantly oiled so that the best possible result is achieved. I will leave that aspect at that stage.

I now wish to direct the Minister's attention to the provision which appoints the Director of Environmental Protection to the authority. We feel that such an appointment will inhibit the director, and I would like the Minister, when replying to the second reading debate, to indicate on whose recommendation the provision has been included.

Mr. Davies: You will recall this was a recommendation of the Honorary Royal Commission.

Mr. RUSHTON: I am aware of that, and I have spoken to members of that commission who have indicated to me that they felt the appointee would be a representative of the E.P.A. or that the director's nominee would attend purely to ensure that the authority was acquainted with what was taking place. Under the Bill before us the director himself will be the appointee.

Mr. Davies: As the Act stands it provides for an alternative. I think in each case the head of the branch is nominated, but the deputy can act in his stead. Although the Director of Environmental Protection is appointed, it is not necessarily he who will sit on the authority.

Mr. RUSHTON: The Minister believes that the necessary machinery is available for the variation to be made?

Mr. Davies: It is in the Act already. The appointment of deputies to the M.R.P.A. is already covered. I inquired about this myself because, as I have said before, I believe that many of the departmental heads sit on far too many committees now; but this one is so important I would like the director to be the representative. However, whether or not he will be I do not know. That will be for him to decide.

Mr. RUSHTON: I thank the Minister for his explanation. I would like to indicate to him that I believe the E.P.A., its director, and the council have a tremendous responsibility and it would be an advantage if the director were not fettered with the responsibility of participating in decisions made by the M.R.P.A. He could be involved in a decision which results in eight for and five against, and he might be one of the five against. He would find this result somewhat restrictive in his own duties. I believe he should stand off and make observations and recommendations when matters pertaining to the environment are referred to him. Despite the good intentions of the Royal Commission and the Minister I think we have good reason to pause a moment and consider the position in which the director will be placed.

Perhaps the Minister will interject to clarify another point. The third provision, with which I agree—

Mr. Davies: Regarding a declaration of an interest?

Mr. RUSHTON: Yes; but it also prevents members who are associated with the authority from disclosing information they gain as a result of their position on the authority. What will be the good of the Director of Environmental Protection being on the authority and obtaining information if he is unable to use it?

Mr. Davies: I think that applies to almost anyone if the information is used for personal gain.

Mr RUSHTON: I am not talking about the use of information for personal gain. I am talking about the director's responsibility to the Environmental Protection Authority. On the other hand, if the director did use the information which would be conveyed to his authority, all those associated with the authority would be in possession of that information and so the intention of the legislation would be violated.

I make this suggestion in all sincerity to the Minister in order that he might consider it. I have a tremendous interest in the work of the M.R.P.A. and I hope that whatever we do will enhance its ability to plan well for our metropolitan region. However, I believe that the proposal in the Bill, no matter how well intentioned, could be detrimental. Of course we can say that in everything we do two points of view are involved. I do urge the Minister to think deeply on this provision because I am sure that if it is carried the director will be fettered in the execution of his duties.

I believe that the provision concerning the disclosure of an interest will protect the authority and I agree with it.

I hope that the Minister will accept the sincerity of my remarks. I do want the authority to work as efficiently as possible and I for one would not like to see the E.P.A. weakened by making the M.R.P.A. stronger.

The second provision, of course, increases the expenditure the authority can incur from $10,000 to $25,000, which is a realistic figure. We cannot expect that with present-day values the figure can remain as it was in 1959. Consequently the amendment is quite acceptable.

Now I move to the third amendment which deals with the declaration of an interest. I find that some of the words used in this provision are rather quaint. One provision reads—

> A member shall at all times act honestly in exercising any function.

I am aware that this wording is included in other Acts. However, I would have thought that such a provision would be accepted as the norm without its having to be spelt out, then all the declarations of interest would follow.

The Opposition has no objection to the provision, except that I understand from a very worthy gentleman who examined it with me that it could be very difficult to obtain a prosecution under the legislation as it is worded, so only time will prove how effective it is. Perhaps the Minister could indicate whether he has encountered problems which have revealed a need for the provision which is also included in the Local Government Act.

Of course I am aware that those on the M.R.P.A. would gain knowledge which would be of tremendous value and could be used for personal advantage. No-one would desire this to occur and for this reason the intention behind the provision is good.

As I have said, I found that some of the clauses are rather quaint in the way they are put together. I am not a legal person and the effect on me is one of realising how difficult it is to draft legislation which satisfactorily covers all the points it is intended to cover.

With those few words I would like to inform the Minister that we fully accept two provisions—clauses 2 and 3—but we would like further explanation in connection with clause 4. Perhaps the Minister would reconsider this provision or give us more reasons for its inclusion. The Minister may wish to pause to reflect upon the appointment of the director and give

us more information at a later date. If he is definite and determined on this matter I will possibly make another effort in Committee in connection with this subject. I would like to hear the Minister's comments on my presentation.

MR. E. H. M. LEWIS (Moore) [9.46 p.m.]: As the Minister has indicated, this is a simple Bill and, in the hope of having a reasonably early night, I propose to be brief in my comments.

Generally, I support the Bill and I do not propose to go over the three matters which have been mentioned. However I do wish to refer to subclause (3) of clause 4. I know I cannot go into detail at the second reading stage but the wording refers to a member present at the meeting who has a direct or an indirect pecuniary interest. I would like the Minister to define, if he will, what is meant by an indirect pecuniary interest.

I realise that shades of directness can vary. A classic example of a direct interest would apply to a member of the authority who knows that consideration is being given to the purchase of a particular property in which he has a direct interest.

However there could be varying shades of an indirect interest. A member may be a shareholder in a very small company which has few shareholders. In this case, his indirect interest could be a substantial one. Alternatively, he could be a shareholder in a company with a large number of shareholders and, in that case, his indirect interest would be very indirect. How would we define whether a man has a direct or an indirect interest?

If a man has an indirect or a direct pecuniary interest he must disclose this at a meeting. This is fair enough. Paragraph (b) of subclause (3) states—

> (b) the member shall not thereafter be present during any consideration or discussion of, and shall not vote on any determination of, the matter.

This means that somebody could be excluded even though the degree of indirect interest may be rather remote. Nevertheless, he would be excluded from discussions on important matters although his interest is very minor.

Perhaps I may exaggerate to give an illustration of an indirect interest. I have mentioned the possibility of a person being a shareholder in a company. A person may have money on deposit in a finance company and he may be interested in the dividends or interest he is to receive from the money he has on deposit. That finance company could be interested in a business which is to be disposed of to the authority. The person's interest would be extremely indirect, but would it be classed as an indirect pecuniary interest?

I do not propose to labour the point. I am sure the Minister has gathered what I am driving at. I am not expressing reservations but I am merely asking for an explanation. I support the measure.

MR. DAVIES (Victoria Park—Minister for Town Planning) [9.48 p.m.]: I thank the two members for their support of the Bill. I will endeavour to answer the queries which have been raised, particularly the one mentioned by the member for Dale. The provision was included for no other reason than that the previous Town Planning Commissioner (the late Mr. John Lloyd) wrote to me on the 4th August, 1972, in the following terms—

> (1) Section 174 of the Local Government Act comprises provisions to ensure that members of Local Authorities disclose any direct or indirect interests they may have in an issue under consideration, and are, except in certain circumstances debarred from joining in debate or voting on that issue.
>
> (2) Such safeguard does not apply to M.R.P.A. nor to the District Planning Committees constituted under the Metropolitan Region Town Planning Scheme Act.
>
> (3) As a matter of principle, I believe that Sec. 174 could well be applied, *mutatis mutandis*, to M.R.P.A. and the District Planning Committees.
>
> (4) Could I suggest, with respect, that you might seek the views of the Hon. Attorney General on this proposition.
>
> (5) We have managed for some twelve years without any indication that such provisions are needed; there is therefore no urgency, but I think nevertheless it is something worth considering.

For no real reasons other than those advanced by the late Mr. John Lloyd the Government, when amending the legislation, sought the opinion of the Attorney-General and adapted to the Metropolitan Region Town Planning Scheme Act the provisions of section 174 of the Local Government Act. As the member for Dale pointed out, both provisions are practically identical. Indeed, I think they are identical.

Mr. Rushton: There is some degree of variation. Actually the point raised by the member for Moore would have been clarified had you been using the Local Government Act.

Mr. DAVIES: Direct or indirect?

Mr. Rushton: It also makes minor issues clearer than the present wording.

Mr. DAVIES: This recommendation came from the Crown Law Department which pointed out that there were some

difficulties in clearly defining what could be of advantage to a particular person. I agree that it would be possible to draw a long bow and say that a person who was a shareholder in a company could benefit if something was to be rezoned. However, I think this is drawing a long bow. Firstly, subclause (3) talks about direct or indirect pecuniary interest. It says that this interest must be disclosed and the disclosure shall be recorded. Subclause (5) states that a member shall not make use of any information acquired in order to gain, directly or indirectly, an improper advantage to himself. It comes down to using pecuniary interest as an advantage to oneself.

I am sure that, if the Government or the Minister had to make use of this provision, someone would obviously have made something of a welter—if I may use that expression—of his knowledge. It may even be difficult to prove that a person did gain financially because of his knowledge.

Mr. Rushton: A real estate man could be involved in this authority. He would receive some gain but this would not be the intention of the legislation.

Mr. DAVIES: No. It would be difficult indeed to pinpoint this, but the provision is more of a safeguard than anything else. I believe it has worked reasonably well in the Local Government Act. I have heard that people have disclosed in writing their interests in matters which have been discussed by local government.

This may be difficult to police and, if this is so, possibly it is bad legislation and we should not pass it. However, I believe there is a great deal of virtue in including the provision, not because we have needed it in the past but because we may need it in the future.

I cannot give the member for Moore a definition of the words "direct" or "indirect". It would be far too difficult for me to do. Perhaps those with legal minds may be able to assist in this regard. If they feel an amendment is necessary I will give consideration to this. The fact remains it is a safeguard and possibly a deterrent, rather than anything else.

The question was raised of the difficulties which could be encountered by the Director of Environmental Protection who may have to use in other areas knowledge gained as a member of the M.R.P.A. I believe this point has some merit. Here again we come back to the question of a direct or an indirect pecuniary interest. If he were to have any pecuniary interest he would be no different from anyone else. This would apply to the director, his deputy, or whoever it may be. I do not think there is a real danger of a conflict of interests. However, I will have the matter checked out.

I think we can safely deal with the Committee stage of the Bill and if Crown Law has anything to add in connection with the pertinent remarks made by the honourable member I can give that information at the third reading stage.

I believe these were the only two points raised in connection with the measure. I thank members for their support.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr. A. R. Tonkin) in the Chair; Mr. Davies (Minister for Town Planning) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Amendment to section 7—

Mr. RUSHTON: I accept the Minister's comments in regard to clause 2. It will be interesting to see how it works. I am not a person who likes to accept something, to see how it will work, and then to take action. However, any other course is virtually impossible.

I appreciate the reason why the Minister, on the advice of his department, introduced this. He will appreciate that I would certainly not want to see the Director of Environmental Protection inhibited in any way in his work. This is his paramount and prime purpose. That was the only reason for my raising the issue.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Addition of section 29A—

Mr. E. H. M. LEWIS: I raised this matter during the second reading debate and I do not want to labour it now. I did not altogether hear the Minister when he replied but I did hear him say he was not in the position to be able to define the difference between a direct and an indirect pecuniary interest, or words to that effect.

I think it is important that this should be defined, because such a definition could keep somebody out of trouble. A person may quite unwittingly transgress and find himself in trouble.

I ask the Minister to try to ascertain the legal interpretation and to inform the Chamber at the third reading.

Mr. Davies: I shall do that.

Mr. RUSHTON: This clause is of tremendous interest. It will be interesting to see how it works. When one reads section 174 of the Local Government Act, one realises it contains much more detail and allows much more flexibility in the carrying out of the intention. It allows the Minister to give relief in certain circumstances. If the provision is made too inflexible, we could well have an M.R.P.A.

and nobody who is able to vote. That difficulty can be resolved because the Minister can take part. The proposed subsection (7) reads—

> This section is in addition to and not in derogation of any other law relating to the duty or liability of the holder of a public office.

I do not know whether that allows all the other provisions to obtain. I do not think it does, but perhaps before the third reading the Minister would discuss with his advisers the limitations of this proposed subsection as compared with the greater flexibility in section 174 of the Local Government Act.

The member for Moore raised a very valid issue because there are so many people who have so many interests and we want these good people on the M.R.P.A. The M.R.P.A. will soon find out what needs to be amended. We hope the legislation will be workable and will carry out the intention behind it.

I ask the Minister to check with his advisers the point raised by the member for Moore and to check on the relationship between this proposed section and section 174 of the Local Government Act to see whether the proposed section has sufficient flexibility to be workable in reasonable circumstances.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

House adjourned at 10.03 p.m.

Legislative Council

Thursday, the 18th October, 1973

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

QUESTION WITHOUT NOTICE

SOCIAL WELFARE REGIONAL COUNCILS

Kimberley: Survey

The Hon. W. R. WITHERS, to the Minister for Community Welfare:

> My question concerns a letter dated the 18th October, 1973, which includes an invitation to members to attend a meeting to be held on the 24th October, 1973, when they will be given information on social welfare projects for the south-west region of Western Australia and the Eastern Goldfields region costing $304,000, provided from Commonwealth grants. The letter does not contain any reference to the northwest, the Kimberley, or the Pilbara. Does the Minister intend to have a similar programme carried out for those areas?

The Hon. R. THOMPSON replied:

> The Commonwealth Government invited the Department of Community Welfare to submit plans of surveys to be carried out in Western Australia. The department submitted three areas for such surveys; namely, the Fremantle area, the south-west and Great Southern area, and the Kalgoorlie—or the mining—area. The submission went before a committee set up for the purpose, and two areas were agreed upon. They were the south-west, and the Kalgoorlie areas. An amount of $20,000 was allocated for the Kalgoorlie area. Initially, we were not at all hopeful of having a full survey, but because of the excellent submission by the officers of the department we were lucky to obtain $284,000.
>
> This is a starting point and we hope to be able to expand on that sum from year to year. However, that will depend on Commonwealth funds because the Commonwealth is financing the whole of the survey.
>
> Many areas of the State will be considered, but those areas will be determined from time to time.

METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. R. H. C. Stubbs (Minister for Local Government), read a first time.

MENTAL HEALTH ACT AMENDMENT BILL

Third Reading

Bill read a third time, on motion by The Hon. R. H. C. Stubbs (Minister for Local Government), and returned to the Assembly with amendments.

CENSORSHIP OF FILMS ACT AMENDMENT BILL

Second Reading

THE HON. R. H. C. STUBBS (South-East—Chief Secretary) [2.39 p.m.]: I move—

> That the Bill be now read a second time.