

Organisation takes its stand. In any event I say that it is the ultimate. It is for that reason, for the other reasons I have given, and for many more reasons which I could give in pursuing this argument on an objective and a dispassionate basis that I support the Bill.

Debate adjourned, on motion by Dr. Dadour.

House adjourned at 10.03 p.m.

Legislative Council

Wednesday, the 13th September, 1972

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

QUESTIONS (15): ON NOTICE

1. FISHING LICENCES

Pensioners' Exemptions

The Hon. T. O. PERRY, to the Leader of the House:

As regulations applying to the Fisheries Act taking effect from the 1st July, 1970, exempted invalid, widow and old age pensioners from the necessity of obtaining an inland fisherman's licence, will the Government extend this concession to holders of a miner's pension?

The Hon. W. F. WILLESEE replied:

As the matter is the subject of a Motion in the Legislative Assembly, the Minister for Fisheries has asked me to inform the Hon. Member he would prefer to await the outcome of the Motion before providing an answer to the Honourable Member.

2. BUILDING SOCIETIES

Merger

The Hon. D. K. DANS, to the Leader of the House:

With further reference to my question on Thursday, the 24th August, 1972, regarding the merger between the Park Permanent Investment and Building Society with the Town and Country Building Society—

- (a) what was the financial position of the Park Permanent Investment and Building Society as known to the Registrar for Building Societies immediately before merger;

- (b) who was the chairman of directors immediately before the merger;
- (c) was the chairman of directors of the Park Permanent Investment and Building Society consulted before the merger took place;
- (d) if not, why not;
- (e) was the whereabouts of the chairman of directors known at the time of the merger; and
- (f) what was the principal reason for the failure of Park Permanent Investment and Building Society?

The Hon. W. F. WILLESEE replied:

I am informed that the Minister for Housing is obtaining details on this matter. At present owing to the absence of the Minister in the Eastern States I am unable to supply the Honourable Member with the information required. On the return of the Minister for Housing a full answer will be given to the Honourable Member.

3. ROAD MAINTENANCE TAX

Inclusion in Contract Charges

The Hon. W. R. WITHERS, to the Minister for Transport:

- (1) In view of the Minister's reply to my question of the 7th September, 1972, concerning the unlawful retention of moneys due to the State, and in view of the fact that I can not give a specific case without being *sub judice* or under Parliamentary Privilege accusing a specific individual of committing an offence, will the Minister advise if it is an offence for a contractor to refrain from paying road maintenance tax with the knowledge that such tax will be included in his contract charges?
- (2) If the answer to (1) is "Yes", is this Government inviting some contractors to commit an offence by giving reasons why they can not pay the tax when they have collected the tax in their contract charges?
- (3) If the answer to (1) is "No", why did this Government endeavour to abolish a tax that they consider to be outside the law?

The Hon. J. DOLAN replied:

The questions are inadmissible as they ask for an expression of opinion on law.

See Erskine May's Parliamentary Practice, 17th edition, page 353.

4. KWINANA-BALGA POWER LINE

Construction of Pylons

The Hon. Clive GRIFFITHS, to the Leader of the House:

- (1) Has the Government or the State Electricity Commission offered the construction of the pylons to be used on the Kwinana-Balga power line to a company in Western Australia?
- (2) If so—
 - (a) what is the name of the company;
 - (b) how many companies were given an opportunity to submit an offer to perform the work; and
 - (c) what is the extent of the work to be carried out?
- (3) Does the intended work include the design of the pylons?
- (4) If the answer to (3) is "No", who is to carry out the design?
- (5) If the answer to (1) is "Yes", is it a fact that the company concerned has asked for Government financial assistance in order to enable it to carry out the work?
- (6) If so, what is the extent of the financial assistance required?
- (7) Are there any other companies in Western Australia who are capable and willing to carry out this work?

The Hon. W. F. WILLESEE replied:

- (1) The State Electricity Commission has extended the contract of Electric Power Transmission Pty. Ltd. who erected the first section of the 330kV transmission lines, to cover construction of the remaining sections between Kwinana Power Station and Northern Terminal. Construction of the towers is part only of this overall contract.
- (2) (a) see (1).
 (b) The original contract was awarded after tenders were called without restriction.
 (c) Complete construction of the lines.
- (3) Yes.
- (4) See (3).
- (5) The Company has asked for financial assistance so that its Western Australian works may be suitably equipped for the economical production of a great deal of the tower and foundation steelwork. In the original contract this steelwork was fabricated in the Eastern States.

- (6) The Government has indicated its willingness to guarantee a loan of \$250,000.
- (7) There are no other companies known in Western Australia who have the facilities and experience necessary for carrying out the overall construction of the lines.

5. EDUCATION

Wundowie Junior High School

The Hon. N. E. BAXTER, to the Leader of the House:

- (1) Would the Minister ascertain from the Minister for Education if he is aware that the Wundowie Junior High School is to be downgraded, resulting in—
 - (a) the loss of one high school teacher, which will mean one specialist subject less;
 - (b) the Headmaster becoming a full-time teacher, in addition to his other duties;
 - (c) the position of First Mistress becoming honorary;
 - (d) the parents becoming more dissatisfied with the educational standard?
- (2) Can the Education Department justify this proposed action?

The Hon. W. F. WILLESEE replied:

- (1) Yes.
 - (a) The High School staff is at present allocated for 70 students. This staff will not be reduced in number in 1973.
 - (b) The Headmaster in 1973 will not become a full-time class teacher but he will be expected to undertake 20 teaching periods per week. This instruction by the senior teacher in the school should prove of great benefit to the pupils.
 - (c) A First Mistress will not be appointed in 1973. A suitable teacher to supervise the education of the 185 primary children will be appointed.
 - (d) Any parent dissatisfaction would be regretted but the school will be staffed according to its needs and school efficiency is not likely to fall.
- (2) The Education Department classifies and staffs schools according to average attendance. For a school to be classified as a Class I school an average attendance of 300 pupils is required by Regulation. The enrolment at Wundowie is at present 256 and is not likely to increase.

6. RAILWAYS

Vertebrate Train

The Hon. R. J. L. WILLIAMS, to the Minister for Railways:

Following the undoubted mechanical and financial success of the Talgo Train, would the Minister cause inquiries to be made about Senor Golcochea's newest vertebrate train so that members may acquaint themselves with this particular mode of transport and its relative costs compared to conventional rapid transit trains as they exist today?

The Hon. J. DOLAN replied:

Yes. Information will be sought and the Hon. Member advised in due course.

7. HORTICULTURE

Patent Rights

The Hon. F. R. WHITE, to the Leader of the House:

- (1) Do any provisions exist in Western Australia for the patenting of new breeds of—
 - (a) fruit;
 - (b) vegetables; or
 - (c) flowers?
- (2) If so—
 - (a) would these Patent Rights extend throughout Australia and overseas;
 - (b) what procedures are involved in establishing the Patent Rights;
 - (c) what costs are involved for each stage; and
 - (d) what would be the anticipated lapse of time for each stage?

The Hon. W. F. WILLESEE replied:

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

8. TRADES HALL BUILDING PROJECT

Government Guarantee

The Hon. F. D. WILLMOTT, to the Leader of the House:

Further to my question on Wednesday, the 6th September, and to my question without notice on Thursday, the 7th September, 1972—

- (a) am I to infer from the reply to my second question that the loan referred to is from a private financial institution;
- (b) if the answer to (a) is "No" on what grounds does the Minister claim my question was inadmissible;

- (c) has the Government received any other proposals involving a Government guarantee from Trades Hall Incorporated, Trades and Labor Council, or any other source, for the erection of a building or buildings in which it was proposed to house a Government Department or departments;
- (d) was the money advanced by any Government or semi-Government instrumentality;
- (e) was the guarantee given under the Industry (Advances) Act, and if so, what is the rate of interest;
- (f) did the lender agree to accept that the Trades Hall Building was an "Industry" within the definition of the above Act;
- (g) if the answer to (f) is "No" will a Bill be brought to Parliament amending the above Act as was the case with the Bulk Handling Act and other similar Acts;
- (h) has any mortgage or other security been registered, or will be registered against the title of the land, the subject of the negotiations, and if so, what will such mortgage or security amount to;
- (i) has any part of the proposed building yet been placed under lease agreement, and if so, what is the period of time of such lease or leases, and what is the rental in each case;
- (j) what is the estimated gross income from the proposed building; and what is the estimated net income;
- (k) to whom is the income to be paid, and is this income taxable;
- (l) on what date was the decision to guarantee the Trades Hall proposal made;
- (m) was the loan arranged within Australia or overseas;
- (n) if the loan was arranged overseas, what was—
 - (i) the country of origin;
 - (ii) the currency;
 - (iii) the rate of exchange; and
 - (iv) the rate of interest;
- (o) is there any agreement regarding the rate of exchange for the repayment of the loan?

The Hon. W. F. WILLESEE replied:

- (a) and (b) See Erskine May—Parliamentary Practice 18th Edition p. 325.

Questions to Ministers must relate to matters for which those Ministers are officially responsible.

The Honourable Member's question asked on Thursday, 7th September, sought information concerning the source of funds being obtained by an incorporated organisation. No Minister in the Government is officially responsible for this, nor am I in any way responsible for any inference the Honourable Member cares to draw from the reply to his question which was based on the Rule above quoted.

- (c) I am not aware of any.
- (d) No.
- (e) A guarantee has not yet issued. 9.
- (f) and (g) Answered by (e).
- (h) It is proposed to secure the guarantee when issued, by way of mortgage over the property.
- (i) No.
- (j) and (k) See answer to (a) and (b).
- (l) 8th June, 1972.
- (m) Arrangements for the loan have not yet been made.
- (n) and (o) Answered by (m).

Point of Order

The Hon. A. F. GRIFFITH: I rise on a point of order which has been exercising my mind. The other day in reply to a point of order taken by Mr. MacKinnon you, Mr. President, ruled that a similar question to the one which has just been answered dealt with a matter of public interest and was therefore in order.

To my mind you rightly said that you could not be responsible for the manner in which a Minister answered a question which dealt with a matter of public interest. It occurs to me that the subject matter of the question just answered continues to be a matter of public interest, but yet members who question the Government concerning this particular matter are not getting replies to their questions.

When a member asks a question, you rule the question to be a matter of public interest, and the Minister gives a reply which is either not an answer, or in the case of part (a) of the question is an evasion, where do we go from there?

The PRESIDENT: In respect of the point of order just raised I would point out that on previous occasions I have given rulings and the House has disagreed with them. In this particular matter it would be a question of moving a motion in the House and letting the House determine whether my ruling is right or wrong.

The Hon. A. F. GRIFFITHS: I would only move to disagree with your ruling when I think it is an incorrect ruling. On this occasion I am quite certain that you are right.

The PRESIDENT: I cannot assume what the House will think of my ruling.

ELECTRICITY SUPPLIES

Street Lighting

The Hon. R. J. L. WILLIAMS, to the Leader of the House:

- (1) Further to my question of the 6th September, 1972, apart from writing a letter of refusal, what action does the State Electricity Commission propose to take to ameliorate or prevent the invasion of privacy after sunset to the owner occupier of 46 Rockton Road, Nedlands?
- (2) If no action is contemplated, why not?

The Hon. W. F. WILLESEE replied:

- (1) The street light in question is across the road from 46 Rockton Road, Nedlands, and cannot be shielded without interfering with its function of illuminating the street.
- (2) See (1).

10. ROYAL COMMISSION

Power to Subpoena Interstate Witnesses

The Hon. J. M. THOMSON, to the Leader of the House:

- (1) Further to my questions on Thursday, the 7th September, 1972, relating to the attendance or non-attendance of interstate witnesses before Royal Commissions, and the reply which clearly indicates that there are no legal provisions within this State's law enforcement to compel such witnesses to attend, has the Government taken any steps to overcome this unsatisfactory situation and prevent the avoidance in the future of any interstate witness before a Royal Commission, by an approach to—
 - (a) a joint conference of Attorneys-General for enactment of necessary legislation;

(b) the Federal Attorney-General to amend the Service and Execution of Process Act?

- (2) If the answers to questions (1) (a) and (b) are "No", does the Government consider it of necessity and importance, in view of its knowledge of the inability to bring interstate witnesses before the Royal Commission on Wool Exporters Pty. Ltd., to have the necessary statutory provisions provided, and if so, what representation does it now propose to make?

The Hon. W. F. WILLESEE replied:

- (1) Representations made by the Hon. Premier to all States for consideration to legislation to enforce the attendance of witnesses who were outside the jurisdiction of the Royal Commission were unsuccessful.
- (2) Answered by (1).

11. RAILWAYS

Condition of Swan River Bridge

The Hon. R. J. L. WILLIAMS, to the Minister for Railways:

- (1) Is the Minister aware that the wooden pedestrian footbridge next to the Bunbury Railway Bridge is partially destroyed and constitutes a hazard to fishermen, young children, and small craft?
- (2) Would he take steps to combat this hazard?

The Hon. J. DOLAN replied:

- (1) This bridge carries the ash disposal pipe line for the State Electricity Commission installations at East Perth and a centre section was removed, as this bridge is not for public use.
- (2) The State Electricity Commission will render approaches to this structure inaccessible from both sides of the river.

12. TELEVISION

Establishment of Further Channel

The Hon. R. J. L. WILLIAMS, to the Leader of the House:

- (1) Is there a feasibility study being undertaken to determine whether Perth is to be provided with a fourth television channel?
- (2) If so, on present population trends, when would it be established?

The Hon. W. F. WILLESEE replied:

- (1) and (2) Questions to Ministers must relate to matters for which those Ministers are responsible.

See Erskine May's Parliamentary Practice, 18th edition page 325.

The questions asked relate to the administration of the Commonwealth Government.

13. ROADS

Riverside Drive: Perth to Maylands

The Hon. R. J. L. WILLIAMS, to the Leader of the House:

Is there any provision for a riverside drive linking Perth from the Causeway to the Maylands peninsula via the East Perth and Mt. Lawley foreshores, after the building of the Burswood Bridge?

The Hon. W. F. WILLESEE replied:

No. The Burswood Bridge proposals would permit the construction of a link between the Causeway and the north leg of the freeway system, but do not provide for a link along the Mount Lawley foreshore to the Maylands Peninsula. This connection would ultimately be provided as shown in the Metropolitan Region Scheme via Swan River Drive from Burswood to the Maylands Peninsula.

14. TRADES HALL BUILDING PROJECT

Government Guarantee

The Hon. A. F. GRIFFITH, to the Leader of the House:

- (1) Further to my question of the 12th September, 1972, will the Minister lay upon the Table of this House all files, correspondence and other documents relating to the financial guarantee of \$1.9 million to be given by the Government to Trades Hall Incorporated in connection with the proposed redevelopment and building programme for the site in Beaufort Street known as Trades Hall?
- (2) Will he also lay upon the Table of this House all files, correspondence and other documents dealing with any other proposition put forward for the consideration of the Government in the proposed Trades Hall Buildings relating to accommodation for the Department of Medical and Public Health?

The Hon. W. F. WILLESEE replied:

- (1) (2) and (3) The questions repeat, in substance, the questions to which answers were given to the Hon. Member on 12th September, and are therefore inadmissible. See Erskine May's Parliamentary Practice, 17th edition, page 354.

The Hon. A. F. Griffith:

You have given an answer to parts (1), (2), and (3) of my question; but I would point out there are only two parts to my question.

15. ROCK LOBSTER INDUSTRY

Bait

The Hon. G. C. MacKINNON, to the Leader of the House:

- (1) Is the Fisheries Department currently engaged in research into netting "pilchards" in the Geraldton-Abroholos area?
- (2) Would one of the uses of the small fish (if the operation is successful) be as bait in the Rock Lobster Industry?
- (3) Is this research being done in collaboration with the Geraldton Fishermen's Co-operative Ltd.?
- (4) Is this research being financed from funds contributed to by all fish processors?
- (5) If the research and the commercial operation resulting therefrom are successful, what effect is it anticipated such activities will have on the approximately 150 fishermen engaged to some extent in catching bait for the Rock Lobster Industry?

The Hon. W. F. WILLESEE replied:

- (1) Yes.
- (2) Such a use is likely.
- (3) Yes.
- (4) The research is being financed from the Fisheries Research and Development Trust Fund set up under the Fisheries Act.
- (5) The research is aimed at obtaining experience in the use of purse seine gear and evaluating the abundance of pilchard in the Geraldton waters. As experience is gained in the use of this type of gear, evaluation programmes will be conducted in other areas. If the programme successfully brings about an expanded pilchard industry, rock lobster bait might well be available at a reduced price to the benefit of the rock lobster fishermen, many of whom are included in the figure of 150.

Pilchard, if available in sufficient quantities, might also be used for canning and fish meal. It is conceivable that the establishment of an expanded pilchard industry might reduce the use of table fish such as herring and yellow-eyed mullet as rock lobster bait. To

this extent it could have an effect on fishermen producing these species for rock lobster bait.

I believe there will always be a market for salmon heads as rock lobster bait.

RAILWAYS

Cannington High School Station

THE HON. J. DOLAN (Minister for Railways) [4.50 p.m.]: On the 7th September The Hon. C. E. Griffiths asked me a question concerning an additional rail stopping place adjacent to the Cannington Senior High School. I am now in a position to answer part (3) of that question, which is as follows:—

The assessed cost to provide two low level platforms is \$3,380; the cost of two high level platforms \$5,630. To provide a shelter 20 ft. long on each platform is assessed at \$4,000.

QUESTIONS ON NOTICE: ADMISSIBILITY

Point of Order

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [4.51 p.m.]: I rise, Mr. President, on a point of order, concerning questions. The matter of questions is beginning to perturb me rather greatly.

Members in this House put questions on the notice paper. The questions go through the Clerks of the House and, to all intents and purposes, they are admissible in the eyes of the members who ask them. If a question is patently inadmissible then the Clerks usually draw the attention of member concerned to that fact. I have been advised, myself, by the Clerks of questions that have been inadmissible. In those instances I have not persisted, and I have refrained from placing them on the notice paper.

We have reached the point where a member asks a question in good faith, and a Minister in the Government says that the question is inadmissible. Therefore, we cannot receive an answer. I wonder who stands in judgment as to whether or not a question is admissible. For instance, Mr. President, if you did not intercept my question 14 on the notice paper because of its inadmissibility, or if the Clerks did not advise you that in their opinion it was inadmissible and ask you to stand in judgment on the point, the question would then be placed on the notice paper and I would regard it as an admissible question. You have recently ruled that a question asked by Mr. Wilmott, similar to the one which I asked, was admissible.

We seem to have reached a stalemate where you, Mr. President, rule that a question is admissible—and, after all, you

are the authority in this House—but the Minister then says that the question is not admissible. I want to know where we go from there. It is an unsatisfactory state of affairs, to my mind, if this sort of thing is to persist. I suggest it may come to the point where it will be necessary for you to examine each question which is to be asked and rule whether the question is admissible or otherwise. If you rule it concerns a matter of public interest and it is admissible, then surely it would not be unreasonable for us to expect an answer.

The PRESIDENT: In reply to the Leader of the Opposition I would say I feel the situation very acutely. Time after time questions which my Clerks have allowed to go through have been ruled out of order elsewhere and I feel such action usurps the functions of this House.

There is nothing much I can do about it. I thought I indicated earlier to the Ministers of this House that we desire to be masters of our own destiny. The House should make up its own mind on matters such as this.

The Hon. A. F. GRIFFITH: Thank you very much, Mr. President. I have one other request in view of your remarks. Would you kindly ask the Minister to answer, tomorrow, my question 14 on today's notice paper?

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [4.56 p.m.]: I do not like to think the Leader of the Opposition should have found it necessary to say the things he did.

The Hon. A. F. Griffith: I do not like to have to say them.

The Hon. W. F. WILLESEE: I think it should be made clear that I read the replies as they are given to me.

The Hon. A. F. Griffith: There were times when I refused to give the answers supplied to me. I referred them back to my colleagues and requested another answer.

The Hon. W. F. WILLESEE: That could be so; I do not doubt the word of the Leader of the Opposition on that issue. However, at the moment I do not seem to have sufficient time, and I do not see many of the replies to questions until they are presented to me just as the bells are ringing. I am not making excuses in that regard.

Somebody has to be right on this issue and I, on behalf of the Government, want to say that we do not wish to usurp the rights which you, Mr. President, hold in this Chamber. I feel that if the references quoted from Erskine May in relation to a question were wrong then that could be proved. If Erskine May is right then I think the answer which has been supplied is correct. That is the position.

What has been said will alert me sufficiently to have my department look closely at any question which necessitates this type of reply in the future—that the question is inadmissible. However, members must bear in mind that I will be unable to continue to give the service which I have been giving in the past. A total of 15 questions were asked yesterday, and on one occasion we had to reply to 20 questions. If it is necessary to examine a question in detail and depth, then it is only reasonable to assume that some questions will be postponed. I will do what I can to alleviate this situation.

I do not like having to take this course and, in fact, I do not like a lot of the questions which are handed to me. I reply to the questions as they are presented to me. I give you that assurance, Mr. President. I will endeavour to watch the position very closely in the future and I will endeavour to further check the position when a question is referred to as being inadmissible.

President's Ruling

The PRESIDENT: The Leader of the Opposition requested me to ask that his question be answered tomorrow. It is not within my power to do this. It would be necessary to have a substantive motion of this House to achieve that purpose. Therefore, I rule accordingly; but in view of what the Minister has said I think appropriate action will be taken.

Debate (on Point of Order) Resumed

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [4.59 p.m.]: Thank you very much, Mr. President. I do not want to persist unduly with this matter. I realise the position of the Minister in this House—having held that position for 12 years myself. I realise that the answers which are supplied—particularly those supplied by the Leader of the House—do not emanate from his department. They come from the departments controlled by nine of his colleagues in the Legislative Assembly.

I submit that the Government is using Erskine May selectively. The Government selected not to answer question 14 on today's notice paper, but it selected to answer question 2 which is a matter of private concern. This is a stalemate at which we have arrived with the Government instead of you, Mr. President, as the head of this Chamber. I think you should determine which questions should be answered and which questions should not be answered.

Question 2 on today's notice paper is a follow-up of a question asked on the 24th August, 1972, by Mr. Dans and it concerns the affairs of a private company. The answer was readily supplied to that question—for reasons I well understand—but I cannot get an answer to another matter which is of great public interest.

The Hon. D. K. Dans: I wish I had received an answer to my question.

The Hon. A. F. GRIFFITH: Mr. Dans did not get the answer today but the Minister explained to him why he did not get it. He will get it tomorrow; he received the other answer the other day.

The Hon. D. K. Dans: I am still not satisfied.

The Hon. A. F. GRIFFITH: If we are not to get answers to questions that are of great public interest, I feel, as the Leader of the Opposition, that I will be entitled to take drastic action and combine with you, Mr. President, in your desire to ensure that the public is informed on matters that are of public interest.

The PRESIDENT: I thought I had made it perfectly clear that as regards the interpretation of Erskine May in any point of order here, the decision rests entirely with this Chamber—the Legislative Council. It is not for anyone outside to form an interpretation as far as that is concerned. As I have already pointed out, when members disagree with an interpretation I put on a particular matter, they are always at liberty to move on the floor of the House to disagree with my ruling. Once this institution has agreed that a question meets the requirements, on behalf of the Legislative Council I expect a reasonable answer. I will leave it at that.

BILLS (2): INTRODUCTION AND FIRST READING

1. Totalisator Agency Board Betting Act Amendment Bill (No. 2).

Bill introduced, on motion by The Hon. J. Dolan (Minister for Police), and read a first time.

2. Local Government Act Amendment Bill (No. 3).

Bill introduced, on motion by The Hon. R. H. C. Stubbs (Minister for Local Government), and read a first time.

FUEL, ENERGY AND POWER RESOURCES BILL

Second Reading

Debate resumed from the 24th August.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [5.03 p.m.]: I support the second reading of this Bill. It is a very important measure and I am pleased that the Government has decided to introduce it. For the good of the State and its future growth, it is imperative that the State should have the advantage of the best possible brains available on a commission of the nature provided for in this Bill.

I notice the Government is inviting applications for the position of commissioner and has offered what appears to be

an attractive salary—I think it is slightly in excess of \$21,000 per annum. I hope the right man will be available. The best possible man must be obtained for a position of this nature, and of course he must be paid a salary commensurate with his qualifications and his ability to advise the Government on the very important matters of power, fuel, and energy—in whatever order one cares to put them.

I observe that the Leader of the Opposition in another place said he doubted that the average person walking down the street realised the significance of fuel, power, and energy. I am sure that is quite true. I am reminded of that when I see someone put a stamped, addressed letter in a post box. The sender usually has no regard for the mechanics behind the delivery of his letter from one suburb to another or, for that matter, from one country to another. The only time he complains is on the very rare occasion that his letter does not reach its destination. The same attitude applies in the very important matter before us. I know some areas of the State still do not have the sort of power and energy we would like them to have, but most people are accustomed to turning gas and electricity on and off, accepting these as services given by the Government, and complaining when anything goes wrong with the services.

Unlike the average person in the street, those engaged in industry give considerable thought to the matter of power because the cost of power is an all-important factor in the production costs of industry; but by and large the average person accepts the supply of power to his home, firm, business, wherever it be, as he accepts so many other services that are provided for him today.

Be that as it may, it is essential that we undertake to the fullest extent all the necessary studies and considerations in this matter, bearing in mind the future growth rate in a very competitive world which demands cheap power for industry and domestic purposes. The industrial future of a country can lie in its ability or inability to provide power at the right price. If we are to compete, we must keep up with the best, particularly when this country is blessed with so many raw materials. As we see it, power and energy are emerging as being extremely important, and fortunately we have considerable potential in that direction.

It is hoped that the commissioner and the commission set up under the Bill will keep abreast of the times and supply the Government with all the up-to-date information it needs in regard to the matters that will come under their jurisdiction. We must not plan just for the immediate future; we must plan for the years that lie ahead in a very complicated and competitive world.

Members may be aware that the previous Government set up a Cabinet sub-committee on the matter of fuel and energy. The function of the sub-committee was to study the present and future requirements for fuel and energy. We had not reached the point of legislating when a change of Government took place, but I feel quite sure we would have done so had we remained in office. I am therefore pleased that the present Government is following on and giving legislative effect to the commission.

In our time, an outside consulting firm was brought in to study the situation and make evaluations. Some very important matters arose out of the fuel and energy studies, not the least of which concerned the environment. Whilst we in this country—and particularly in this State—are very fortunate, other countries of the world are suffering dire consequences from the burning of petroleum fuel, particularly, which contains a high ratio of contaminants.

I think the future of this country could well be influenced by the types of fuel used. When I say "the future of this country," I mean the future environment of this country. Natural gas is a substance of which, fortunately, we seem to have more than was originally thought. The recent discovery on the continental shelf in the north is quite exciting and fascinating, and if it is developed it will perhaps offer Western Australia a much cheaper source of power than we ever hoped for. In addition, it could offer us an export industry; I believe liquefied gas could be exported from that source.

I have had experience in some parts of the world and I am aware that great advantages have accrued to the people of a country which has been fortunate enough to have natural gas in quantities sufficient for processing purposes, for the production of heat and energy, for domestic purposes, and the like. It seems to me that our future is becoming more than ever assured in this particular field of energy.

Nuclear energy is probably a fuel of the future. It is not accepted by all people in the community, and I observe that two very prominent Australians have differing opinions about the future use of nuclear energy in this country and, for that matter, in the world. However, now is the time to do all we possibly can to study the various forms of power and come up with recommendations in regard to them. We should continue to study all forms of fuel and energy. We must keep well abreast of the times because we live in an extremely competitive world. We must also know what is going on in other parts of the world and keep abreast of developments of this nature.

The commission to be set up under this Bill will have my good wishes. I hope it works as hard as is necessary, and that the commissioner and the other members of the commission will earn their money and the State will benefit as a result of their efforts.

Having made those introductory remarks, I would like to turn to the Bill itself and raise one or two questions with the Leader of the House, who is the Minister in charge of the Bill. I would like the Minister to look at clause 7 (1) (d), on page 4 of the Bill, which states that one of the duties of the commission is—

(d) to promote, and with the approval of the Minister to undertake, the co-ordinated development and use of the sources and the supplies of fuel, energy, and power in and to the State.

This question was raised in another place and I would like an explanation from the Minister as to what the expression "undertake" means. I hope he will be able to give us an assurance that it does not mean the State will enter into another socialistic form of workout; that we will not have a State undertaking; that the expression "undertake" does not mean that the State will enter into business any more than it is in business with the State Electricity Commission under the provisions of this particular subclause.

I would also like the Leader of the House to take a note of subparagraph (iii) of clause 8(d) on page 5 which states—

undertake investigations, inspections and prosecutions.

How does one interpret the words "and prosecutions"? Is it intended that this shall be the function of the commission, to relate the use of those words under the Act?

In mentioning clause 7(d) I should have pointed out that clause 9 states—

The Commission has all such powers, rights and privileges as may be reasonably necessary to enable it to carry out its duties and functions.

I do feel that some weight could have been given in that clause as it relates to the provisions of clause 7, and I should like to feel we would receive the assurance which I understand was given in another place.

I do not want to usurp the draftsman's prerogative, but I ask the Minister to have a look at clause 10. It appears that a word is left out, apart from which the word "engaged" is spelt incorrectly—the first "g" has been omitted. I think, perhaps, it should read—

Where a person engaged under the provisions of subsection (4) . . .

Would the Minister ask the draftsman to have a look at this to see whether this should be so?

Clause 12 on page 8 of the Bill, which deals with the powers of the commission to borrow, states—

If at any time the funds of the Commission are not sufficient for the purposes of this Act, the Commission may with the approval of the Governor borrow from the Treasurer of the State moneys for those purposes.

I should have thought that the time for the commission to borrow would be as soon as assent is given to the Bill, because the measure does not contain any clause which permits the necessary expenditure under this Act to be taken from Consolidated Revenue. Accordingly I should imagine the commission's requirements for money would be immediate, because having no power to take money from Consolidated Revenue for the purpose of running the affairs of the commission it would not be possible for the commission to even pay the salaries of its officers in such circumstances. Accordingly I would like the Minister to inform me on that point.

Clause 14 sets up the commission and indicates the gentlemen of whom it shall be comprised. It states—

The Fuel and Power Commission of Western Australia shall consist of the Commissioner and three other members appointed by the Governor, of whom—

- (a) one shall be representative of the State Electricity Commission;
- (b) one shall be representative of the department of the Public Service known as the Department of Development and Decentralisation; and
- (c) one shall be a representative of the department of the Public Service known as the Department of Mines.

In my opinion this is all right; it is a small commission consisting of important people. The only thing I do wonder about is that there is no mention made of a casting vote.

The situation is, however, protected to a considerable extent. Provision is made for a quorum of three and if the question is not decided upon in the affirmative by two votes and the votes are equal it shall not be passed. So the situation is protected.

Clause 15 states—

The Commission shall hold meetings at such time and places as it determines, but the Minister or the Commissioner may at any time convene a meeting of the Commission.

The only point I make here is that no provision is made for the giving of notice. It is usual that notice be given of a meeting.

I now come to the composition of the council. Clause 21 provides that the Western Australian Chamber of Manufactures (Incorporated) shall have a representative on the council and the Chamber of Mines of Western Australia (Incorporated) shall also have a representative.

I am informed, however, by the Chamber of Commerce that that body wrote to the Minister asking if it could be represented on the council. When I received their letter I rang the Chamber of Commerce and asked, "What reply did you get from the Minister?" I was told that at that point—which was late last week—no reply had been received from the Minister. Since the Chamber of Commerce has made a request to be represented I wonder whether Mr. Willesee will be kind enough to advance this point with his colleague and ascertain whether or not he has given any consideration to the matter.

It seems to me that there may be some element of doubt in this particular clause concerning the selection of the representatives of the two bodies I have just mentioned—the Western Australian Chamber of Manufactures, and the Chamber of Mines. The clause reads as follows:—

(1) Each of the bodies following, that is to say—

- (a) the body known as The West Australian Chamber of Manufactures (Incorporated); and
- (b) the body known as The Chamber of Mines of Western Australia (Incorporated),

has the right to submit to the Minister a panel of names from which a person shall be selected by the Minister for recommendation to the Governor.

The way the clause reads it is possible to interpret it to mean that the Minister receives a panel of names from the Chamber of Manufactures and a panel of names from the Chamber of Mines from which he chooses one name.

I am sure that is not the intention; I feel sure the intention is to choose one name from each panel of names submitted. If after the word "selected" in line 24 we insert the words "from each body" I think this would make it clear that each body is to have one representative. If, of course the Government decides that the Chamber of Manufactures should also be entitled to a representative the wording of the clause would not be affected.

The only other point I wish to mention is in relation to clause 20. I have mentioned this previously. The clause reads—

The functions of the Council are—

- (a) to assist and advise the Commission in respect to the administration of this Act, and the making, amending or revoking of regulations under this Act;

I have always understood that Parliament is the only authority which can revoke regulations; and, accordingly, I would like the Minister to check this point.

I have no objection, of course, to the commission giving advice on the question of the making and amending of regulations; but for the commission to revoke such regulations seems to imply either that there is unnecessary wording or that an unnecessary power is given because, as I have already said, this House and another place are the only authorities with powers of revocation.

The remarks I now make are not meant to be interpreted as being authoritative, but I would like the Minister to get the Crown Law Department to have a look at the Radioactive Substances Act and see whether there is any conflict between section 7 of that Act and the provisions contained in this legislation.

The Hon. W. F. Willesee: Where are you at the moment?

The Hon. A. F. GRIFFITH: I was referring to the Radioactive Substances Act of which the Minister does not have a copy at the moment. I am endeavouring to point out that there may be conflict between the two Acts and I ask the Minister to get the Crown Law Department to check this aspect. Section 7 of the Radioactive Substances Act reads—

The Council shall consider and advise the Minister with respect to the application for and the issue and renewals of licenses under this Act and upon such questions as the Minister may from time to time refer to it relating to the exercise and performance of his powers and duties under this Act.

In section 14 (2) we find the following:—

The Minister may, on the advice of the Council, grant any application for a license which is made under this section, or he may grant it subject to such conditions as he thinks fit, but if he is advised by the Council that the granting of the license may imperil the health of any person he shall refuse the application.

It strikes me that this is the authority which issues licenses in respect of radioactive substances, which could include those used for purposes of nuclear fission. As I have said, I would like the Minister to ask the Crown Law Department to check and see whether there is anything in the point I have made.

If this Bill becomes law we do not want there to be any conflict between the two Statutes.

I conclude, as I started, by saying that I am very pleased to see the Government has introduced this legislation. I wish the commission well in its endeavours and I support the second reading of the Bill.

THE HON. T. O. PERRY (Lower Central) [5.18 p.m.]: I would also like to congratulate the Government for bringing this Bill forward. At one stage I did not think we would ever get around to discussing it in this House because it took so long to come to us from another place.

The setting up of a fuel and power commission will, I am sure, be of advantage to the development of the State, particularly as it affects the mineral industry.

Our mineral resources make it essential to ensure that the most effective use of fuel and power is made. Personally I have always felt that not enough use is made of our Collie coal. When I was first elected to the House I found it difficult to argue convincingly against the policy of the previous Government as it related to coal, because I had difficulty in obtaining accurate figures on the resources of the coal available at Collie. After discussion with the companies involved and the Mines Department I found that no accurate figures were available on the resources of our Collie coal. Since then, of course, large discoveries have been made of coal deposits at Muja in the Western No. 2 leases from which 120,000,000 tons of coal have been proven. This is a tremendous amount of coal.

The Hon. L. A. Logan: Some of those deposits will be mined by the open cut method, will they not?

The Hon. T. O. PERRY: Some of them will, but the other deposits are too deep to be mined by that method. Shortly after I was elected as a member of this House the first two units of the Muja power station came into operation and these have since been extended to four units. The previous Government's policy of building coal-fired power stations at Muja has given stability to the coal industry. However, I hope that the units making up the Muja power station will be extended even further, as it is built right on the coalfield and uses coal as a fuel.

I was not happy with the development of the oil-fired power station at Kwinana. Fuel oil, which is burned at the Kwinana power station, is not a product of our own oilfields in Western Australia. It is imported, and I consider that it would be much wiser to investigate the possibility of extending the Muja power station and upgrading the electricity mains from Muja and other parts of the State.

I sincerely hope the newly-formed commission will also have a look at some of our pollution problems. Whilst the operation of an oil-fired power station is not as expensive as a coal-fired one, the fact that it uses an imported product against our own local product, and that it produces about five times the amount of sulphur fumes produced by a coal-fired power station, should be taken into consideration. I say this because pollution is now a

pressing problem and, as years go by, it will increase. Even at the present time, anyone approaching the metropolitan area from the country early in the morning can see that the air over a wide area of the city is polluted by dust and fumes.

Of course, at present, coal and oil are the only two fuel components we have. Natural gas, and, more recently, the uranium find at Mundong Well must be taken into consideration, and I have no doubt that the proposed commission will fully investigate the financial aspects of all our fuel resources that could be of benefit to the State and industry in general. With those few remarks, I support the Bill.

THE HON. W. F. WILLESEE: (North-East Metropolitan—Leader of the House) [5.33 p.m.]: I thank both the Leader of the Opposition and Mr. Perry for their support of the Bill. I do not intend to take the Bill beyond the second reading stage for the moment, because a study will be made of the points raised by the speakers to the Bill and, in particular, the points raised by the Leader of the Opposition as he dealt with the Bill clause by clause. When the Bill is taken in Committee I will reply to the points raised as each clause is reached. Finally, in regard to the suggestion made by the Leader of the Opposition that the opinion of the Crown Law Department should be obtained—

The Hon. A. F. Griffith: I do not know whether there is anything in what I have said, but I thought it was worth checking.

The Hon. W. F. WILLESEE: If there is something that needs checking, it is better to check it now than to continue with the further stages of the Bill, in the knowledge that there may be some slight error that needs to be rectified. I see no point in making any further comment, except to say that I am grateful that the measure has been accepted by the House.

Question put and passed.

Bill read a second time.

WESTERN AUSTRALIAN PRODUCTS SYMBOL BILL

Assembly's Message

Message from the Assembly notifying that it had disagreed to the amendments made by the Council, now considered.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. W. F. Willesee (Leader of the House) in charge of the Bill.

The DEPUTY CHAIRMAN: The amendments made by the Council, to which amendments the Assembly has disagreed, are as follows:—
No. 1.

Clause 5, page 3, lines 1 to 4 inclusive—Delete all words in the clause and substitute the following:—

Authority
to use
prescribed
Symbol or
Facsimile.

(1) Where it appears to the Minister that the production and preparation of any product or range of products is substantially carried out in the State, the Minister may on application being made to him in writing setting out particulars of the product or range of products and particulars of its production and preparation issue to the applicant a permit authorising him to attach to the product or to some or all of the range of products or to its or their container a prescribed symbol or a modification of the prescribed symbol.

(2) The Minister may include in the permit such conditions as, in the circumstances of the case, the Minister thinks fit to impose in respect of the use of the symbol.

(3) The Minister may, by notice in writing, served on the holder of a permit so issued,

(a) from time to time alter any of the conditions of the permit; or

(b) cancel the permit.

No. 2.

Clause 6, page 3, line 5—Insert after the section designation "6", the subsection designation "(1)".

No. 3.

Clause 6, page 3—Delete all words in the clause from and including the word "affixes" in line 6 to and including the word "dollars" in line 16 and substitute the following:—

not being the holder of a valid and current permit issued under this Act and authorising him to do so affixes or causes to be affixed a prescribed symbol or modified prescribed symbol to any product, or to the container of any product; or

(b) being the holder of a valid and current permit issued under this Act, does not observe any condition of the permit; or

(c) uses any symbol that so nearly resembles the prescribed symbol as to be likely to deceive,

commits, subject to subsection (2) of this section, an offence.

Penalty: Two Hundred Dollars.

- (2) It is a defence to a charge of an offence under paragraph (a) of subsection (1) of this section to prove that the person charged believed on reasonable grounds that, at the time he affixed the symbol, or caused the symbol to be affixed to the product, he did so in the course of his duties as an employee or agent and that his employer, or, as the case may be, his principal, was the holder of a valid and current permit issued under this Act and that the conditions, if any, of the permit were observed.
- (3) A person who sells a product to which or to the container of which, a prescribed symbol is attached, knowing that the symbol has been attached without the authority of, or in breach of a condition of a valid and current permit issued under this Act, commits an offence.

Penalty: Two Hundred Dollars.

No. 4.

Clause 7, page 3, line 17—Insert after the word "person" the passage "appointed to and holding the office of Inspector under the Factories and Shops Act, 1963, or under the Health Act, 1911".

The Assembly's reasons for disagreeing to the Council's amendments are as follows:—

For more than two years a programme of promotion of the purchase of Western Australian products has been pursued by the Department of Development and Decentralisation and previously by the Department of Industrial Development. Tests have shown that the Western Australian symbol is recognised by the great majority of the public. More and more manufacturers are appreciating the value of attaching the symbol to their products.

This state of affairs has progressed under the auspices of both this Government and its predecessor without any form filling, official applications, or formal procedures, but with a healthy mutual understanding between all parties and a minimum of regulation.

It is not desired to disturb this very satisfactory state of affairs, for which reason the Bill seeks merely to give the symbol official recognition by Parliament, and to indicate to those who deliberately seek to deceive, that action can be taken against them if they persist.

The whole purpose of the legislation is to protect the symbol, encourage its adoption and to dissuade misleading use, and it is sought to do this by persuasion rather than by litigation, in other words, seek very largely to continue the past and present highly successful procedures.

The Hon. W. F. WILLESEE: I move—

That amendment No. 1 made by the Council be not insisted on.

The reasons for the Assembly not agreeing to the Council's amendments have been outlined by you, Mr. Deputy Chairman. I feel that we could deal with all the amendments together because all the amendments must be agreed to, or not agreed to, to make any sense of the Bill. I therefore ask the Committee to have regard to the reasons given by the Assembly because this would simplify the issue, and if the Committee does agree to them this would mean the clauses in question would be reinserted in the Bill.

The Hon. W. R. WITHERS: I too would like to say that I wish to speak to all the amendments made by the Council. Is this permissible, Mr. Deputy Chairman?

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): I intend to put the question in regard to amendment No. 1 and that will decide the issue; there will be no need to take up the further time of the Committee on the other amendments.

The Hon. W. R. WITHERS: When introducing the Bill to the House, the Leader of the House said—

The Bill now before members is to protect the "Made in Western Australia" symbol from unlawful use.

Later in his speech, the Minister reiterated this, when he said—

Therefore, I believe the time has come when we should protect the symbol from unlawful use by unqualified manufacturers, such as those who are carrying out only a token manufacturing operation within this State or even carrying out no manufacturing operations within Western Australia.

Most members of this Chamber accepted the reason for the introduction of this Bill, but on analysis they found that it did not protect the Western Australian products symbol. Members realised the importance the Minister placed on the Bill in view of what he said when he explained what methods had been considered.

I quote again as follows from the Minister's introductory speech:—

Initially, when the problem of protection was examined it was thought that it may be possible to obtain the necessary protection under the Trade Marks Act, which is a Commonwealth Statute.

However, investigation proved that this would be costly and cumbersome and it was decided not to proceed with this method of protection.

The alternative is the Bill before members which I will now explain.

Clause 2 repeals the Western Australian (Sales Promotion Labels) Act of 1957. On the advice of the Parliamentary Counsel it was decided it was preferable to repeal this Act rather than to attempt to amend it to provide the protection necessary.

It is obvious that the Minister and his officers went to a great deal of trouble to protect the symbol, but, I repeat, when we studied the legislation we found that protection was not wholly provided. We considered amendments and finally agreed to them. This gave the Bill some substance and met the needs expressed by the Minister.

I am doing a lot of quoting, but I think it is necessary in order that I might emphasise the points I am making. It is obvious that the Minister planned for litigation because he said—

Clause 6 provides for a \$50 penalty for the unlawful use of the symbol for a first offence, \$150 for a second offence, and \$400 for a third or subsequent offence.

They are fairly substantial fines.

Members in another place have refused to accept the amendments we made. They do not want to adhere to the Minister's original reason for presenting the Bill. I hope members will forgive me for quoting the reasons given by another place. The Deputy Chairman (The Hon. F. D. Willmott) has already done this, but I do wish to refer to the reasons, one of which reads—

It is not desired to disturb this very satisfactory state of affairs, for which reason the Bill seeks merely to give the symbol official recognition by Parliament, and to indicate to those who deliberately seek to deceive, that action can be taken against them if they persist.

I find this rather strange. Members in another place wish Parliament to officially recognise the symbol. We already have the Western Australia (Sales-Promotion Labels) Act and surely it could have been amended to indicate what the symbol looked like, if the Government merely wished to give the symbol official recognition by Parliament and to indicate to those who deliberately sought to deceive, that action could be taken against them if they persisted. I do not believe the reasons given by the Assembly tally with the information

presented to us by the Minister when he introduced the Bill. The reasons further state—

The whole purpose of the legislation is to protect the symbol—

Which it does not do without the amendments. To continue—

—encourage its adoption and to dissuade misleading use, and it is sought to do this by persuasion rather than by litigation,—

Are the inspectors the Bill suggests will be appointed to be known as "persuaders"? To continue—

—in other words, seek very largely to continue the past and present highly successful procedures.

If it was intended that the past and present highly successful procedures should continue, why was the legislation necessary?

The Hon. A. F. Griffith: It was not necessary. I do not think so anyway.

The Hon. W. R. WITHERS: Instead of a Bill with some teeth, this legislation has turned out to be pretty gummy.

If the Minister believed what he said—that is, that the symbol needed protection—he must then realise that our amendments would give that protection. Without them the legislation gives no protection at all. When we reflect on what the Minister said we must realise that the Government required a Bill of some substance; but now I suspect that it is pandering to the whims of those who desire to play a political game. The Government is content to waste the time of members in this place and in another place on a Bill of little consequence.

The only two positive functions of the Bill are, firstly, to identify a product symbol, and, secondly, to permit the expenditure of public money, and I refer to the "persuaders" to be appointed under the guise of inspectors. The Bill does not do what the Minister initially stated was intended. In my opinion it is not worth appointing a committee of management to discuss the matter further, and I will not waste the time of this Committee by castigating those members who have agreed that we should have this toothless legislation without any amendments. Instead I will pray that the good sense of our citizens will dissuade them from misusing the symbol.

The Hon. A. F. GRIFFITH: If we were to use the reasons given by another place for not agreeing to our amendments as the basis of judgment, we would insist on our amendments because in my humble opinion the reasons are not related to the amendments. The Bill provides that if a Western Australian manufacturer considers he has an article the component parts of which are substantially Western Australian he can place the symbol on it.

Mr. Withers' amendments provide that if a person believes he is entitled to place the symbol on an article he may apply to the Minister for permission to do so. The Government wants to discard the amendments. I just do not understand why.

If the Bill is passed as it stands, the manufacturer must make the decision himself and run the risk of being prosecuted one, two, or three times with a more severe penalty on each occasion. If that is sound reasoning, I do not follow it. However, I feel the same as my colleague (Mr. Withers); that is, that the matter is not worth pursuing. However, I believe that at some future date the Government will find it necessary to have second thoughts and agree that the amendments suggested in this Chamber would operate to better effect.

Question put and passed; the Council's amendment not insisted on.

The Hon. W. F. WILLESEE: I move—

That amendments Nos. 2 to 4 made by the Council be not insisted on.

Question put and passed; the Council's amendments not insisted on.

Report

Resolutions reported, the report adopted; and a message accordingly returned to the Assembly.

WHEAT PRODUCTS (PRICES FIXATION) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th August.

THE HON. J. HEITMAN (Upper West) [6.00 p.m.]: I rise to oppose the Bill. I did so on similar legislation in 1964 and I have not changed my mind since that occasion.

For the benefit of members who have not been long in the House, this legislation had its birth in 1938 because wheat prices at that time were so badly depressed that many farmers were leaving their farms because they were unable to make a living. The Commonwealth called all the States together and asked them to introduce legislation which would give a home consumption price for wheat and wheat products in each State.

A small amendment was made to the legislation in 1939 to cover the buying of wheat. Previously only the selling of wheat had been covered. The war broke out in 1939 and the Commonwealth took control of all wheat and wool in Australia. The legislation has not had any place in the scheme of things at any time since then with the exception of being used to put a price on bread. Even so, it has not been used for this purpose very often.

Originally the legislation provided for a committee to be set up. This was done at a time when a Labor Government was

in office. The committee continued to exist until, I think, 1959. The Government of the day then decided that there was no real need for a committee to inquire into the price of bread. In actual fact I think the committee had met on only two occasions prior to that. At the time the Opposition wrote to the Governor demanding that a committee be set up.

In 1964 the legislation was amended and the appointment of the committee was no longer mandatory. Instead, the legislation provided that a committee may be appointed if the Governor thought it was necessary.

Very little use has been made of the legislation. As a matter of fact most of the other States have repealed the legislation altogether. Western Australia has kept it for the sole purpose of controlling the price of bread.

As I have already said, the legislation was amended in 1964 to provide that the Governor may, from time to time, constitute a committee. The provision in the legislation controlling the price of flour was deleted in Committee on that occasion. The Hon. G. C. MacKinnon moved an amendment which I think is worth reading. In fact, the amendment he proposed on that occasion has exactly the same meaning as the amendment in the Bill which is now under discussion. He said—

(b) by substituting for the words, "eleven pounds" in the last line of paragraph (a) of subsection (2), the words, "the prescribed price";

(c) by substituting for the words, "thirteen pounds ten shillings" in lines three and four of paragraph (b) of subsection (2), the words, "the prescribed price";

When we look at the Bill before us we see that it says exactly the same thing; namely—

2. Subsection (2) of section 15 of the principal Act is amended—

(a) by substituting for the words "eleven pounds" in the last line of paragraph (a) the words "the prescribed price"; and

(b) by substituting for the words "thirteen pounds ten shillings" in lines three and four of paragraph (b) the words "the prescribed price".

This is identical with the amendment moved by The Hon. G. C. MacKinnon in 1964. The only members who spoke in favour of the amendment at that time were The Hon. G. C. MacKinnon and The Hon. H. K. Watson. It is surprising that every member of the Opposition voted against that amendment. The Opposition of those times is the Government today

and now we see a complete turn-about, because the Government has introduced exactly the same amendment into the legislation although it was rejected completely by members of the Opposition in 1964. Members on the Government side now intend to turn about and vote for something they would not have a bar of in 1964.

I was against the amendment in 1964 because it went against my principles for any Government to use the measure merely as a price-fixing medium instead of something to help the farmers who were in the doldrums at the time when the legislation was originally introduced.

Sitting suspended from 6.06 to 7.30 p.m.

Mr. HEITMAN: Just before the tea suspension I said that this amending legislation is really a price-fixing medium to control the price of flour. I pointed out that the present Government, when in Opposition in 1964, joined forces with several members of the then Government to throw this measure out. It is quite surprising to find that the party which voted against this measure in 1964 is now bringing it to Parliament.

In 1964 I made the following comments:—

I oppose the amendment. It is too late to bring in a price-fixing measure between now and next year. The Bill will act as a safeguard for anybody who purchases bread, and there is no harm in leaving it as it is. The Minister has agreed to delete the clause which has some bearing on the price of flour, and, in my opinion, there is nothing wrong with leaving the Bill in its present form.

I am of the same opinion today. By controlling the price of bread we will look after the average working-class family. Although I am against price fixing as a principle, I feel it can do no harm to control the price of bread. The price of flour has increased constantly and it is now over \$100 a ton. Of course, if the Wheat Products Prices Committee has the opportunity to prescribe the price of bread from time to time, it may go up a good deal higher. At the present time the price is controlled by sales.

In 1964 many flourmills were operating and a great deal of flour was sold overseas. Today we sell very little overseas because the countries which buy the wheat want the offal from the wheat by-products. Years ago we would sell them the by-products, that is bran and pollard, as well as wheat.

The countries to which we export wheat now wish to create employment in their own areas. They mill the wheat and use the offal for stock feed and other purposes. Flour is now mostly sold locally and the price structure is controlled within the State.

The present Government has already introduced price-fixing legislation in another place, and in my opinion flour, wheat, and wheat products could be included in that legislation.

The Wheat Products (Prices Fixation) Act should have been repealed years ago. As I said earlier, we are one of the few States to have this Act on the Statute books. The legislation was instituted in conjunction with Federal legislation in 1938 and it has never been used. The Government now wishes to use it as a price-fixing measure.

I intend to vote against the Bill. I hope the Government will follow my suggestion and ensure that we do not have two price-fixing Acts on the Statute book.

THE HON. L. A. LOGAN (Upper West) [7.35 p.m.]: I find myself in a bit of a quandary with this measure. I believe this Act should have been repealed in 1964. However, we amended the Bill by substituting the word "may" for the word "shall," and now we must face up to the consequences.

The amending legislation is designed to remove the reference to a minimum and maximum price of flour and it gives the committee constituted under the Act the right to control and fix the price of flour. The words "as prescribed" mean just that.

If we defeat the second reading of this Bill, I am concerned that the Act will be just a farce because the price of flour fixed under the Act is as follows: Minimum price, \$22 per ton, and maximum price, \$27. The Act states in very plain language that in no case shall the minimum price fixed be less than \$22 per ton and in no case shall the maximum price fixed be over \$27 per ton.

Section 16 of the Act reads as follows:—

If any person sells any substance at a price which is greater than the maximum price or less than the minimum price . . . he shall be guilty of an offence against this Act.

Penalty: Five hundred pounds.

I think members will agree that there will be cause for concern if the second reading is defeated.

For these reasons I have put an amendment on the notice paper in an attempt to overcome this anomaly. In my opinion the committee should at least have the right to fix a minimum and a maximum price for flour in relation to the current market value. I believe that the difference between the minimum and maximum today would be at least comparable with what it was in 1964 when this Act was last before the House.

I do not know whether my amendment will overcome the problem. It would only give the committee the right to fix a minimum and a maximum price in relation to the current market value.

If we reject the measure it may be said that the committee, as constituted, will be unable to operate, particularly in regard to the price of flour. I do not think the Government would be foolish enough to make a proclamation in this regard. If the Act is proclaimed, section 16 will apply and all the flourmillers will be at the mercy of the Government.

We do not find ourselves in an easy situation. I am very willing to listen to arguments for the defeat of this measure. I do not intend to give the committee the right to fix the price of flour, and I would be happy to hear the suggestions of other members of the House. If members do not feel my suggestion is acceptable, I am prepared to vote against the second reading and forget the amendment standing in my name on the notice paper.

Debate adjourned, on motion by The Hon. J. Dolan (Minister for Police).

COUNTRY HIGH SCHOOL HOSTELS AUTHORITY ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. W. F. Willesee (Leader of the House), read a first time.

STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th September.

THE HON. J. M. THOMSON (South) 17.42 p.m.: I personally have no objection to some of the provisions in this Bill, but there are one or two which I cannot support.

I acknowledge the fact that the private companies in the field of insurance are carrying on their activities in a very efficient manner, but I do not feel that this constitutes a reason to deny the S.G.I.O. the right to extend its activities and operations into other fields of insurance if it so desires. Up to the present time it has been precluded from doing so.

I notice the Bill provides that the S.G.I.O. will be liable for the same charges and taxes as the private insurance companies. I am pleased to see that this provision is included in the Bill, because if the S.G.I.O. is to enter into competition with private companies, it must be on a competitive basis.

The Hon. A. F. Griffith: What taxes will the S.G.I.O. pay?

The Hon. J. M. THOMSON: I cannot answer that question off the cuff.

The Hon. A. F. Griffith: You intend to vote for a Bill which contains tax measures and yet you do not know what they are.

The Hon. J. M. THOMSON: I have the same right as the Leader of the Opposition to express my views.

The Hon. A. F. Griffith: I was looking to you for a little guidance.

The Hon. J. M. THOMSON: Knowing the Leader of the Opposition as I do, I do not think he needs much guidance. In his second reading speech the Minister listed the taxes which the S.G.I.O. will have to pay. I think in the last financial year the amount was in the vicinity of over \$500,000.

The Hon. G. C. MacKinnon: Of course, it will not pay taxes.

The Hon. J. M. THOMSON: Mr. MacKinnon has had an opportunity to present his opinion.

The Hon. G. C. MacKinnon: You are misleading the House.

The Hon. J. M. THOMSON: I am not doing that at all; Mr. MacKinnon should allow me to make my speech. He has had an opportunity to make his. I know he is most anxious to help me.

The Hon. G. C. MacKinnon: I am not. I just do not think you should mislead the House.

The DEPUTY PRESIDENT: Order!

The Hon. J. M. THOMSON: I do not want members on the front bench of the Opposition to put words into my mouth.

The Hon. A. F. Griffith: You know we could never do that.

The Hon. J. M. THOMSON: I am indeed pleased to find that Mr. Griffith is aware of that.

The Hon. J. Dolan: These were referred to in the Minister's speech in another place.

The Hon. G. C. MacKinnon: It is not a tax at all, it is an *ex gratia* payment in lieu of tax.

The Hon. A. F. Griffith: Of course it is, and it does not pay Government taxes.

The Hon. J. M. THOMSON: Call it what one may; I do not care what it is called; I say that a contribution will be made.

The Hon. G. C. MacKinnon: Now you are nearer to the truth.

The Hon. J. M. THOMSON: I am indeed telling the truth. I take exception to assertions that I am misleading the House. I think it is entirely unbecoming of the gentleman who made the interjection.

The Hon. G. C. MacKinnon: It is not liable to tax, and therefore it does not pay it. It simply makes a payment in lieu.

The Hon. J. M. THOMSON: I am simply quoting from the Minister's notes which were delivered to the cross benches.

The Hon. A. F. Griffith: It is obvious that if we told you that it does not pay Federal income tax you would change your mind.

The Hon. J. M. THOMSON: I would not say that at all. I wish to proceed to make my contribution to this debate whether it tickles the ears of those who do not agree with me, or whether it is music to their ears.

In my opinion the Bill is worthy of some consideration. As I have already said, I do not agree with certain aspects which I shall clearly indicate as I proceed. If this Bill were designed to bring into being the State Government Insurance Office and to make it operative for the first time my attitude could be entirely different; but, of course, legislation to do that received the approval of Parliament close to 50 years ago.

We are all well aware of the reasons and the circumstances which caused private insurance companies to adopt the attitude they adopted at that time. I am referring back now to about 1925 when the late Alex McCallum was the Minister for Works and was in charge of the Bill in another place.

I am not that naive that I do not appreciate the concern of the private insurance companies at the possibility of increased competition which will result if the measure is passed. Be that as it may; if an Eastern States or an overseas private insurance company with credentials similar to those of the State Government Insurance Office desired to commence operations in Western Australia, we are all aware that there is no law which could prevent it from so doing. For that reason, and bearing in mind that the S.G.I.O. has been operative for such a long time in the fields of which we are all well aware, I intend to support the Bill with some reservations.

Our State is on the move and its population has increased in recent years. I am of the opinion that we may look with confidence to a continued increase in our population in years to come. Therefore the impact of the competition to which I referred a moment ago will not be quite as severe as private insurance companies perhaps are inclined to think at present.

I am not prepared to support the provision to extend the field of operation of the S.G.I.O. to include a franchise for life insurance. I am not prepared to support that provision for the same reasons as you, Mr. Deputy President, enunciated the other evening when speaking to the Bill. My opinion is entirely in accord with the opinion you expressed on that occasion when commenting upon remarks made by Mr. Cloughton when he spoke to the Bill. If I recall correctly those remarks related to the premiums received by the State Government Insurance Office, and those

received by the Colonial Mutual Life Assurance Society. In your speech, Mr. Deputy President, you said—

These are two different organisations. One is a State instrumentality and the other is a mutual company which belongs to the people who invest in its life assurance policies. On those policies they are credited with bonuses. The policies mature at a set date if, say, they are endowment policies, or else they are life policies. The company approves a bonus.

We have been told nothing at all by the Government about this aspect. If the State Government is to extend into the life assurance field we have no idea what is envisaged in the way of policies which that office would make available to the people of Western Australia. We do not know what is considered a possible percentage bonus to be paid on such policies. We have no idea what the Government would be prepared to do in the field of private lending for housing and other purposes. The mutual life companies and others make such loans not only for houses but also to farmers. No information of this type has been given, but only a bare outline of the intention to extend into the life assurance field.

I do not see how the State Government Insurance Office could compete successfully with mutual companies. Nobody could convince me that people who invest their money in policies with mutual companies will consider investing with the S.G.I.O. on life assurance or endowment policies when they have no idea of possible bonuses or surrender values and how these would compare with those available from private companies which are in the field of life assurance. These are the answers which we do not know.

I reiterate that I am in accord with your views, Sir, and it is for the reasons you expressed that I am opposed to including life insurance among the provisions of the Bill. A provision I would like to see included in the Bill, because I think it is desirable, relates to the engagement and employment of officers to carry on or conduct insurance business as agents for the S.G.I.O. One of the reasons why I think the Bill is worthy of passing the second reading stage is to enable these matters to be considered in Committee.

For the reasons I indicated at the commencement of my speech, and for those I have just stated, I see merit in the provisions of this Bill and, therefore, I am prepared to support the second reading. I intend to place on the notice paper amendments relating to the life assurance franchise, and also in relation to the employment of officers. The latter question

has been referred to from time to time. Clerks of courts, police officers, and magistrates have been employed as agents of the S.G.I.O., and I think we must get away from this principle and employ those who are engaged full time in the business of insurance. They will then be on exactly the same basis as those employed by private insurance companies. For the reasons I have outlined I support the Bill at the present time.

THE HON. L. D. ELLIOTT (North-East Metropolitan) (7.56 p.m.): It has been stated that this is the seventh occasion that a Bill of this nature has been introduced by a Labor Government. That may be so in recent times, but to the best of my knowledge if this Bill is not passed it will be the twelfth occasion on which a Labor Government has introduced a Bill relating to the State Government Insurance Office which has been defeated in this Chamber.

Mr. Jack Thomson dealt briefly with the history of the S.G.I.O.; I, too, would like to deal with it, although undoubtedly members have read something of this subject. In 1924 the provisions of the Workers' Compensation Act and the Miner's Phthisis Act were, to say the least, not very favourably received by the private insurance companies of the day. So the then Labor Government found it necessary to establish the State Insurance Department to ensure that miners were covered. In 1926 the Government announced that it had, in fact, established an office to handle workers' compensation insurance. Immediately the cry was heard that this was to be deplored; that this was State enterprise. It did not matter about the poor old miners; the opponents of the office in those days were more concerned with their ideology than with the welfare of the people involved.

What happened following the establishment of the office in 1926? Six attempts were made by Labor Governments in the 1920s and 1930s to legalise the operations of the office. Bills were introduced in 1926, 1927, 1934, 1936, 1937, and 1938, all of which were defeated by the Nationalist and Country Party majority in the Upper House with the exception, of course, of the 1938 Bill which was grudgingly passed, although not without some delays and adjournments.

Why did the Upper House finally pass that Bill? It was not because it agreed with it, but because the office was so firmly entrenched and its financial dealings were so involved that members found it would be almost impossible to dispose of it. Also at that time the people accepted the Government Insurance Office as part of the scene.

Subsequently for six consecutive years from 1953 to 1958 inclusive the Hawke Government endeavoured to widen the

franchise of the S.G.I.O., but in each of those years this House threw out the legislation. Now we have once again a Bill before us to widen the franchise of the S.G.I.O.

What in a nutshell does the Bill propose? It proposes to enable the S.G.I.O. to engage in all forms of general insurance and life assurance. I can see nothing wrong with that. What is wrong with the Government Insurance Office in Western Australia doing what similar instrumentalities in New South Wales, Queensland, and other countries are doing in providing an efficient service to the people at reasonable premiums?

I understand that in regard to home insurance the S.G.I.O. has indicated that it is able to offer a 30 per cent. reduction in premiums compared with the premiums offered by the insurance companies. I certainly cannot see anything wrong with that. I cannot understand why the people of the State are to be prevented from taking advantage of this offer.

The Hon. J. Heitman: How would this 30 per cent. reduction in premiums compare with the bonuses which are handed back by the mutual companies?

The Hon. L. D. ELLIOTT: I am talking about home insurance, and in this class of insurance the policy holders do not get back any bonuses. The expansion of the operations of the S.G.I.O. would result in more revenue to the State and this could be spent for the benefit of the people; in more funds being available for housing loans at lower rates of interest; and in more funds being lent by the Government to small private firms in this State to enable them to compete with larger concerns outside the State. I cannot see anything wrong with such a step. If the State Government Office is such a terrible instrument of socialism why does it make these loans available to and promote private industry?

The Hon. G. C. MacKinnon: What you are saying is purely hypothetical. They are not facts.

The Hon. L. D. ELLIOTT: I have stated facts. Has the honourable member not read the financial statements of the S.G.I.O.?

The Hon. G. C. MacKinnon: You said it has operated successfully. That is hypothetical.

The Hon. L. D. ELLIOTT: It is doing that, despite the limited income that is available to it.

The Hon. G. C. MacKinnon: The desirability of extending its activities is a matter of your opinion, and not a matter of fact. Your opinion may be a good one but it need not be correct.

The Hon. L. D. ELLIOTT: My opinion is that with higher income available to it the S.G.I.O. will naturally expand its operations. Despite the interjections which

were made while Mr. Jack Thomson was speaking in this debate, I would stress the Bill does provide that the S.G.I.O. will be liable to pay rates and taxes equivalent to those paid by private insurance companies. The payments it will make may not be in the same form, but they will be equivalent in money.

The Hon. G. C. MacKinnon: The Bill specifically points out that the S.G.I.O. does not pay income tax, so how can it pay an equivalent amount to the State?

The Hon. L. D. ELLIOTT: I did not say it would pay the same sort of taxes; I said it would pay an equivalent amount. The S.G.I.O. does not pay income tax to the Commonwealth Government.

The Hon. G. C. MacKinnon: I was objecting to Mr. Jack Thomson saying that the S.G.I.O. paid taxes. It does not.

The Hon. L. D. ELLIOTT: The point made by Mr. Jack Thomson was that the S.G.I.O. would be called upon to pay an equivalent amount of money to the State so that it would not have an unfair advantage over its competitors.

The Hon. G. C. MacKinnon: The language used in this House is English. Why did not Mr. Jack Thomson use it?

The Hon. L. D. ELLIOTT: The point I wish to make is that the S.G.I.O. will not have an unfair advantage over its competitors. I cannot understand the attitude of people who contend that it is all right for a group of people to hang up signs and say they are in the insurance business, as long as they do not include the word "Government" in such signs. They could be people from Timbuktu, but as long as they have \$20,000 and are private individuals it seems to be all right.

All that the Bill seeks to do is to enable the S.G.I.O. to compete with the private companies, and to allow the people of Western Australia to place all forms of insurance with the S.G.I.O. The people of this State have demonstrated quite clearly that they support the Government office, otherwise what would be the reason for the 90,000 motor vehicle insurance policies being placed with that office? Just imagine the reaction of those 90,000 policy holders if a Liberal Government were to say, "The existence of this office is not in line with our ideology, and we will close it"! Not only would such a move be extremely unpopular, but it would be very wrong to deprive the motorists of the benefits that flow to them from the S.G.I.O. I think it would be equally wrong if on this occasion the Opposition used its numbers once again to defeat this legislation.

If members opposite genuinely believe in free enterprise and competition they should demonstrate that by supporting the Bill. We do not get genuine competition when

the private companies operate under the same rule book and charge the same rates; in this regard I am referring to the tariff companies.

I am sure members have read the booklet *An Idea Becomes an Institution* which deals with the history of the S.G.I.O. On page 21 the author deals with a Bill introduced in 1936 by the then Minister for Employment (Mr. A. R. G. Hawke).

The Hon. G. C. MacKinnon: That was to legalise the then illegal actions of the Labor Government.

The Hon. L. D. ELLIOTT: That was to legalise the operations of the State Government Insurance Office which would not have come into existence if the Government of the day had not been smart enough to use the tactics which it did. The 1936 Bill also sought to widen the franchise. I would like to quote what is contained on page 21—

The main argument in favour of the Bill, the Minister continued, was that it sought to:

"promote the particular welfare of the insuring public, and the general welfare of the general public, by establishing an opportunity for insurance protection at reasonable rates and under reasonable conditions."

That kind of special pleading had little political strength and again the Bill was opposed largely on the grounds that it was another State trading concern.

I appeal to members opposite not to perpetuate the thinking which was responsible for the defeat of the Bill in 1936 and the subsequent measures which were designed to widen the service available to the people of this State through the S.G.I.O.

THE HON. G. W. BERRY (Lower North) [8.10 p.m.]: I rise not to support this Bill but to oppose it, because I do not consider that the Government has any more justification to extend the franchise of the S.G.I.O. than it has to engage in the retail industry, in farming, in mining, or in anything else. The State is well served in the field of insurance. This is the year 1972, and not 1936 which was mentioned by the previous speaker. In these days there is plenty of competition, so I do not think it is incumbent upon the State to extend the franchise of the S.G.I.O. into other fields of insurance.

The State should not engage in private enterprise. If a State enterprise is already established all well and good. The S.G.I.O. is progressing satisfactorily, and I do not see any reason for extending its activities into other fields of insurance.

I would like to correct one statement that has been made in this debate; it is that the Royal Automobile Club does not

insure motor vehicles in areas north of the 26th parallel. For the information of the honourable member who made that statement I would point out that I have my motor vehicle which operates at Carnarvon—and this is possibly 100 miles by road north of the 26th parallel—insured with the R.A.C. as my vehicles have been for the last 18 years.

The Hon. S. J. Dellar: I should have stated they do not operate north of Carnarvon.

The Hon. G. W. BERRY: The Royal Automobile Club does cover the Carnarvon area, but not the areas north of Carnarvon. I have had some consultation with private insurance companies, and I find that they do extend their cover to areas north of the 26th parallel. For the information of the House I will quote a letter which was addressed to me by Sun Alliance Insurance Limited. It is dated the 13th September, 1972, and reads as follows:—

Following our telephone discussion this morning I wish to advise that either the Managers or senior officials of the undermentioned companies have been contacted by me and in all cases I was informed that Comprehensive Motor Vehicle Policies issued by these companies do not contain any clauses which exclude claims for loss or damage occurring north of the 26th parallel. Some companies do not actively seek business in the North-West because of the restricted opportunities and lack of adequate representation. On the other hand, some of the companies are quite active in the North-West because of long association in the North or allied interests.

The companies quoted represent a cross-section of Western Australian, Australian and overseas companies and some are members of the Fire and Accident Underwriters' Association and others independent companies.

Wesfarmers Co-operative
Federation Insurance
R.A.C. Insurance
Royal Insurance
London & Lancashire
Liverpool, London & Globe
Colonial Mutual Fire
Commercial Union
Union
Northern Employers
South British/United
Queensland
Chamber of Manufactures
A.M.P. Fire
Phoenix
Guardian
Sun Alliance

National & General
M.L.C. Fire
A.G.C. (Insurances)
Mercantile Mutual

As a matter of interest, the M.L.C. Fire Manager told me that they have approximately sixty vehicles domiciled in the North-West insured with them without restriction.

If I can be of any further help, please do not hesitate to call on me.

The Hon. G. C. MacKinnon: Was Mr. Dellar misleading the House last night?

The Hon. G. W. BERRY: Contrary to the statement made in this debate that private insurance companies do not offer motor vehicle insurance cover in areas north of the 26th parallel, I should point out that some companies are actively engaged in business in some of those areas. Now that I have corrected the statement which might have misled the House I say that the State has no more justification to extend the franchise of its insurance activities than it has to engage in any other activities of a private enterprise nature. I think the Government should stick to Government business.

I oppose the Bill.

THE HON. F. R. WHITE (West) [8.15 p.m.]: I intend to speak very briefly to this Bill. I have had a great deal of difficulty in deciding whether or not to support the measure. I have listened with considerable interest to the debate which has taken place, and to the speeches made not only by Opposition members, but also by members on the Government side.

I have had few approaches from the private sector concerning this legislation. The only approaches made have been from those involved in insurance, and they were bitterly opposed to this Bill. I have had no contact whatsoever from people requesting me to support the Bill.

The provisions of the Bill intend to widen the franchise of the S.G.I.O. and enable it to enter all fields of insurance. I feel that under the existing provisions contained in the Bill the S.G.I.O. would have an unfair advantage over private enterprise. Mr. Jack Thomson has indicated that during the Committee stage of the Bill—if the Bill reaches that stage—he intends to move amendments to delete life assurance, and that he will also move to delete the provision which will give power to Government employees—not belonging to the S.G.I.O.—to conduct business on behalf of the S.G.I.O.

The Hon. R. F. Claughton: That means that if you were teaching you would not be able to sell insurance?

The Hon. F. R. WHITE: I have not yet said whether I support the Bill or not, so do not jump to conclusions. The honourable member is anticipating something.

At the moment private companies are operating very efficiently and, in its field, the S.G.I.O. is also operating quite efficiently. I have not received any complaints regarding the efficient operation of private enterprise. I have always supported private enterprise and I have always been resistant to the Government becoming involved in this field of business.

The Minister pointed out that advantages could accrue to the State in-so-far as the profits of the S.G.I.O. could be fed into revenue and then used to the advantage of the populace in general. That sounds very good. However, I have certain doubts in view of certain statements which were made today.

A few moments ago Mr. Jack Thomson said that we belong to a State on the move. I do not feel we are moving very fast at the moment. We seem to be stagnating. Mr. Jack Thomson said he had a great deal of confidence but that is what I lack at the present moment. I lack confidence in the way the State is operating, and I personally lack confidence in the way the present Government is operating.

I am concerned about other statements that have been made. When Mr. MacKinnon spoke he referred to the S.G.I.O., and the money which that office lent. At page 3082 of *Hansard* Mr. MacKinnon referred to questions asked and the replies received. One question asked was as follows:—

- (2) What is the total of funds available to the Trades and Labor Council Building Society from—
- (b) the State Government Insurance office?

The reply was—

\$250,000 firm for 1972-73. It is believed similar amounts for each of the succeeding four years are tentatively arranged subject to availability of funds and approval of the investment programme, although no formal advice of such has been given to the registry by the State Government Insurance Office.

Mr. MacKinnon then went on to state that this was the first time the S.G.I.O. had lent money, and on this one occasion it was to the benefit of the Trades and Labor Council. The Minister said that subject to funds being available in the next four years \$250,000 a year would be provided from the S.G.I.O. to the Trades and Labor Council Building Society. I cannot help but wonder whether that was in anticipation of the passing of the present Bill.

The Government does not seem to be quite sure whether or not it will have enough funds available at the present time, or that it can anticipate having sufficient funds available under existing legislation. I would like the Minister to answer that question when he replies. Where is it intended that the \$250,000 per

year will come from? Will it come from existing proven sources, or from anticipated sources as contained within the provisions of this Bill?

I am concerned at the expenditure of public moneys in fields such as this. I am also concerned about other matters. You, Mr. President, made a statement today concerning the manner in which some questions had been answered in this Chamber. You said that in your opinion the manner in which questions were answered sometimes usurped the functions of this House.

Because of that type of action—the lack of replies to questions; because of the lack of information supplied not only to this House but to the public; and because of the manner in which some of the legislation is being dealt with in this Chamber; it is a very unsatisfactory manner—I personally lack confidence in the way we are governed at this particular time. As a result of this—even though I realise there could be some merit in certain parts of the Bill—I cannot afford, personally, to pass more power into the hands of those in whom I lack confidence at the present time. As a result, I will oppose the second reading.

Debate adjourned, on motion by The Hon. R. H. C. Stubbs (Minister for Local Government).

ADJOURNMENT OF THE HOUSE

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [8.22 p.m.]: I move—

That the House do now adjourn.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [8.23 p.m.]: I desire to address myself to the motion moved by the Leader of the House. I do not propose to oppose the motion but I do propose to avail myself of the opportunity to return to the matter which I raised on a point of order earlier this evening in respect of the answer given by the Government to questions asked by members of this House.

I want to refer to a question I asked yesterday, and also to a question I asked today. The question I asked yesterday was as follows:—

- (1) Will the Minister lay upon the Table of this House all files, correspondence and other documents relating to the financial guarantee of \$1.9 million to be given by the Government to Trades Hall Incorporated in connection with the proposed re-development and building programme for the site in Beaufort Street known as Trades Hall?
- (2) Will he also lay upon the Table of this House all files, correspondence and other documents dealing with any other proposition put

forward for the consideration of the Government relating to accommodation for the Department of Medical and Public Health?

The answers were grouped, and were as follows:—

- (1) and (2) It is not known whether the Honourable Member's questions relate to propositions considered by the previous Government as well as the present one. In any event the request is considered to be unreasonable and it is not proposed to grant it. Requests for information on specific matters related to building propositions generally or the proposed new Trades Hall building will be given consideration.

Realising that whoever was responsible for preparing the reply had seen "a hole in the ladder"—and I was responsible for it myself because I was not specific as to the particular building proposition—I placed a further supplementary question on today's notice paper. In the last part of the question I added the words, "in the proposed Trades Hall Building." I included those words in order to make the matter specific so that I would receive an answer. The reply given to me yesterday indicated that consideration would be given to such a question.

The answer I received this afternoon was headed, (1), (2), and (3). Despite the fact that I had asked two questions, the Government decided to answer in three parts. The answer was as follows:—

The questions repeat, in substance, the questions to which answers were given to the honourable member on 12th September, and are therefore inadmissible. See Erskine May's *Parliamentary Practice*, 17th edition, page 354.

You will recollect, Mr. President, that yesterday afternoon I asked you, on a point of order, to advise the House whether or not you thought this was a matter of public interest. You said you thought it was a matter of public interest but that you had no control over the manner in which Ministers answered questions. If I may humbly say so, I think that your answer was, indeed, adequate and proper. You have no control over the manner in which Ministers answer questions.

However, again this afternoon I raised a further point of order and I told you of my consternation in respect of the answers being given by the Government in relation to matters which, in my humble opinion, are of considerable public interest. Here is a guarantee which it is proposed will be given to an organisation which might involve the Government—theoretically anyway—in a financial loss in the event of the building proposition failing.

If the proposition fails, public money—the taxpayers' money—would be used to make good any loss. Therefore, the matter is surely in the public's interest.

This is a matter of the use of public money or, perhaps more specifically stated, the issue of a guarantee by the Government which might involve public money. Despite the fact that my question was specific upon the point, and that it asked the Leader of the House if he would lay upon the Table, all files, correspondence, etc., dealing with any proposition put forward for consideration by the Government in the proposed Trades Hall building, I did not receive a reply. I think I am entitled to an answer to that question.

I accuse the Government of being selective in the use of Erskine May's *Parliamentary Practice*, 17th edition, at page 354. Not only do I accuse the Government of being selective, but I can give concrete evidence of its selectivity. The Government refused to answer my question, but it did answer question 2 on today's notice paper which deals with the private affairs of a building society.

The question asked by Mr. Dans was in further reference to a question he asked on the 24th August, 1972, which the Government was obviously keen to answer. I know why the Government was keen to answer it, and the questioner knows why the Government was keen to answer it. It involves a personality, and it could well and truly be judged to be a matter of private concern.

For this reason, I accuse the Government of being selective in stating what is permissible, thus taking away your jurisdiction and right, Mr. President, to say what is and is not admissible in this House and standing in judgment of that situation. I consider this to be a very serious state of affairs.

The Government is obviously trying to hide what is behind the guarantee to the Trades Hall. It does not want to table the papers—again for obvious reasons, it seems to me. However, I want an answer to my question and I will get an answer to it one way or the other.

The Hon. D. K. Dans: If you get an answer to your question, can I get an answer to mine?

The Hon. A. F. GRIFFITH: Frankly, I am not interested in the question asked by Mr. Dans.

The Hon. D. K. Dans: I am.

The Hon. A. F. GRIFFITH: Furthermore, I am unaware why Mr. Dans is so interested, but I can guess. That is not my concern. My concern is that it suits the Government's purpose in one direction to answer a question which is surely of a private nature or could be argued to be

of a private nature, but the Government is not anxious and does not intend to answer the question I asked in relation to the Trades Hall building.

When we turn to the question asked by my colleague Mr. Willmott, which was couched in parts from (a) to (c), parts of the question were answered and parts were not answered. So again the Government is being selective about the questions it wants to answer on matters of public concern.

Mr. President, I entirely agree with the remarks you made earlier this afternoon when you said this House is in control of its own affairs and we do not want to be told by a Minister who does not want to answer a question that the question is inadmissible. You say the question I have asked is admissible and is of public interest. Somebody in the Government says it is not and invokes the provision on page 354 of Erskine May's *Parliamentary Practice* to get out of answering the question.

I would like to direct my remarks straight to the Leader of the House. I realise the position he and his colleagues are in. I said earlier that I know they are answering questions for their colleagues in another place. But once you, Mr. President, say a question is admissible and is in proper form, the member who asked that question is, I feel, entitled to get an answer.

I leave it on this basis: Will Mr. Willesee, as Leader of the Government in this House, confer with whoever is responsible for compiling the answers to the questions I asked? It was a clever answer. I am not a fool and I realise when I make a mistake. Whoever answered the question saw straight through it and thought to put it off by saying, "If you want some specific information I will give it to you." I came up with a request for some specific information and the answer was still, "No."

Will the Leader of the House confer with his ministerial colleague—the Premier or one of the other Ministers—and tell him what the President of this Chamber has said in relation to the control of this House and matters dealing with this House? Will he ask the Minister concerned whether or not I am to receive an answer to my question?

If I still get a negative answer, then I will do something about it, because I regard it as being a very serious matter of public interest. Wherever I go people raise with me the question, "What is this business about the Labor Government guaranteeing its own political party in putting up a building in Beaufort Street?"

The Hon. V. J. Ferry: You are not the only one.

The Hon. A. F. GRIFFITH: I am sure I am not the only one. I therefore regard this as being certainly a matter of great public interest about which the public is entitled to be informed.

This matter is being discussed in another place. I cannot enter into that discussion and I do not want to do so at this point of time. I repeat my request to the Minister; that he reconsider the question I asked him regarding the tabling of these papers and that he also specifically give answers to the questions I have asked.

Question put and passed.

House adjourned at 8.36 p.m.

Legislative Assembly

Wednesday, the 13th September, 1972

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

QUESTIONS (55): ON NOTICE

1. TEACHERS

Bookshops Operators

Mr. O'NEIL, to the Minister for Education:

- (1) How many teachers have been given approval to engage privately in operating bookshops?
- (2) What are their names and at what schools are they currently employed?
- (3) Who was the successful tenderer for the supply of primary schools reading materials, Quotation No. E.D.36 which closed on 7th July, 1972?
- (4) What were the details of this tender?

Mr. T. D. EVANS replied:

- (1) One teacher has been given approval to be the registered owner of a bookshop.
- (2) Mr. N. C. Hutchinson, John Forrest senior high school.
- (3) Quotation E.D.36 was for the supply of 1 only G.B.C. europa 16 bin collator for Churchlands teachers' college. Quotation E.D. 360 was for the supply of reading materials for primary schools. This quotation was shared by nine firms, viz.:

Bookland Pty. Ltd.

Carrolls Pty. Ltd.

Dominic W.A. Pty. Ltd.

Rigby Ltd.

Whitcombe and Tombs Pty. Ltd.

E. S. Wigg & Son Pty. Ltd.

D. & E. Wooldridge.

Hicks Smith & Sons Pty. Ltd.

H. J. Ashton Co. Pty. Ltd.

- (4) The quotation called for the supply of reading materials on a line-by-line basis and required firms to