

I have illustrated that point. Five days after Sir John Kerr displaced the Whitlam Government and put in a caretaker Government, what did Anthony say? He is quoted as saying that he believed—

... a subsidy would be paid to keep the mines in operation and urged the companies to keep operating until after the election so that the new Coalition Government could look at ways of helping.

I have outlined what they got. They got absolutely nothing. They got a pittance from this Government but nothing from the Federal Government. I think it is dirty, contemptible and cynical politics. Another article in the same newspaper was headed, "Federal aid for KLV is refused". This is an example of dirty and cynical politicking that has been indulged in. The former Minister for Mines will be able to deal with this subject far better than I can but I hope he does not mind my intruding in his territory and in the territory of the member for Kalgoorlie and the member for Boulder-Dundas.

I come back to the previous article which continued—

On December 3, in Kalgoorlie, and 10 days before the election, the Caretaker Treasurer, Mr Lynch, said: "We will set out to inject new life into the mining and energy industries and restore incentives to prospectors."

The coalition Government would give immediate priority to helping the goldmining industry.

I have shown how the present Federal Government has fallen down on its promises and undertakings in respect of Kalgoorlie.

With those remarks I support a very wishy-washy Governor's Speech.

Debate adjourned, on motion by Mr Clarke.

House adjourned at 10.41 p.m.

Legislative Council

Thursday, the 1st April, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 2.30 p.m., and read prayers.

QUESTION WITHOUT NOTICE

ABORIGINES

Hostel: Swan District

The Hon. LYLA ELLIOTT, to the Minister for Community Welfare:

Further to my question of the 11th September, 1975, concerning hostel accommodation for homeless Aboriginal people and the

Minister's reply indicating the appointment of a specialist team of four officers to study the problem and seek a solution, will the Minister advise—

- (1) Whether the team has brought down a report yet;
- (2) If not, when is it anticipated it will do so?

The Hon. N. E. BAXTER replied:

I thank the Hon. Lyla Elliott for providing adequate notice of this question, the answer to which is as follows—

- (1) No.
- (2) There have been difficulties in proceeding with appointments owing to delays brought about in the clearance of funds and because of political changes. At the present time only two of the team have been appointed. Interviews currently are being conducted and it is anticipated further appointments will be made shortly, thereby enabling the team to commence its task. I expect to review progress reports at six monthly intervals. A final report will be submitted to the Minister at the termination of the project in three years' time.

PERTH MEDICAL CENTRE ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by the Hon. N. E. Baxter (Minister for Health), and read a first time.

ADDRESS-IN-REPLY: FOURTH DAY

Motion

Debate resumed from the 31st March, on the following motion by the Hon. M. McAleer—

That the following address be presented to His Excellency—

May it please Your Excellency:

We, the Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

THE PRESIDENT: The question is that the motion be agreed to.

The motion is thus passed.

The Hon. J. C. Tozer: Did you call on me, Mr President?

The PRESIDENT: I did not call the honourable member because he did not stand up. I put the question that was before

the Chair, and it was carried. No member rose to his feet when I put the question.

Reconsideration of Question

The Hon. N. McNEILL: I realise that you, Mr President, have put the question. I wonder whether there may be some reconsideration of that question in view of the circumstances.

The PRESIDENT: The question was put and the motion was passed. If it is the wish of the House that I put the question again consideration could be given to the matter, but I would point out the motion has already been carried.

The Hon. N. McNEILL: Could I ask leave that the question be put to the House again?

The PRESIDENT: Is it the wish of the House that I put the question again? All those in favour say "Aye" and those against say "No". There being no dissenting voice I shall put the question again.

Debate (on Motion) Resumed

The PRESIDENT: I shall put the question again. Orders of the day—No. 1. The question is that the motion be agreed to.

The HON. J. C. TOZER (North) [2.43 p.m.]: It gives me great pleasure to rise to support the motion that has been so ably moved by the Hon. Margaret McAleer. I do apologise for putting you, Mr President, in an unfortunate position a moment or two ago.

We have come to expect thoughtful and well presented speeches from the Hon. Margaret McAleer, and on this important occasion she certainly did not let us down. With reference to the Governor's Speech it would be remiss of me if I did not acknowledge the kind words spoken about the people of Port Hedland, and on their behalf I thank His Excellency.

In his Speech the Governor referred to challenges and opportunities for the development of our resources. Indeed, they are challenges and it is in respect of the greatest of all these challenges that I wish to speak today.

Firstly, before I get away from the normal courtesies, I do congratulate the Hon. Des Duns on his elevation to the position of Leader of the Opposition. I also congratulate Mr Ron Thompson for the manner in which he faithfully carried out his duties as Leader of the Opposition in this House. I would also like to congratulate Mr Roy Cloughton on his elevation to the front bench, as Whip of the Opposition in this Chamber.

The Opposition has had a fair bit to say about the Legislative Council in one way or another. However, I must say it has produced an interesting variety in

this Chamber in the last few days in the form of a game of musical chairs. We do not know who is going to sit where when we come to the next sitting it must be confusing to you, Mr President.

The Hon. R. Thompson: You should explain what you have said about the game of musical chairs.

The Hon. G. C. MacKinnon: It is not up to him to explain. We have all been confused and surprised.

The Hon. J. C. TOZER: My immediate neighbour who has not changed his seat yet seemed to be critical of my speech, Mr Withers, because he concentrated his speech in the debate on the Address—Reply on the North Province—the Kimberley, and particularly Kununurra.

At the conclusion of his speech Mr Withers did make a most important remark about the Pilbara, and that related to the profitability of the iron ore industry, when he quoted from the annual report of Hamersley Iron. I shall be expanding on this theme today.

We can assure Mr Leeson that Mr Withers and I will not overlook important issues in the North Province; but in deference to his wishes I shall concentrate my remarks today on the Pilbara.

The Hon. R. Thompson: Before you do I want you to explain your remark about musical chairs. You should reply to my challenge.

The Hon. D. W. Cooley: It is no good for Mr Tozer to say things which he cannot substantiate.

The Hon. R. Thompson: Mr Tozer made the statement, and now he has an opportunity to explain it.

The Hon. J. C. TOZER: This afternoon I intend to draw the attention of members to what is certainly the most serious problem confronting the North Province, and particularly the Pilbara. It is a factor which will affect the future stability and prosperity of my electorate, even more than will Commonwealth policies, or overseas capital involvement, or the securing of markets, or the high cost structure and harsh climatic conditions which prevail.

I want to discuss the question of industrial relations in the iron ore industry in the Pilbara. I am not silly enough to presume that any principles or theories that I can propound this afternoon will provide a panacea for the evils which have been and are bedevilling the industrial climate in that area. However, I do believe that the time is long past when we can afford to sit back and say, "She'll be right, mate". We have to acknowledge that we have been making a botch of things up to date. When I say "we" I mean Governments, mining corporations and the employer organisations; I mean individual unionists, their trade unions, and the whole union movement of the

country; and I think we have to include the industrial arbitration system which we have evolved, and even individual commissioners.

The Hon. R. Thompson: I suggest you include John Tozer.

The Hon. J. C. TOZER: Despite years of effort we have failed to achieve sensible industrial harmony which is the essential prerequisite—the most important single factor—to continued growth and progress in our region.

Because our industry is competing for exports on a world market—an intensely competitive market—continuing deterioration in our industrial relations will almost certainly bring about in the long term a total collapse.

It is not my desire or intention to condemn either the trade unions or management; I am merely advancing the hypothesis that the existing structure has failed. I want to suggest an option—a possible solution—so that we may be guided in the direction we take to improve the situation.

Unreasonable demand for higher wages and improved conditions can and will price us out of the international market for our iron ore and for the pellets and other processed products we aspire to produce in the future.

The Hon. R. Thompson: You realise that under Standing Orders you are not supposed to read your speech, do you not?

The Hon. J. C. TOZER: To date, our proximity to major markets has enabled us to maintain our competitive position, but it is quite clear that this position is now at risk. In addition, irresponsible stoppages—sometimes quite protracted—are already tending to earn a reputation for us as an unreliable trading partner.

The Hon. R. Thompson: Perhaps I could help you by turning over your pages.

The Hon. A. A. Lewis: You could help the whole House by keeping your big mouth shut.

The Hon. J. C. TOZER: If we cannot overcome the domestic problems facing us within the industry the iron ore companies in the Pilbara will fail in their endeavours to obtain continued contracts.

Mr I. C. Newman, the General Manager of the Mt. Newman Mining Company, which is one of the biggest iron ore producers in the world—in fact Mt. Whaleback is the biggest single mine in the whole of the world—made a statement which appeared in *The West Australian* on the 7th January, this year. Mr Newman is President of the Chamber of Mines and was speaking for the industry.

The Hon. R. Thompson: He is now hiding his speech behind his notice paper.

The Hon. J. C. TOZER: Mr Newman said—

The influences that have made Australia the resource nation most beset by wage hikes, labour troubles and inflation have run W.A.'s mining industry into a crisis that no-one would have contemplated a few years ago.

Though W.A. is a region of some of the world's most abundant raw materials, a combination of high costs and disputed productivity has eroded these natural advantages to a critical degree.

The Hon. R. F. Claughton: Who said that?

The Hon. R. Thompson: It does not matter because it is all in his written speech.

The Hon. J. C. TOZER: I am quoting Mr I. C. Newman, the President of the Chamber of Mines, who made a statement which appeared in *The West Australian* of the 7th January.

The Hon. R. F. Claughton: Is he associated with the Mt. Newman Mining Company?

The Hon. J. C. TOZER: Anyone listening to my speech would have heard me say that Mr Newman is the General Manager of that company. He went on to speak about the colossal mineral development during the 1960s, and its beneficial impact on the whole Australian community in the depressed years that have followed. He went on to say—

But there would have been no Pilbara development if Australian costs a decade ago had been as far out of line with international costs as they are today.

Mr Newman acknowledged that a depressed economic situation and inflation, exacerbated by inept Commonwealth Government policies, were contributing factors.

The Hon. S. J. Dellar: All that is supposed to have happened in that short space of time. That is a lot of rubbish.

The Hon. J. C. TOZER: To continue quoting—

To be blunt, recent government and the trade unions between them have all but ruined Australia's reputation as a reliable and efficient mining nation.

He drew attention to the projects awaiting development, and the run down in existing programmes. He continued—

The first people to pay the price of this national folly are the mining unionists themselves, whose retrenchment becomes inevitable as markets and opportunities are lost to W.A. mines.

Next, prospectors, geologists and mining engineers as well as back-up tradesmen and administrators of the industry would suffer.

Many jobs would also be lost in city-based industries servicing the mining industry.

Mining town communities are next at risk.

But ultimately every West Australian will feel the miners' squeeze, in just the same way as all have been cushioned from the worst impact of the recession by the economic strength of mines opened up in more realistic times.

The Hon. R. Thompson: Are you going to quote Mr Newman's next Press statement? The reason for the downturn is that over 1 500 000 tonnes of iron ore are stockpiled.

The PRESIDENT: Order, please! The Hon. Ron. Thompson is not making a second reading speech.

The Hon. R. Thompson: The member is reading his speech.

The PRESIDENT: Order!

The Hon. J. C. TOZER: A headline which appeared in *The West Australian* on the 9th January is typical of a number of headlines at that time. The one to which I will refer reads, "Cuts by Japanese cause crisis in Pilbara". Now, in April we are seeing the impact of those cuts starting to take effect.

On the 9th January the Premier spoke of the major problems as being the industry's high internal cost structure and bad industrial record. He was quoted in *The West Australian* as saying—

"Our ability to negotiate successfully is inhibited by the Japanese fear of placing too much dependence on Australia for an increasing proportion of their needs.

"I hope that good sense will prevail among the unions because we have reached the situation where we could easily kill the goose that laid the golden egg.

"We have to make sure that we are ready and able to take advantage of the upturn that will follow the present depressed situation."

There can be no-one better qualified than Sir Charles Court to speak on this topic.

The Hon. S. J. Dellar: All he ever does is speak.

The Hon. J. C. TOZER: It was his drive and business acumen which engineered the long-term iron ore contracts which made the industry possible in the 1960s. Indeed, his breadth of vision in the field of resource development is pre-eminent in this nation.

I ask a question: Why should it be that industry, and Government leaders, need to be so apprehensive about the performance of trade unionists in the Pilbara? Why should this industry be so troubled with

industrial confrontation with its inevitable result of loss of productivity and the loading of the cost of production?

The conditions under which every man works are clearly spelt out in an agreement which is signed by the unions involved and by management.

The Hon. Grace Vaughan: That sort of philosophy would take us back to the last century.

The Hon. J. C. TOZER: On the face of things, the conditions compare more than favourably with those existing for workers anywhere else. The wages schedule is not high, but allowances for any disabilities of the region certainly compensate for any disadvantages inherent in a remote area. The side benefits of accommodation at a nominal rental, heavily subsidised water and electricity charges, consumer goods kept at an artificially lower figure by employer contributions towards transport, rent, and power all add up to ensure that it is possible to accrue a nice nest egg.

Point of Order

The Hon. R. THOMPSON: On a point of order, Mr President, the honourable member is reading every word of his speech which I consider is contrary to Standing Orders.

The Hon. J. Heitman: Which Standing Order?

The PRESIDENT: Is the Hon. John Tozer reading every word of his speech?

The Hon. J. C. TOZER: Sir, I am not reading every word of my speech. In some cases I have tabulated certain information to which it is necessary to refer. I have tabulated headings to indicate the nature of the disabilities about which I am talking.

The PRESIDENT: Will the honourable member resume his seat? The Hon. Ron Thompson has an advantage over me because I cannot see the Hon. John Tozer's notes. Standing Orders do provide, of course, that a speech ought not to be read unless the permission of the President is given. I can only assume from the words of the honourable member that he is not reading his speech completely.

The Hon. R. THOMPSON: I assure you, Mr President—

The PRESIDENT: Order! Is this a point of order?

The Hon. R. THOMPSON: In line with what you said, Sir, I intended to move that the member be allowed to continue to read his speech.

The PRESIDENT: That is a motion I am not prepared to accept, and the honourable member will realise I can not accept it. The Hon. J. Tozer.

Debate Resumed

The Hon. J. C. TOZER: Thank you for permitting me to proceed, Sir. I was discussing the conditions under which these men work, and I said they had all the advantages. Apart from the wage structure, there appear to be side benefits such as accommodation at a nominal rental, subsidised water and electricity charges, and consumer goods kept at an artificially low price level by subsidy from the employer, this subsidy being in the form of transport, rental relief, and so on.

The Hon. R. F. Claughton: I take it you do not agree with the remarks of Mr Withers?

The Hon. R. T. Leeson: Don't you agree the workers deserve that?

The Hon. J. C. TOZER: I do not dispute it; I am just putting forward the state of affairs as it exists. I am glad the workers have such an excellent environment in which to operate.

The Hon. S. J. Dellar: What about the hours?

The Hon. J. C. TOZER: There is no reason why any worker should not save money and put by a useful sort of nest egg. The living environment is good, the houses provided are of an excellent standard and they are fully air-conditioned to ameliorate the climatic extremes. The towns are modern, well laid out, and the community facilities generally speaking are far better than in any other town of comparable size.

The Hon. R. F. Claughton: You are cutting the arguments of Mr Withers to shreds.

The Hon. J. C. TOZER: In many respects the facilities are superior to what may be found in the metropolitan area.

The Hon. R. T. Leeson: This is the community facilities?

The Hon. J. C. TOZER: The schools, hospitals, and other public utilities are likewise of an extremely good standard and range, for the most part.

The Hon. W. R. Withers: Mr Claughton does not know the area. Would you tell him I was dealing with the Kimberley and not with the mining towns?

The Hon. S. J. Dellar: Mr Claughton knows the area.

The Hon. R. T. Leeson: What about telling us the price of houses?

The Hon. J. C. TOZER: The conditions under which the men work are as good as can be expected when the nature of the industry is considered. I believe they are on a par with or better than what we would find in similar circumstances elsewhere. Where heat and dirt cause discomfort, these matters are taken into account specifically in the negotiation of agreements and allowances are provided.

The Hon. R. H. C. Stubbs: And so they should be.

The Hon. J. C. TOZER: Exactly. All in all, one wonders whether it is necessary to complain at all on the grounds of wages and conditions. When we consider isolation, that is of course a different story. Some people are not able to cope with isolation, but it is something for which we cannot compensate. Therefore, there is only one thing for such people to do, and that is to leave the industry and the region. I suggest that if I were to speak to 100 persons in any one of the mining towns in the Pilbara—

The Hon. R. T. Leeson: You would lose your seat at the next election!

The Hon. J. C. TOZER: —I would find no more than one or two who would not admit that they were on a pretty good thing really, and yet we are bedevilled by this never-ending strike action by on-site unionists. Just how bad is this performance? In 1974 the man hours lost in the operations of the four major companies totalled 530 597. In 1975, no less than 547 376 hours were lost—a total of 1 077 973 man hours for the two years. The approximate loss in wages by the workers for this time alone was in the order of \$4 million.

In 1975 over 4 per cent of the total man hours available for work were lost, and the lost hours of productivity would considerably exceed that figure, because of the problems associated with shutting down industry. In three of the four companies the hours lost due to strikes increased remarkably from 1974 to 1975, and in two cases the figure almost doubled.

The Hon. R. F. Claughton: Could you tell me where you got those figures?

The Hon. J. C. TOZER: These figures were extracted from information available from mining companies, the Department of Labour and Industry, the industrial court, and the trade unions. One of the major companies—

The Hon. R. F. Claughton: You obtained those figures from the trade unions?

The Hon. J. C. TOZER: —suffered 159 stoppages in 1975. One union alone was involved in 78 strikes in 1975—at the port site and mine site of the one company.

The Hon. D. W. Cooley: Was it all the unionists' fault, every time?

The Hon. J. C. TOZER: If Opposition members will hear me out, they will see that I am not critical of the unions. I am simply stating the case to this date, and I will move onto what I hope will be a solution to the problem.

Obviously different mining companies and different mining operations create different sets of circumstances. For example, a company operating with two mines does not necessarily close down when there is a holdup in one or the other

of those mines. Thus the improved performance of that company with two mines may not really reflect the true situation. There is nothing very uniform about the performance throughout the four main companies, and in point of fact one of the major companies had a greatly improved performance in 1975 on what it had in 1974.

The Hon. D. W. Cooley: Have you stopped to consider why that is?

The Hon. J. C. TOZER: Yes.

The Hon. D. W. Cooley: Have you heard of the Hamersley Iron agreement?

The Hon. J. C. TOZER: Because of the nature of the industry, small groups of unionists have the ability to bring the whole operation of a company—the mine site, the railway, and the port site—to a halt in a very short period of time. It was also disheartening to see a line-up of 18 ships—iron ore carriers on charter from owners around the world—at Port Hedland when members of the metal trades union held up the whole operation of the Mt. Newman Mining Co. Pty. Ltd. for three weeks just a month ago. The demurrage payable on ships of between 95 000 and was most disheartening to see a line-up of 120 000 d.w.t. is in the order of \$US12 000 per day. So the cost of every tonne of iron ore that went aboard some of these ships could well have been increased by as much as \$1.75 per tonne as a direct result of that one three-weeks' strike.

The contracts these mining companies are competing for are won or lost by a matter of cents per tonne. It matters little whether the exporter, the importer, or the carrier bears this cost, because the day of reckoning will come and when the next round of bargaining comes along—if there is a next time because the client could well decide to cut its losses and shop elsewhere. Payment has to be made by this industry eventually.

The problem is real and immediate. Our resources are second to none in quality and quantity. Our technology in the extraction, handling, and transportation of a product has proven to be as good as the most sophisticated in the world.

The skills of our management and our workers have proven to be equal to the enormous task which has been undertaken. But we have not developed the common sense to recognise that if we do not work together to achieve maximum productivity we are running the risk of putting ourselves out of business. Managements have a direct responsibility to their boards of directors and shareholders and, therefore, they will never lose sight of the objective of continuing success; that is, a sound and continuing profitability. At the same time management is a party to the agreement and company executives must concede that unfair or anomalous situations must be corrected and adherence to the conditions must be not only to the letter of the agreement but also to the spirit of the agreement.

However, it is the workers who collectively through their union and individually must come to the conclusion that maximum output and continuing and permanent industrial peace are the only things that can make their position secure. Every man has to recognise that any question in dispute has to be settled within the terms of the agreement. To fail to recognise this and constantly to resort to strike action is tantamount to committing suicide for his family, his community and the country. The leading British socialist intellectual Mr Paul Johnson recently visited Australia. He had harsh words to say about trade unions in the United Kingdom and in particular about their leaders. In *The New Statesman* published on the 16th May, 1975, Mr Johnson condemned industrial muscle being used by powerful trade union leadership which is not always concerned with nor receptive to the national interest. I shall quote from a reprint from *The New Statesman*. In tracing the history of trade unions Mr Johnson said—

It was an economic function of the capitalist system.

We are talking of trade unionism of course. To continue—

A defensive leaguering together of desperate and exploited men to enable them to meet the owners of capital on something like equal terms. Its great weapon, the strike, was essentially negative, destructive and despairing, like the riot. It might fall at appalling cost or, even if it succeeded, might damage those who wielded it almost as much as its opponents. It was used because there seemed no other way.

Further on in the same article Mr Johnson stated—

The unions have failed to recognize the limits of their historic role...

...Indeed they have steadfastly, ruthlessly and indiscriminately sought to increase that power.

Using the strike weapon which proved so effective. To continue—

...And have finally succeeded in making themselves the arbiters of the British economy.

I remind honourable members that Mr. Johnson is a leading socialist in the United Kingdom. He goes on to explain the alternatives provided by the development of the political—or parliamentary—process democratically to maintain standards and working conditions whilst still preserving the economic viability of the nation. He then said—

Yet it is still carrying on doing the only thing it knows how to do—ask for higher wages.

I do not wish to suggest that Australian trade union leaders can be compared with those in industry in the United Kingdom

or that they are following the same path yet. But I am apprehensive that the same adherence to a policy of claims and strikes without concern for the wider implications may be heading us for the same measure of economic stultification which we can see in the United Kingdom. We must lift our sights higher than the short-term benefits and selfish self-interest and aim for long-term stability which will benefit all.

The Hon. R. F. Claughton: But self-interest is your philosophy.

The Hon. G. C. MacKinnon: Mr Claughton, would you interject so that we can all hear?

The Hon. R. F. Claughton: I said that self-interest in his philosophy; that is the free enterprise system, and he is condemning it.

The Hon. J. C. TOZER: A lot of men of goodwill from both sides of the industrial fence have tried, and failed, to achieve the stability which we seek but which we recognise as being essential. I do not think that industrial peace can be achieved within the framework that exists at present. I am sure that we have to look for alternatives. I suggest that all people who seriously want to help this situation ought to look at the ideas presented, whether they are presented by me or anyone else, and earnestly strive to draw up a set of rules which are needed; perhaps we will be just in time.

At present we have nine trade union groups on every site associated with the iron ore industry. Each of the four mining companies in the Pilbara has two or three principal sites. The secretary and staff of each of the unions is based in Perth, more than 1500 kilometres away, although the Australian Workers Union does have an area organiser in Port Hedland.

The Hon. D. W. Cooley: The AWU is in Perth. It is the Amalgamated Metal Workers Union.

The Hon. J. C. TOZER: The AMWU has recently moved into Port Hedland also and my omission is regretted.

The Hon. D. W. Cooley: And the Builders Workers Federation has a representative.

The Hon. J. C. TOZER: The employers have their headquarters in Perth or even in Melbourne, with the exception of Hamersley Iron, senior industrial relations officers are in Perth. I do not wish members to get the idea that the senior Hamersley Iron industrial man is in Melbourne. He is in fact in Dampier where he should be. There are of course staff industrial officers on every site.

The Hon. D. W. Cooley: Where is the head office of Hamersley Iron?

The Hon. J. C. TOZER: It is a pity that I have to repeat myself. I have just made that comment and explained where it was.

The Hon. Clive Griffiths: Are you reading your interjections or are they off the cuff?

The Hon. D. W. Cooley: I do not have time to write them down.

The Hon. G. C. MacKinnon: They have to be off the cuff. They could not be so silly.

The Hon. R. F. Claughton: He has not a copy of Mr Tozer's speech.

The Hon. D. K. Dans: This is a very good speech. I want a lot of them.

The Hon. J. C. TOZER: The unions essentially involved in the iron ore industry and the approximate percentage of the total work force of each are: Australian Workers Union approximately 50 per cent. The engineering group—that is, the Amalgamated Metal Workers Union, the Electrical Trades Union and the Australasian Society of Engineers—makes up 28 per cent approximately of the total work force. The Federated Engine Drivers and Firemen's Union represents 10 per cent, the Transport Workers Union represents 10 per cent, the Building Workers Industrial Union plus the Plumbers and Gasfitters Union make up 2 per cent.

It is my belief that with four separate companies negotiating with nine different unions it is virtually impossible for agreement to be formulated in such a manner as to enable all contingencies at the 10 separate sites to be coped with over the term of the agreement. I consider it is essential that we take a serious look at the desirability of creating an industry union instead of nine separate trade or craft unions that we have at present. Why not have an iron ore workers' union to cover every employee engaged in the extraction, transportation and handling of iron ore in the Pilbara? That union could elect its officers from the cream of Australia's modern, well trained executive echelon within the trade union movement and could establish the executives in union headquarters in the Pilbara and not in that other world halfway across the continent.

The Hon. D. W. Cooley: Do you want an industry union or a country union?

The Hon. J. C. TOZER: It would be a powerful, numerically strong and financially well-endowed union. It would have a full understanding of the problems of its members because it would be based where the workers are.

The Hon. S. J. Dellar: Where do you live?

The Hon. D. K. Dans: Do you know, if The Confederation of Western Australian Industry heard you saying that, it would have a fit!

The Hon. J. C. TOZER: There was a well-known appeal case against a ruling of an industrial magistrate in 1926. It is commonly referred to as Parkers' case,

and can be found in the *Western Australian Industrial Gazette* Vol. 6 at pages 376 to 378. In this case it was determined that a worker should be covered by an industrial agreement relating to the industry in which he works. In effect, he should belong to the union concerned with the principal business of his employer. Thus, if a worker is employed by, say, Bell Bros., his employer's industry is transportation and it is reasonable and logical to suggest that the worker would be a member of the Transport Workers Union. Parkers' case is referred to on many occasions in determining matters relating to demarcation.

When illustrating the union to which a worker should belong in the example I have given, I used the transport industry; and it is rather interesting and amusing to read what Mr Justice Burnside said in 1926. At page 378 of the WAIG is the following—

If the vocation of the worker is the determining factor—

And Justice Burnside did not consider this to be the case. To continue—

—then it would appear that the driver of a horse-drawn vehicle which transports human remains to their last resting-place is in the same industry as the driver of the horse-drawn vehicle which transports animal bodies from an abattoir to the shop of a retail butcher; they are both engaged in horse-driving and both transport dead bodies from one place to another.

The Hon. D. K. Dans: A very good example.

The Hon. J. C. TOZER: I thought it was a snippet in which members would be interested.

The mining companies in the Pilbara are in the iron ore business and it makes good sense to have all workers engaged in that business as members of the one single industrial organisation. I am suggesting something like an iron ore workers' union; and they should belong to it irrespective of their trade or occupation.

This concept will not be imposed on the workers by any legislation; nor, indeed, by the four major employers involved. It will have to evolve from the spontaneous desire of the workers engaged in the industry, and section 8 of the Industrial Arbitration Act clearly provides machinery for such a course of action.

In asking the unionists to consider the question, it is desirable to study some of the arguments for and against the proposal. Firstly while it may well be anticipated that the hierarchy of the various unions in Beaufort, Lord, or Newcastle Streets will resist the loss of membership to the new union. But I hope the welfare of the workers and the industry would be the foremost consideration and everyone concerned would recognise the great gains to be obtained. Obviously reciprocal arrangements would have to be made and

when a worker left the Pilbara and the industry, and thus left the iron ore workers' union, his reinstatement as a financial member of his original union would have to be automatic.

It may be that the men in the numerically weaker qualified tradesman groups, such as the Electrical Trades Union, may feel that their rather elite status would be jeopardised by the voting powers of the more numerous general category of workers who are now members of, say, the AWU.

However, I have faith in the workers in the industry and I believe that they do genuinely desire stability, industrial peace, and prosperous conditions, and I think that when the votes are taken we can anticipate that there would not be any disadvantages to those smaller tradesmen groups.

I believe the best interests of the tradesman and semi-skilled workers are essentially interwoven. At present it is possible for a small group of workers of one craft union or another to cause a stoppage but both the mine site and port site work can continue to operate for a period. However a union principle which is usually adhered to is "one out—all out", so are we to anticipate that when the same small group of a particular craft union wanted to go out on strike this would automatically close down the whole industry? I do not believe this would be the case because the workers have more sense, and I believe the responsible direction of the total union membership and good sense of the men themselves would ensure small wildcat stoppages, which have occurred up to date, would in fact no longer occur.

In any case, because of the inter-relation of virtually all segments of the industry the stoppage of almost any small group of workers does have a chain reaction and in the short term or the little longer term a total closedown will, in fact, occur.

Indeed, the Newman mining company has publicly taken a firm stand on this question and has announced that it cannot afford to keep men employed when they are not productively engaged. Thus, in the case of that company, the onus has been placed on the men because they know that if they strike they will put all their workmates in the industry off the payroll.

I have mentioned a few of what might be described as possible disadvantages of an industry union. I think the advantages can be immediately recognised. There would be one union negotiating with employers whether one company was involved or four were involved collectively, and we could reasonably expect the result to be a uniformity in conditions right across the whole of the industry. To date the separate and fragmented negotiations have resulted in strange anomalies and inevitably this leads to widespread dissatisfaction.

The industry union should eliminate the inter-union rivalry to a large degree; this tends to occur a great deal now. Unions such as the ETU, the ASE, and the AMWU, consist of men who have served long apprenticeships to gain their qualifications and they are jealous of their positions.

On the other hand members of the FED have gained their qualifications by spending 12 months' on-site training and they then obtain a position operating one of those colossal shovels which cost about \$750 000.

So these tradesmen-orientated unions tend to be jealous of the fact that they have done their long apprenticeships whereas some of the other fellows have not. In a single union we could reasonably expect that work value relativity could be determined from the outset.

A large number of the industrial confrontations, many of which end in strike action, are in fact caused by demarcation issues. Two or even three craft unions may believe their members should undertake a particular task on a work site and are prepared to fight to achieve that right for their members. Clearly, such problems would dissolve in a single industry union situation.

During the last 12 months a rather bitter dispute occurred between the TWU and the AWU, each believing that the drivers of the huge rear-dump off-highway ore trucks should belong to it. At the time some drivers were members of the TWU and some were members of the AWU. Following a conference to resolve the question, the Industrial Commissioner gave a surprising ruling that where a majority of workers on a particular site belonged to one or other union, that union was to control all of the workers on that site. Thus, at some mine sites the rear-dump truck drivers now belong to the TWU, while at another mine site all such drivers, driving the same machine on the same kind of job, belong to the AWU. This seems rather silly but I hasten to point out it is within the terms of the Industrial Arbitration Act.

That situation typifies the problem introduced by multi-unionism on the same work site. I repeat that because the business of the employers is the extraction of iron ore, it seems logical for all workers to belong to a single iron ore workers' union.

It is worth mentioning that the TWU-AWU determination indicates that the industrial court does not regard the accepted craft union concept as being inviolable.

Earlier, I referred to the negotiation of an agreement designed to set down conditions for a period of two years to control operations in respect of employer-employee relations for the term of that agreement. In the 1974 negotiations, one giant

negotiating conference was convened with representatives of four companies and nine unions. All the union secretaries, or the senior negotiators deputising for them, were supported by regional organisers and also union convenors and/or shop stewards from every main section of every work site in the Pilbara. The four companies were represented by their industrial relations officers and advisers. In all, something like 120 men took part in these long and complex negotiations.

Under these remarkable circumstances, is it any wonder that the bargaining dragged on for something like nine months? Not surprisingly, this cumbersome negotiating arrangement did not result in an agreement which curtailed industrial confrontation and persistent strike action. I have already quoted the number of man hours lost by strikes—in direct conflict with the terms and spirit of the agreement—which took place during the currency of the agreement to which I have just referred.

In the second half of last year, in preparation for a new agreement, a new tack was adopted. The nine unions were formed into four loose groups of unions, the first being the AWU and the TWU; the second the ETU, the AMWU, and the ASE; the third the FEDFU; and the fourth the building trades unions.

Each group negotiated in turn with each company separately; and, theoretically, by the time the round had been completed final agreement should have been reached. But in practice this is not what happened, and it could not have happened. As one company or union squeezed a concession, it upset the arrangements which had already been made in the previous set of negotiations; so the whole round started again.

Although those negotiations began last August, on the 31st March—yesterday—only six of 16 agreements which must be lodged with the Industrial Commission had been so registered, despite the fact that the old agreement expired last October. The whole procedure is intolerably cumbersome, time-consuming, and costly, and many old-time trade unionists and experienced industrial relations executives consider the chances of achieving a meaningful agreement are practically nil.

It is of interest to note the stance of the ACTU on this issue. An article entitled "The History of the A.C.T.U." appears in *The W.A. Trade Union and Industrial Review*, and from it we learn of a conference held on the 3rd May, 1927, when "an enduring organization that would act for all unions" emerged. We find that one of the objectives of the new ACTU was "the closer organization of workers on an industry basis". That objective has continued unchanged to this day.

The Hon. D. K. Dans: And it has been opposed at every turn by the employers.

The Hon. J. C. TOZER: I do not necessarily applaud the reasons for the objective of the ACTU, but the old trade unionists obviously foresaw the problems associated with multi-unionism on the shop floor or on the industrial or mining site.

Mr Dans' interjection reminds me that both the ex-union executives in this Chamber represented industrial, not craft, unions. Mr Cooley represented the brewery workers' union, irrespective of occupation; and the same could be said of the union which Mr Dans represented.

In 1968 the Royal Commission on Trade Unions and Employers' Associations, under the chairmanship of Lord Donovan, presented its report to the Parliament of the United Kingdom. I will read a short passage from that report, which appears on page 179 under the heading "The Reduction of Multi-Unionism"—

The most frequently canvassed solution for . . . multi-unionism is industrial unionism, i.e. one union for all employees in the same industry regardless of occupation. In theory industrial unionism would have a number of advantages. Sectional claims on behalf of different occupational groups within a particular factory could be more easily harmonised, and it might be easier for the union concerned to conclude effective company and factory agreements. Demarcation problems between craft groups would be more easy to solve and the temptation for unions to seek to out-do each other in militancy or obduracy would be eliminated. There would also be no need for shop stewards from different unions within the same plant or company to form "unofficial" or "unconstitutional" joint shop stewards' committees. All the union's members in a given factory could be organised into one branch, with appropriate sections for different occupations and groups.

The Hon. D. W. Cooley: You would have a lot of confusion if that were taken to its conclusion.

The Hon. J. C. TOZER: Clearly the Royal Commission in the United Kingdom was dealing with a very different set of circumstances—

The Hon. D. W. Cooley: You would have more unions than you have now.

The Hon. J. C. TOZER: —when compared with what we find in the Pilbara iron ore field; but the principles are identical and the Donovan report reached the crux of the matter in a way that is very much applicable to industry in Australia. In the final recommendation on

the question of industry unionism the following passage was included—

. . . a very real contribution could be made to the problem of multi-unionism if some of the more important and wide-ranging organisations could be induced to combine with each other.

This is a less positive conclusion than the one which I suggest for the Pilbara Industry but, as is illustrated by the fact that the ACTU objective has not been achieved in 50 years, there are great problems when an industry is conducted by a multiplicity of employers on a multiplicity of work sites throughout the length and breadth of the nation.

Personally, I do not necessarily support the notion of industry unions, across the board, for all trades in all industries. But the Pilbara iron ore fields present a unique situation. We have a homogeneity which cannot be paralleled anywhere else. Approximately 8 000 workers are employed by four employers on 10 separate sites in the one geographical area in an almost identical type of activity within an industry which has a common interest. Every worker and his family—and the people who have come for employment in the support industries and associated commercial activities—have common aspirations for the future.

In 10 brand-new communities, established in what has been described as a harsh environment, these people—all of them—seek a way of life which is pleasant, stable, and rewarding. The workers on all sites have come from every corner of Australia and, indeed, from every corner of the world.

I suggest it is in their best interests to have a consistent, fully accepted, uniform set of employment conditions which may achieve the elimination of the disastrous disruption that has been caused by wildcat—usually quite irresponsible—industrial confrontation. The workers themselves want and need and deserve a better industrial relations structure so that they will not be persistently confronted by this ogre of strikes in which they and their own particular "craft" union has no direct involvement, and upon which it is impossible for them to exert an influence. They have no voice in the calling of strikes.

These men are not blind to the fact that if the present situation persists they will not see the essential expansion which is the lifeblood of the industry, and that the Pilbara will lose out in the competition for world markets.

I cannot find a single man in the Pilbara who deliberately supports this policy of self-destruction, but it seems to be incapable under the existing multi-union set up. In addition, I can find very few men there who are not resentful of their union executives sitting in Trades Hall 1 500 kilometres away. These men do not know the industry. They do not know

the difference between a Wabco rear dump and a primary blast, nor are they aware of the conditions under which the workers live and work; they live in a different world.

The Hon. D. W. Cooley: You don't mean that, do you? Gilbert Barr lived there for years and years and was the secretary of the biggest union there. It is quite wrong to say that. He would know more about the present industry than you will ever know.

The Hon. J. C. TOZER: Mr Cooley sometimes opens his mouth too soon, because I was about to make the exception of Gilbert Barr, who was in Port Hedland for a great deal of time in the early years of this industry.

The Hon. D. W. Cooley: And you didn't mention Jim Button who was there before the iron ore fields were developed. He knows the area. He was the Secretary of the Amalgamated Metal Workers Union.

Sitting suspended from 3.46 to 4.02 p.m.

The Hon. J. C. TOZER: Prior to the suspension of the sitting for afternoon tea I was saying that I believed the leader of the one union I envisaged should be based in the Pilbara. I was also saying that, to the best of my knowledge, the present union leaders—with the exception of Gil Barr, of the Australian Workers Union—are not familiar with the industry and the life and conditions under which the men work within that industry. I believe these men live in a different world.

It is not only union leadership which I believe should be resident in the region, but also the industrial relations management from each of the main employers and, indeed, the industrial commissioners. These people must be part of the Pilbara scene, and know and understand the people whose destinies they are determining.

I have deliberately refrained during the course of my remarks from talking about iron ore fields outside the Pilbara because it seems to me that, essentially, this is the area in which the main problem exists. Clearly, it may well be appropriate for the workers at Yampi Sound to be embraced in the proposed industry union, and I am sure this could be achieved without any insurmountable problems. Similarly, the workers of Koolyanobbing could be embraced in the union, if it were their wish. If they did not want to join the union, they could continue to operate under the existing structure.

The Hon. D. W. Cooley: How far is Koolyanobbing from the Pilbara? It would be almost as far as Perth, would it not?

The Hon. J. C. TOZER: Mr President, it is terribly hard to talk when people who have not been listening interject on one. Clearly, I am not advocating that workers in Koolyanobbing should be embraced in

this union. I believe the Pilbara is a homogeneous area which lends itself to what I am putting forward; namely, an industry union. I am now suggesting as an appendage that perhaps the people in Yampi Sound, if they so wished, could link themselves with this union, as could the workers at Koolyanobbing, if they so desired.

I mentioned earlier that changes will not be achieved by legislation, by employer organisations or by industrial courts; they will be achieved only if in fact the workers decide they want this to be the case, and they want changes to take place.

It is my hope that the good, sound, responsible unionists—that means the majority of employees within the industry—will consider the proposition and its possibilities and, ultimately, will decide on any changes they wish to make. It would be quite presumptuous of me to claim to be able to produce a blueprint for a better future in this field. All I can hope to do is to suggest a possible option, and hope that the people directly concerned can determine their own future in their own best interests.

I remind the workers in the Pilbara that their own best interests are coincidental with the progress of the entire Pilbara developmental programme and the welfare of Western Australia and, indeed, of the whole nation. I support the motion.

Debate adjourned, on motion by the Hon. S. J. Dellar.

QUESTIONS (13): ON NOTICE

1. TRANSPORT WORKERS UNION

Black Ban

The Hon. G. E. MASTERS, to the Minister for Education representing the Minister for Labour and Industry:

- (1) Is the Minister aware that a company by the name of Western Oil and Refining Co. Pty. Ltd. of Clayton Road, Bellevue, has been under a TWU black ban for the supply of fuel oils since the 11th March, 1976, and will soon have to retrench some of its employees?
- (2) Would the State Government be prepared to investigate allegations that—

- (a) a statement made to the Technical Director of Western Oil and Refining Co. by the President of the TWU to the effect that it was the intention of the union to force out of business all such companies as Western Oil and Refining Co., further, it is the object of the TWU to gain control of all fuel supplies to retail outlets; and

- (b) at least one fuel company is actively supporting the ban by issuing a direction to its employees not to allow the Western Oil and Refining trucks into the terminal?
- (3) Are there any steps open to the retrenched employees of Western Oil and Refining to enable them to claim compensation from the TWU for the loss of their jobs?
- (4) Would the Minister assure the House that it is still the avowed policy of our Government to protect the public from the intimidation which is becoming more evident each day; to give particular encouragement to those small businesses established by sheer hard work, risk of personal savings and personal endeavour?

The Hon. G. C. MacKINNON replied:

- (1) Yes.
- (2) Yes—report will be tabled when it is completed.
- (3) This will be investigated.
- (4) There are no circumstances in which the Government could condone the standover or intimidation tactics adopted by some unions. The Government's policy on this matter has not changed and we will take what steps are necessary to protect not only businesses but also the community at large.

2. ABORIGINES

David Ross: Imprisonment

The Hon. LYLA ELLIOTT, to the Minister for Justice:

- (1) Is the Minister aware that last week a young Aboriginal paraplegic attempted suicide in Fremantle prison?
- (2) Is the Minister also aware—
 - (a) that this Aborigine, known as David Ross, aged 17, has been held in custody in Fremantle prison since the 16th March, isolated from his own tribal people;
 - (b) that he is one of eight Aborigines being held in custody following an incident at Billiluna station near Halls Creek on the 6th January when they were shot at by two white men;
 - (c) that when the owner of Billiluna station, William Wilson, appeared in Halls Creek Police Court on the 17th March, a charge of causing unlawful grievous bodily harm was dismissed;

- (d) that Wilson acknowledged that he had shot Ross causing him to have serious permanent spinal injury;
- (e) that when Wilson appeared in Halls Creek Court, Ross was in the Court available to give evidence through an interpreter flown up specially from Perth, but Ross was not called by the police to give evidence;
- (f) that while the charge against Wilson was dismissed, Ross was committed for trial in the District Court on a charge of threatening violence at Billiluna on the 6th January;
- (g) that charges against the station manager, Lesley Verdon, were heard in Halls Creek on the 3th January, when he pleaded guilty to possessing an unlicensed firearm and to a charge of assault occasioning bodily harm;
- (h) that a Justice of the Peace fined Lesley Verdon \$20 on the first charge and dismissed the second under the First Offenders section;
- (i) that seven of the Aborigines involved in the incident barely speak English and have been charged, convicted and sentenced without ever giving evidence through an interpreter; and
- (j) that tension is growing in Halls Creek and other places in the Kimberleys due to apparent discrimination against Aboriginal offenders?
- (3) If the Minister is aware of the foregoing facts, will he—
 - (a) order an immediate inquiry into this case and take appropriate action to ensure justice for all parties;
 - (b) take action to ensure that the law is being administered fairly throughout the State for whites and Aborigines alike; and
 - (c) have Ross moved from Fremantle prison to an environment more suitable to his physical and emotional state?

The Hon. N. McNEILL replied:

- (1) My inquiries reveal that there was no such attempt at suicide.
- (2) (a) At the hearing at Halls Creek, Prosecution pointed out to the Magistrate that Mr Ellis Rhys Griffiths, Head of the Spinal Department of Royal Perth Hospital requested Ross to be

returned to him for physiotherapy. He did not have facilities at the hospital to guard this person and thought that if he could be conveyed from Fremantle Prison to the hospital for treatment, this would be the safest position for him.

Mr Twemlowe, Solicitor for the Aboriginal Legal Service, appearing for Ross, informed the Bench that he was making no application for bail.

Ross was not arrested until March 5, 1976. From the 6th January to that date he was being treated at the Royal Perth Hospital Shenton Park Annexe.

- (b) Answered by 2 (i) but I would add that we only know that shots were fired by two white men.
- (c) The charge was not dismissed. It was only Committal Proceedings. The Magistrate found the charge had not been proved and he discharged him from custody.
- (d) Acknowledgments made by Wilson are known, but it is not known how serious or how permanent the injury is. The present prognosis is that his condition is improving.
- (e) Ross was present in Court during the whole of the Wilson committal. He was not called to give evidence on the decision of the Prosecutor bearing in mind Section 11 of the Evidence Act.

The interpreter was flown up to Halls Creek by the Aboriginal Legal Service and appeared for Ross in his committal.

Ross has quite a good grasp of English.

- (f) See answer to 2 (c). Ross was so committed.
- (g) Yes.
- (h) Yes.
- (i) The 7 Aborigines involved in the incident all spoke English, were charged, pleaded guilty to the charge, were convicted and sentenced.

The services of an interpreter who had previously served at the Papunya Native Mission, Northern Territory, for a period of 9 years, were used in respect of two of the Aborigines whose ages were in dispute. The interpreter ascertained that one Aboriginal whose age was thought

to be 19 years, should have his age accepted as 17 years. The charge was withdrawn in the Police Court and the Aboriginal subsequently appeared in the Children's Court.

There is quite a great deal of tension reported amongst the elders of the local tribes regarding these young Northern Territory Aborigines coming into their territory, and the local District Inspector, the Criminal Investigation Branch Officer and the Officer in Charge of Halls Creek Police are going to Balgo Hills Mission for a conference with the elders of the tribe.

- (3) (a) Subject to the qualifications indicated above, inquiries are being made and the Hon. member can be assured that there will be justice for all parties.
- (b) All our Laws are being administered fairly throughout the State for whites and aborigines alike.
- (c) The Department of Corrections is investigating the possibility of Ross being transferred to Wyndham.

3.

URANIUM

Withholding of Supply: Threat

The Hon. R. F. CLAUGHTON, to the Minister for Federal Affairs:

- (1) Does the Government support the views of the Australian Minister for National Resources, Mr. Anthony, as reported in *The West Australian* on the 30th March, 1976, in which he asserts that other nations will be provoked if Australia's uranium resources are not made available to them?
- (2) Is the Government concerned that an unfavourable reaction to Australia within Japan could result, so damaging trade relations between the two countries particularly in respect of trade with this State?
- (3) Does the Government agree with the reported comment that the views of Sir Philip Baxter reflected views of 30 years ago?
- (4) Does the Government intend to protest to the Australian Government that the reported statements are potentially damaging to the mining and primary industries in this State?

The Hon. G. C. MacKinnon, for the Hon. I. G. MEDCALF, replied:

- (1) and (2) If the Hon. member properly studies the reports of Mr Anthony's comments, he will see that Mr Anthony was giving reasons for proceeding with development of uranium, and canvassing possible results of not doing so.

The Hon. member seems to be placing too much emphasis on certain things without studying the total comments.

No unfavourable reaction in Japan is expected, which will affect trade relations.

- (3) The question is not understood as we are unaware of the reported comments on Professor Baxter's views, to which the Hon. member refers.
- (4) It is assumed the Hon. member means the Commonwealth Government, in which case, no protest is intended, as no potential damage to the mining and primary industries of this State is apparent to the W.A. Government from statements that have been reported.

4. WORKERS' COMPENSATION ACT

Inquiry

The Hon. LYLA ELLIOTT, to the Minister for Education representing the Minister for Labour and Industry:

Will the Minister advise—

- (a) has a Judge been appointed to conduct the proposed inquiry into the Workers' Compensation Act; and
- (b) if not, when is it anticipated an appointment will be made?

The Hon. G. C. MacKinnon replied:

- (a) No.
- (b) As the Commonwealth Government and the States are examining the area of compensation (including workers' compensation), it would be premature at this stage to proceed with an appointment as any resulting agreement between the Commonwealth and States would have an overall effect on the terms of reference for the inquiry.

5. ALBANY TECHNICAL SCHOOL

Electrical Section

The Hon. D. J. Wordsworth, for the Hon. T. KNIGHT, to the Minister for Education:

- (1) Is it intended to add an electrical section to the Albany Technical school?

- (2) If so, what stage of planning and design has been achieved?
- (3) If not, what is the reason?
- (4) When does he anticipate the project will commence?

The Hon. G. C. MacKinnon replied:

- (1) Yes.
- (2), (3) and (4) As part of the planning, preliminary investigations have already been made and planning will be continued as soon as it is known that finances are available.

6.

FUEL TAX

Exemption: Road Construction Vehicles

The Hon. G. W. BERRY, to the Minister for Education representing the Minister for Fuel and Energy:

- (1) Have any representations ever been made to the Commonwealth Government to have the "excise duty", or as is more commonly known "fuel tax" waived on all vehicles engaged in road construction?
- (2) If not, would the Government consider making such representations?

The Hon. G. C. MacKinnon replied:

- (1) Fuel tax is paid on all registered vehicles which use existing roads. Fuel used in road construction machinery, such as graders and bulldozers, is tax exempt. Consequently, no representations have been made.
- (2) Answered by (1).

7.

POLICE

Fremantle: Number

The Hon. D. K. DANS, to the Minister for Health representing the Minister for Police and Traffic:

- (1) How many uniformed police are stationed at the Fremantle Police Station?
- (2) How many uniformed police stationed at the Fremantle Police Station are on—
- (a) day shift;
- (b) afternoon shift; and
- (c) night shift?

The Hon. N. E. BAXTER replied:

- (1) 72.
- (2) (a) 28.
- (b) 22.
- (c) 22.

8. This question was postponed.

9.

HOUSING*Construction Statistics*

The Hon. **LYLA ELLIOTT**, to the Minister for Education representing the Minister for Housing:

In the years 1968-1969, 1969-1970, 1970-1971, 1971-1972, 1972-1973, 1973-1974 and 1974-1975, how many—

- (a) purchase homes; and
 - (b) rental units;
- have been constructed by the State Housing Commission?

The Hon. **G. C. MacKINNON** replied:

- (a) and (b) This information is public record contained in Annual Reports of the State Housing Commission, to which I refer the Hon. member.

10. ROAD TRAFFIC AUTHORITY*Patrolmen: Fremantle*

The Hon. **D. K. DANS**, to the Minister for Health representing the Minister for Police and Traffic:

- (1) How many Road Traffic Authority patrolmen are stationed at the Fremantle Traffic Office?
- (2) How many Road Traffic Authority patrolmen stationed at the Fremantle Traffic Office are on—
 - (a) day shift;
 - (b) afternoon shift; and
 - (c) night shift?

The Hon. **N. E. BAXTER** replied:

- (1) Twenty-one patrolmen, 4 N.C.O.'s, plus 6 accident inquiry constables and 1 N.C.O.
- (2) (a), (b) and (c) Patrols cover only two shifts, 7.00 a.m. to 3.00 p.m. and 3.00 p.m. to 11.00 p.m. extended to 3.00 a.m. Fridays and Saturdays. Average of six men on afternoon shift, five on day shift, plus one N.C.O. each shift, accident staff cover 7.00 a.m. to 3.00 a.m., subject to availability.

11.

TRAFFIC*Vehicle Noise*

The Hon. **R. F. CLAUGHTON**, to the Minister for Health representing the Minister for Police and Traffic:

- (1) How many cases have been prosecuted in the most recent month for which statistics are available for excessive noise from motor vehicle exhausts?
- (2) What action is being taken by the Government to eliminate this problem?

The Hon. **N. E. BAXTER** replied:

- (1) 627 period January 1, 1976 to March 31, 1976 (for excessive noise).
- (2) Newly registered vehicles are required to conform with Australian design rule 28, motor vehicle noise. Other vehicles are required to conform with other noise limits prescribed in the vehicle standards regulations. Many vehicles are given work orders to improve noisy exhausts. The penalty for excessive noise has recently been increased to \$30.00 plus four demerit points.

12.

HOUSING*Jolimont: Vacant Premises*

The Hon. **LYLA ELLIOTT**, to the Minister for Education representing the Minister for Housing:

- (1) (a) Is there a State Housing Commission house at 5 Rosebery Street, Jolimont, which has been vacant for some time; and
 - (b) if so, what is the reason?
- (2) Is the house—
 - (a) available for tenancy; or
 - (b) to be demolished?
- (3) If the answer to (2) (b) is "Yes" what is the reason?

The Hon. **G. C. MacKINNON** replied:

- (1) (a) Yes.
 - (b) Possible redevelopment for pensioner accommodation.
- (2) (a) No, because of poor condition and extensive renovation required.
 - (b) Yes.
- (3) When redevelopment implemented.

13.

TRAFFIC*Fatal Accidents: Report of Inquiry*

The Hon. **R. F. CLAUGHTON**, to the Minister for Health representing the Minister for Police and Traffic:

- (1) In respect of the full-scale study of Western Australian road deaths announced as being undertaken by the Road Traffic Authority and reported in the *Daily News* on the 13th November, 1975, will the Minister advise—
 - (a) how many officers were engaged in the study;
 - (b) the dates on which the study was commenced and completed;
 - (c) the conclusions arising from the study;

- (d) the recommendations made to the Government as a result of the study;
 - (e) any action that has been taken by the Government as a result of the study?
- (2) Will the Minister table a report on the study?

The Hon. N. E. BAXTER replied:

- (1) (a) Three.
- (b) The study commenced on November 3, 1975 and concluded on December 17, 1975.
- (c) Since alcohol was a major contributing factor in the occurrence of approximately fifty per cent of the fatal traffic accidents in Western Australia for the first ten months of 1975, attention was given to the effectiveness of existing penalties for drink-driving offences. It was concluded that because of the number of persons who were repeat drink-driving offenders, a rehabilitation programme should be introduced for such drivers.
- (d) The Road Traffic Authority recommended to the Hon. Minister for Traffic that a study be made of the alternative treatment programmes which could be used for rehabilitating repeat drink-driving offenders with attention also being given to the availability of facilities for such programmes.
- (e) State Cabinet has established an inter-department committee to consider the Road Traffic Authority's recommendations. The Commissioner of Public Health and Medical Services is the Chairman of the committee, other representatives include the Public Health Laboratories, the W.A. Alcohol and Drug Authority, the Australian Medical Association, the Royal Australasian College of Surgeons' Road Trauma Committee, the Road Traffic Authority, the Royal Automobile Club and the National Safety Council.

(2) Yes.

House adjourned at 4.18 p.m.

Legislative Assembly

Thursday, the 1st April, 1976

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

QUESTIONS ON NOTICE

Postponement

THE SPEAKER (Mr Hutchinson): I have to announce that today the questions will be delayed until after the consideration of Orders of the Day Nos. 1 to 12.

ANZAC DAY ACT AMENDMENT BILL

Second Reading

SIR CHARLES COURT (Nedlands—Treasurer) [2.19 p.m.]: I move—

That the Bill be now read a second time.

This year, Anzac Day falls on a Sunday, and for the first time the provisions of the Public and Bank Holidays Act, 1972, will obtain regarding Monday, the 26th April, also being a public holiday.

The Public and Bank Holidays Act fixes Anzac Day—the 25th April—as a public and bank holiday throughout the State. There is a further provision: "When . . . Anzac Day . . . falls on a Saturday or Sunday, the next following Monday is also a public holiday".

The interpretation of "Anzac Day" in section 3 of the Anzac Day Act, 1960-1975, says it means: "The twenty-fifth day of April in each year".

As the Act stands at present, there is no compulsion for racing or sporting clubs to submit statements of receipts and payments of their activities on the Monday holiday and pay the statutory percentage of any net proceeds derived from the fixture to the Anzac Day Trust Fund.

As it happens, the Western Australian Turf Club and the Western Australian Trotting Association have kindly agreed to conduct meetings on the Monday holiday this year on behalf of the trust and pay over the net proceeds from these meetings.

It is considered desirable to apply the provisions of the Anzac Day Act to the Monday holiday rather than the 25th April when Anzac Day falls on a Sunday.

For this purpose the amendment applies to section 5 of the principal Act, which covers payment to the Anzac Day Trust of the net proceeds of race meetings held on Anzac Day and section 7 which requires the association conducting certain defined sports on Anzac Day to pay 60 per cent of the net proceeds to the trust.

These provisions will, in relation to a year when the 25th April falls on a Sunday, apply to the next following Monday and to that day only.

I commend the measure to the House.

Debate adjourned, on motion by Mr Moiler.