the present wording in the Bill. The merging of the two companies hinges so much on this legislation.

Mr. NALDER: I can see the necessity to try to control the number of licenses issued under this legislation, but I can also envisage the difficulties which would occur if we tried to do that at this stage. When the two companies amalgamate, it is quite possible that some of the licenses will not be required and that two or three of them may be cancelled. This may not occur immediately, but it could quite easily be the situation in the next 18 months or so.

I still have quite a deal of confidence in the board. The experience which has been gained over the years is not lost when the personnel changes. The information gained has been passed on, consolidated, and strengthened, and the board is conscious of the need for a very close surveillance of the situation.

Mr. Rushton: The foreshadowed legislation may mean there will be no Milk Board.

Mr. NALDER: The honourable member should not say what might happen. I am dealing with the present situation. The Milk Board has done a remarkable job and I am happy to leave the situation as it is for the time being. This time next year we may be engaged in a full-scale debate on the situation, but in the meantime I am prepared to allow the board to watch the position closely.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. H. D. Evans (Minister for Agriculture), and transmitted to the Council.

House adjourned at 5.45 p.m.

Legislative Council

Tuesday, the 23rd November, 1971

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

QUESTION ON NOTICE

WATER SUPPLIES

Gascoyne River Dam

The Hon. G. W. BERRY, to the Leader of the House:

(1) Has the feasibility study of the damming of the Gascoyne River at Rocky Pool been completed and in the hands of the Government?

(2) If so, has the Government given the study consideration, and when will its decision be made public?

The Hon. W. F. WILLESEE replied:

(1) No.

(2) Answered by (1).

BILLS (5) RETURNED

1. Censorship of Films Act Amendment Bill.
2. Adoption of Children Act Amendment Bill.
3. Property Law Act Amendment Bill (No. 2).
4. Natives (Citizenship Rights) Act Repeal Bill.
5. Fire Brigades Act Amendment Bill.

Bills returned from the Assembly without amendment.

PARLIAMENTARY COMMISSIONER 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.

ROUTINE OF BUSINESS

Questions Without Notice

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [4.47 p.m.]: Mr. President, during the routine of business you called for notices of motion but, instead of asking for questions without notice, you went on to questions on notice. I wish to ask a question without notice. Do I have your permission?

The PRESIDENT: Yes.

QUESTIONS (2): WITHOUT NOTICE

1. STATE SHIP *KOOJARRA*

Sale Price

The Hon. A. F. GRIFFITH, to the Minister for Transport:

In view of the charges of secrecy made against the previous Government from time to time, can the Minister appreciate the feeling of irony which came upon me this morning when I read *The West Australian* newspaper under the heading, "Koojarra Sold—Price A Secret," where the following appeared:—

> Arrangements were completed yesterday for the sale of the State ship Koojarra to a syndicate that plans to use her as a floating hotel near Rottnest—but the price paid remains a secret.

I repeat: Can the Minister appreciate my feeling of irony?

The Hon. J. DOLAN replied:

Mr. President, I understood the Leader of the Opposition would ask a question couched in different terms. Perhaps I could answer the question asked by saying "No," but I do not think that would give the clarification wanted on this matter.

In relation to the reported statement that the price of the *Koojarra* was not to be disclosed, I simply say it is not the policy of a Government instrumentality to disclose the price obtained by a sale of any of its assets. Such an action could prejudice any subsequent sales.

2. STATE SHIP KOOJARRA

Sale Price

The Hon. A. F. GRIFFITH, to the Minister for Transport:

I wish to ask a further question without notice. It is apparently obvious that the Minister does not appreciate the feeling I had this morning.

The Hon. J. DOLAN replied:

It is very difficult for anyone to appreciate or understand the feelings of someone else. I do not know how deep those feelings go. If the honourable member could convey to me just how deep his feelings are, my response might be a little different.

BILLS (2): THIRD READING

1. Government Railways Act Amendment Bill.
2. Parliamentary Superannuation Act Amendment Bill.

Bills read a third time, on motions by The Hon. W. F. Willesee (Leader of the House), and passed.

COAL MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [4.53 p.m.]: I move—

That the Bill be now read a second time.

The Bill now before members is introduced, in the main, for the purpose of amending the principal Act by removing some inequitable conditions.

It is proposed that more equitable conditions be introduced for the purpose of allowing a grant of an inability pension to be made to a mineworker; to remove hardship from widows of mineworkers; and further to relax the existing provision as affecting the payment of pensions to workers re-employed in the industry.

Among other amendments proposed are those drafted to overcome unnecessary delay in raising coalmine pension rates when there is an increase in the social service benefit. It is also proposed to formalise the State's contribution to the fund. The Bill contains certain consequential amendments to those proposed in relation to widows' entitlement and concerning the proposed automatic pension increase.

A mineworker may presently be granted an invalidity pension provided he satisfies the following conditions: firstly, that he is permanently incapacitated; secondly, that he cannot continue as a mineworker because of his incapacity; and thirdly, that he has been employed in the industry not less than twenty years; and finally, he has made not less than five years' continuous contributions to the fund prior to his injury.

The requirement as to length of employment in the industry and that concerning the five years' continuous contributions are severe when compared with invalidity conditions of other funds, such as the State contribution fund, and can cause hardship more particularly in this industry which is subject to immediate retrenchment.

It is proposed to amend section 7 of the Act which deals with these matters to the extent of deleting the 20-year employment proviso and amending the five-year contribution requirement. This is to be done in order to enable an incapacitated mineworker who cannot continue in his employment in the industry due to his incapacity, to qualify for invalidity pension benefits, if he has made five years' contributions to the fund.

The next amendment affects section 10. Subsection 2 of that section permits the widow of a mineworker to receive a pension, but on condition that the mineworker has made not less than five years' contributions to the fund. This stipulation is considered to contain the essence of unnecessary hardship to the widow and it is proposed that in future such pension may be granted to the widow provided that a contribution has been made to the fund.

The amendment proposing the insertion of a new section, 10C, will enable increases in social service pension benefits which are granted from time to time to be passed automatically to a person in receipt of a coalmine worker's pension. Under existing provisions contained in section 13 of the principal Act, any increase in social service benefits causes a reduction in the coalmine worker's pension, thus nullifying the object of the Commonwealth pension increase.

As a consequence of the existing provision, lengthy litigation has transpired between the unions and the Minister which has resulted finally, but after a minimum delay of six months, in similar increases being granted in coalmine pension rates. The purpose of this amendment obviously is to avoid such delays, thus enabling a person in receipt of a miner's pension to receive immediately the benefit of a social service pension increase as was intended.

The amendment proposing the insertion of a new paragraph (g) in section 21 is of a consequential nature consequent on the proposed amendment to provide an automatic increase in the pension.

I would mention here that when increases in miners' pension rates were previously under discussion the rate of contribution to the fund by the worker was also reviewed. The proposal to grant the automatic increase in pension rates involves the question of discussion of the rate of contribution to the fund. The object of the amendment proposed in this matter is to ensure the solvency of the fund by requiring the tribunal to report to the Minister on the funds' requirements from time to time.

I refer now to the proposal to amend section 21. The existing provision in subsection (3) of that section in effect nominates the State's contribution to the fund as being—

(a) $48,000 from the Consolidated Revenue Fund; and

(b) Such additional payments as may be appropriated by Parliament.

Currently the State's contribution is $90,000 per annum—$48,000 being provided from Consolidated Revenue Fund (Special Acts) and the balance from Consolidated Revenue Fund (Miscellaneous Services).

It is now proposed that the State's contribution of $90,000 per annum be made from Consolidated Revenue Fund (Special Acts) with no allocation from Consolidated Revenue Fund (Miscellaneous Services).

Another amendment affects section 21; in this case subparagraph (i) of paragraph (b) of subsection 7, which provides invalidity pension benefits to a mineworker who enters the industry on or after his 35th birthday and this on condition that he has paid contributions to the fund for 10 years. The intention of the amendment now proposed is to grant a nonpensionable worker invalidity benefits similar to those provided in the amendment proposed to section 7 (1A).

Section 21 (7) (b) (ii) also provides pension benefits to the widow of this class of worker, provided the contributions have been made to the fund for at least five years. As previously stated in regard to the amendment to section 10 (2), this is an unwarranted hardship to the widow and the amendment to section 21 (7) (b) (ii) proposes to grant widows pension benefits under section 10 of the Act provided a contribution has been made to the fund.

The amendment contained in clause 6 of the Bill concerns section 21A of the Act. Under the existing provisions of section 21A (5) of the principal Act, a pension may be granted at the age of 60 to a worker who was re-employed in the industry after his 35th birthday, following his previous retrenchment, provided he has—

(a) paid continuous contributions to the fund for fifteen years prior to retirement;

(b) been employed in the industry for a period of not less than twenty-five years; and

(c) never received a refund of contributions.

Because of the unavailability of employment on the coalfield following the 1960 retrenchments, some men were not re-employed in the industry until a considerable period after that date and consequently on retirement at age 60 they would not qualify for pension benefits because they would not have the required 25 years' service in the industry.

The proposal now submitted is for the amendment of section 21A (5) to provide that a mineworker employed in the industry on the 1st January, 1970, would be eligible for pension benefits on retirement at the age of 60 on condition that—

(a) he has paid continuous contributions for fifteen years;

(b) he has been employed in the industry for twenty years; and

(c) he has never received a refund of contributions.

The amendment to section 21A as contained in clause 6 (b) of the Bill is required to cover persons who have retired since the 1st January, 1970, and who would have qualified for pension benefits under the amendment to section 21A (5) if an automatic refund of contributions had not been made to them on retirement. The proposed new subsection (7) to section 21A provides pension benefits for those retired persons on condition that a refund of contributions to the fund is made within a period of 12 months from the date of assent to this Bill when it passes into an Act.

In commending the Bill to members I would again emphasise that its objectives are to provide in this piece of legislation some more equitable conditions in the matter of pensions earned by workers in the coal mining industry and to the widows of those workers.

Debate adjourned, on motion by The Hon. V. J. Ferry.

DAYLIGHT SAVING BILL

In Committee

Resumed from the 17th November. The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. R. H. C. Stubbs (Chief Secretary) in charge of the Bill.

Clause 1: Short title—

The CHAIRMAN: Progress was reported on the clause after The Hon. A. F. Griffith (Leader of the Opposition) had moved the following amendment:—

Page 1, line 8—Insert after the word "Act" the words "Repeal Act".

The Hon. R. H. C. STUBBS: I asked that the Committee should report progress and sit again for the purpose of examining all points made by speakers up until that time. I think I covered almost everything when I introduced the Bill and later when I replied to the second reading debate. All I can say now is that the amendment simply seeks to repeal the whole of the 1946 Act and I presume that any amendment to the Act will also be repealed.

I can only repeat that this will be a blow to the business world of this State. I made a check today and found that in addition to a drop of 7.2 per cent. in the first week, the Rural and Industries Bank, in the second week, has had a drop of 3.1 per cent., and in the third week 5.3 per cent.

The Hon. A. F. Griffith: In what?

The Hon. R. H. C. STUBBS: That has been the drop in the turnover of the Rural and Industries Bank during its month's trading in October. That is a 2.5 per cent. drop in three weeks in the trading of the Rural and Industries Bank.

The Hon. A. F. Griffith: In October?

The Hon. R. H. C. STUBBS: Yes, that is the October average. These are the figures given prior to the 31st October.

The Hon. A. F. Griffith: How do you know the date the Eastern States went onto daylight saving?

The Hon. R. H. C. STUBBS: It was in October.

The Hon. A. F. Griffith: The last day in October?

The Hon. R. H. C. STUBBS: Yes.

The Hon. A. F. Griffith: How can you relate the figures of the Rural and Industries Bank to that date?

The Hon. R. H. C. STUBBS: By quoting those figures I am showing how the trading of the Rural and Industries Bank has dropped in the month of October after the Eastern States went onto daylight saving.

The Hon. C. R. Abbey: During the first three weeks in November?

The Hon. R. H. C. STUBBS: Yes, that is correct. The important point I want to stress is that I hope we will not be doing the business world an injury. If other businesses in the State are to be affected to the same degree it will mean that millions of dollars will be involved. If members vote for the repeal of the Act and the Bill is lost, all I can say is that the responsibility will be on them.

The Hon. G. C. MacKINNON: I regret that except for the introductory speech made by the Chief Secretary and the few words he has said this evening I missed all the debate on this Bill. My views on it have been conveyed hither and thither by courtesy of *The West Australian* and sundry radio and television stations which, of course, are not the proper mediums by which an honourable member should convey his views to the august members of this Committee.

I must admit that after my extensive reading of the arguments for and against the Bill I am singularly unimpressed and I hasten to add that I do not expect my contribution to the debate to set anything on fire or become a historic document, because I believe, politically, this Bill is the biggest nonevent we have ever seen.

I have some sympathy for the Chief Secretary because he introduced this proposition for daylight saving in a friendly and amicable way.

The CHAIRMAN: Order! I point out to the honourable member that we are dealing with an amendment to insert certain words.

The Hon. G. C. McKINNON: We are dealing with clause 1 which relates to the short title of the Daylight Saving Bill.

The CHAIRMAN: It does not matter. The question before the Chair is an amendment to insert certain words; that the words to be inserted shall be inserted.

The Hon. G. C. MacKINNON: The words proposed to be inserted deal with the entire matter of daylight saving, and bearing in mind that the Bill deals with the whole matter of daylight saving and the particular circumstances surrounding the conditions I have already enumerated, the Chairman of Committees may reconsider what I was leading up to because he has not yet made a ruling.

The CHAIRMAN: I would point out that clause 1 which, in effect, is the short title of the Daylight Saving Bill is the subject of an amendment to insert the words "Repeal Act" and the question is: that the words to be inserted shall be inserted. Therefore, the honourable member should deal with the amendment before the Committee.

The Hon. G. C. MacKINNON: Very well, Mr. Chairman. The amendment is to ensure that this Bill will repeal the principal Act so that there will be no possibility of daylight saving being introduced in this State. I am discussing the possibility of Western Australia having or not having daylight saving, which is the purpose of the words to be inserted. That being so—and in simple English that is so—I contend that anyone who speaks on the Bill can speak on daylight saving wherever it may crop up in accordance with the strict interpretation of the word. However, your interpretation of the word, Mr. Chairman, is the one that binds us, and undoubtedly there are opportunities available here and there by which I can convey to the Committee my views on the subject by some means other than through the medium of *The West Australian*.

The CHAIRMAN: I point out to the honourable member that there will be ample opportunity during the Committee stage to speak on the generalities of daylight saving whether these words are inserted or not.

The Hon. G. C. MacKINNON: You have heard my analysis of the situation, Mr. Chairman, so may I ask, in all courtesy, under which clause I will have the right to speak? I do not want to be at cross-purposes with you on this, Mr. Chairman, and have a debate on a dissent against your ruling. Therefore, perhaps you could tell me the particular clause on which I can express my views so that I will not waste my time again.

The CHAIRMAN: The honourable member can generalise on daylight saving after this amendment to insert the words "Repeal Act" has been accepted or rejected.

The Hon. G. C. MacKINNON: Thank, you, Mr. Chairman.

The Hon. A. F. GRIFFITH: I am a little surprised at your approach to this matter, Mr. Chairman, because if we assume that my amendment is carried and we continue to debate clauses 3, 4, 5, and 6 then, with respect, I think you might have been able to tell Mr. MacKinnon on which clause he could speak.

The CHAIRMAN: I point out to the Leader of the Opposition that if the words to be inserted are inserted, daylight saving can be generally debated on the question that clause 4 stand as amended.

The Hon. A. F. GRIFFITH: That is, after the words to be inserted are inserted?

The CHAIRMAN: Or, if they are not inserted, daylight saving can be debated generally on clause 1.

The Hon. A. F. GRIFFITH: Perhaps I will make the matter a little more simple, Mr. Chairman, by acquainting you with the fact that I do not intend to proceed to ask the Committee to insert these words. After contemplating the matter over the weekend, I am satisfied that this piece of legislation has been built up to a proportion it does not deserve.

If the Committee passed the amendment I have moved and the words proposed to be inserted were inserted, there would be further opportunity for more publicity and the matter could be built up to greater proportions which it does not deserve. I indicated that having voted for the second reading of the Bill I would try to insert these words merely to inform the Committee that I had a particular purpose in mind. However, in all the circumstances, I think it would be better if I were to withdraw the amendment and let the Bill proceed as it is until we come to clauses 3, 4, 5, and 6. I think the defeat of any one or more of those clauses—if they are defeated—would determine the issue.

Before I seek permission to withdraw my amendment I simply want to make it clear that my reason for opposing daylight saving is contained in the original speech I made; that I do not think we should be dragged by the heels as a result of the action of the Eastern States. Despite the fact that New South Wales and Victoria, in particular, have made a decision to save daylight—and I feel the words have been used incorrectly—I think we should have the benefit and experience of not following the suit of those States. In fact, that has been our position since the 29th October until the 23rd November. One month has nearly elapsed, and I cannot see what the statement made by the Chief Secretary this afternoon has to do with the matter unless we are able to clarify the situation of a particular bank 12 months ago.

As far as I know, the drop in the turnover of the Rural and Industries Bank could be seasonal. Also we could pose the question: Was this a drop in the short-term money market? I think we are just left in a state of uncertainty.

The Hon. G. C. MacKinnon: And one is confused in which weeks it dropped.

The Hon. A. F. GRIFFITH: That is right. The Chief Secretary stated the month of October, which caused me to ask: Why October?

At that time neither Victoria, New South Wales nor any other State had daylight saving. In those States daylight saving came into operation in November—including the last two days of October. It was at 2.00 a.m. on the 31st October, So it was November, not October, that this happened. I put my case on behalf of many people, including workers who, I do not think, have expressed their opinion to the Minister or the Government.

The CHAIRMAN: I would remind the honourable member we are dealing with an amendment. He has suggested what he will do with it and I would ask him to continue along that line.

The Hon. A. F. GRIFFITH: You seem certain, Mr. Chairman, not to allow me to get my point of view over.

The CHAIRMAN: The honourable member will have plenty of time to get his point of view across.

The Hon. A. F. GRIFFITH: I am merely giving reasons for the withdrawal of my amendment. Should I get off those reasons that would be the time for you to call me to order. May I continue?

The CHAIRMAN: Yes, if the honourable member keeps to the reasons.

The Hon. A. F. GRIFFITH: I am speaking on behalf of a great many people including workers who will be inconvenienced by daylight saving. They are the people about whom I spoke in the first place. The motion picture industry is one section of the community which has not only made its opinions known to me but has taken the trouble to document its case. The representatives of that industry have come here to listen to the debate and, while I am not talking to them, I would point out that the industry has millions of dollars invested; that it employs thousands of people, and gives pleasure to hundreds of thousands of others.

I feel we should try to benefit from not having daylight saving, bearing in mind that we have gone through a month of it already. I have a great deal of sympathy for the business community and I appreciate the difficulty in which it finds itself in not being able to communicate with the Eastern States.

The CHAIRMAN: I cannot connect your remarks with the question before the Chair.

The Hon. A. F. GRIFFITH: That is because you have not as keen a sense of imagination as I have, Mr. Chairman! I merely ask leave to withdraw my amendment. I propose to vote against the rest of the Bill. If clauses 3 to 6 do not pass the Bill will be defeated and the Government will be left with the 1946 Act.

It would be completely and utterly beyond my comprehension if the Government decided to proclaim the 1946 Act and I leave its decision to its better judgment. I ask the permission of the Committee to withdraw the amendment I have moved.

Amendment, by leave, withdrawn.

The Hon. G. C. MacKINNON: If I understand the position correctly, I may now proceed.

The Hon. W. F. Willesee: Now, do not start all over again.

The Hon. G. C. MacKINNON: I will continue from where I left off. I have sympathy for Mr. Stubbs because he finds himself in a position which he did not expect. We know how friendly and cooperative he was when introducing the Bill, prior to which he made several inquiries and sought opinions for or against daylight saving. He told us that he received some 600 letters opposing daylight saving and a few letters supporting it.

The Hon. R. H. C. Stubbs: I petted a dog once and it bit me.

The Hon. G. C. MacKINNON: Mr. Stubbs left himself open to the charge of being dictatorial and arrogant in his behaviour. He will bear in mind that such charges have been levelled during the previous 12 years against people who were as well-meaning as he purports to be. The charge of arrogance or of his having behaved in a dictatorial fashion does not sit well on Mr. Stubbs's shoulders. In short, he has been hoist with his own petard.

I was singularly unimpressed by the arguments put forward for daylight saving; but what intrigued me more than anything else was that the Labor Party brought forward no evidence concerning the attitude of shift workers, factory employees, waterside workers, and the like. As late as today the only argument put forward was that concerning business interests which has been confused even to the point of saying that in certain weeks there had been a drop in the turnover. We do not know whether or not the drop was a real one.

Shift workers have phoned me thanking me for my attitude in this matter. I have had no calls from big business interests. I think it is fair to point that out. The whole thing is extremely odd, particularly when we read that Mr. Tonkin accused some members of the Liberal Party in the Legislative Council of representing big business. It has always mystified me how one honest member can say he represents a group of electors in his own electorate while claiming that some equally honest member does not represent the members in his electorate; or that by some mysterious process those members have been put here by some equally mysterious group known as big business. This, of course, is all tommy rot.

I am sure no member or Minister in this House would claim to be so superior as to imply he is the only one who represents his electorate honestly; and I am equally sure he would not feel that the honourable member in the next seat represented some group other than his electorate.

The Labor Party hangs its argument on the effect the short-term money market will have on the banks if we do not adopt daylight saving. Money, of course, affects everybody, but we have only been given percentages. We want to know how much

it is in dollars and cents. Does it represent a loss of $50 a day or $100 a day? We are told it is 1.7 per cent. of the total. I think one banker has said that from $1,000,000 the return at top interest would be $300. If it is a drop of 2.56 per cent. the loss will be $7.50.

The Hon. C. R. Abbey: It could be related to a business downturn, anyway.

The Hon. G. C. MacKINNON: That is right. I have every sympathy for Mr. Stubbs. He started by trying to convince us that he had asked for the views of the public in this matter and told us that the views he received were about 200 to 1 against. Despite this, he went ahead with the Bill. We know the reasons for this and we know that Mr. Stubbs is not to blame.

The arguments put forward have not been good enough to convince us that we should have change merely for the sake of change. I propose to vote against the Bill. The only well prepared case presented has been that put forward by the people in the motion picture industry. That is fair enough, because they will be the people most vitally affected. We are told that the attitude of the motion picture industry is a selfish one; that with daylight saving people will have more time to go to the beach, to visit the pub, or to work in the garden.

I do not deny that the attitude shown by the motion picture industry is in its own interests, but it is this sort of thing which makes for progress, and we cannot hold that against the industry.

I wish to take this opportunity to make it clear that I do not support the Bill.

The Hon. R. F. CLAUGHTON: Nobody has rung me and protested about the introduction of daylight saving, but a number of people to whom I have spoken have indicated their support for it. Recently I attended two meetings of the Trades and Labor Council and nobody spoke against the introduction of daylight saving. There were no motions before that council protesting about the matter.

The Hon G. C. MacKinnon: That is a little odd. Does not the T.L.C. get in on every act?

The Hon. R. F. CLAUGHTON: There was no indication that the council was indifferent to daylight saving or that it gave the matter its support. The council's reaction was not very enthusiastic. Since the Bill was introduced I have spoken to a number of people in my electorate and I have been surprised at the support they have indicated for daylight saving. We have been told of the effect daylight saving will have on children and how deleteriously it will affect drive-in theatres, but after considering these objections I see no great disability being experienced by the people concerned. Very few school days remain and when children finish school they will be able to spend the entire day in the sun; but I cannot see that it will be of great consequence as to how much time they spend in the sun once they leave school.

I believe there is very little difference between a child travelling at 2.30 p.m. or 3.30 p.m. I have lived in the country for a number of years and I have found it to be hot during both those periods of the day. With the introduction of daylight saving children would arrive home earlier than previously, and would be able to rest and recuperate for the next day.

It is a fact that we do have longer periods of daylight in this State. Mr. Medcalf mentioned langleys, which is a measurement of the amount of heat to which we are exposed. However, we are talking about the late period of the afternoon when the sun is at a much greater angle and when the sun's rays have to pass through a greater thickness of the atmosphere. We do not receive direct rays from the sun as is the case during the middle of the day. I do not see that the question of langleys is of great importance. People will still go to the beaches or play sport in the sun during the weekends as is the case at present.

It seems to have been suggested that there should be a rigid time at which children are put to bed. Most educationalists and psychologists agree that this is not a good practice. Some children get tired at a later time of the day, and they should remain active until that hour. It is not good for the development of a child that it should be put to bed before it is ready for bed. I have four children and they are ready for bed at different hours during the evening.

The Hon Clive Griffiths: What about the shift workers?

The Hon. R. F. CLAUGHTON: I have not spoken to many shift workers. However, I have a relation who does shift work and he is quite indifferent in his attitude. If a shift worker has to get out of bed at 2.00 a.m. now, it will not make much difference to him if the clock is put back an hour. That particular shift worker will still be getting out of bed in the middle of the night.

A number of mothers to whom I have spoken have been looking forward to daylight saving. Possibly that is because many woman who now go to work can foresee that they will have some time with their children while it is still light.

Referring to the entertainment industry, it was suggested in a recent issue of the hotel industry publication that the caterers might take advantage of the extra daylight hours. Mr. Griffith, when speaking to the clause earlier, quoted a letter from an organisation representing the motion picture exhibitors. The letter can be found on

page 43 of *Hansard*. It states that there are 36 theatres in towns with a population of 10,000 and under.

I take it that most of those towns are located in country districts, and I fail to see that the theatres in those towns will close down. After all, the theatres provide the entertainment for the people living in those towns. The people living in the middle of the wheatbelt will not be able to go to the beach as an alternative. I cannot see that 36 conventional theatres and drive-in theatres will close down because the clock is to be set back one hour. Most of the theatres operate at the weekends and it will not matter that the children will get to bed an hour later than usual. They will be able to sleep in on the Saturday or Sunday morning and recuperate.

I question whether the motion picture exhibitors have really examined the reason for there being more drive-in theatres in Western Australia than in any other State. Figures quoted in this House show that there are 82 drive-in theatres in Western Australia, 25 in New South Wales, and 55 in Victoria. I suggest that the Western Australian climate is the reason for so many drive-in theatres in our State. The long daylight hours draw people out from their homes, and we could find that rather than cause the theatres to close down, daylight saving with a longer evening could further entice people to patronise the drive-in theatres. The exhibitors might be doing themselves a disservice by urging that daylight saving be not introduced.

The Hon. N. McNeill: How will they make the screens dark enough for the films to be shown?

The Hon. R. F. CLAUGHTON: We are not discussing that particular point. I should hope that the theatre managements will be imaginative enough to find ways by which to attract people who want to go out in the evening. Various devices are used at the present time. Facilities for meals and play areas for children are provided, and it should not be much of an effort to find some other means by which to attract people to the theatres. I suggest that daylight saving would result in people wanting to go out more. The extra hours of daylight will give people an opportunity to relax before they go out for the evening.

The Hon. A. F. Griffith: The introduction of daylight saving in Tasmania caused a 40 per cent. reduction in the attendance at drive-in theatres, so how do you reconcile that point?

The Hon. R. F. CLAUGHTON: The point is Western Australia has far more drive-in theatres than any other State.

The Hon. G. C. MacKinnon: Is the honourable member aware that some local authorities are subsidising the theatres to retain that amenity?

The Hon. R. F. CLAUGHTON: In answering Mr. MacKinnon, I do not think country theatres will be greatly affected because the people will have nowhere else to go for their entertainment.

Several members interjected.

The Hon. R. F. CLAUGHTON: Those members who interjected have a perfect right to contradict me. I am not saying that what I forecast is correct.

The Hon. G. C. MacKinnon: The first lesson is: do not labour the subject.

The Hon. R. F. CLAUGHTON: Mr. Medcalf said that two theatres had closed down in Tasmania, but that is a worldwide trend. The tendency is towards smaller theatres for a different type of audience. I will close with those remarks.

The Hon. CLIVE GRIFFITHS: I am prompted to say a few words at this stage because I feel that Mr. Claughton has not studied the subject as closely as he should have done. The point which Mr. Claughton made concerning the motion picture industry, and his belief that it was purely speculation that any adverse effects would result, bears out what I am saying. In fact, the motion picture exhibitors have facts on which to base their claims. They have carried out research and presented a well-documented case, which has been mentioned by Mr. Griffith and Mr. MacKinnon. Research in Tasmania indicates that the introduction of daylight saving resulted in a reduction of between 35 per cent. and 40 per cent. in attendances at theatres. However, no documented case has been brought forward from the other side.

We have endeavoured to find out from the Government the amount of money at present being lost because of the failure of Western Australia to introduce daylight saving during the first three-week period it has operated in the Eastern States. The Minister quoted a percentage which failed to indicate anything at all. I repeat: the motion picture exhibitors did their homework.

The Hon. R. F. Claughton: In Tasmania.

The Hon. CLIVE GRIFFITHS: They did their homework based on the situation which prevailed in Tasmania, which is the only place which had experienced daylight saving and the only place from which to obtain evidence. It has been amply illustrated that in Tasmania the attendances fell away by 35 per cent. to 40 per cent. On the other hand, the argument put forward by the Government cannot be sustained because there has been no definite evidence of an adverse effect on the banking world by the introduction of daylight saving in the Eastern States.

The argument presented to me overwhelmingly indicates that I should oppose this Bill. The argument does not come

only from the motion picture industry. That section of the public presented a very good case, but it is not the only section on whose behalf I will cast my vote; there are many other people. There are people who are shift workers and people who already go to work early in the morning—people in the building industry who commence work at 7.30 a.m. and already get up in the dark. Requests have also been made to me by elderly people who are in nursing homes or "C"-class hospitals and who are unable to get about and help themselves. Because of their inability and old age they must be put to bed by nursing aides and nursing assistants at 4.00 o'clock or 4.30 in the afternoon because the staff knock off at 5.00 o'clock. With daylight saving they will be put to bed in fact at 3.30 p.m., or there-about, in the summertime; the hottest part of the year, in most cases with no airconditioning. Surely these people are entitled to some consideration because they cannot help themselves.

I rose only because I thought the argument put by Mr. Claughton could not be sustained and warranted my making the point that as far as I am concerned the arguments overwhelmingly suggest to me that I should oppose daylight saving.

The Hon. L. A. LOGAN: Now that the Leader of the Opposition and the Chamber have agreed to the suggestion that this amendment be not proceeded with, the Committee is in a different situation from the situation it was in when we first met this afternoon. I do not think there is any need to discuss the arguments for daylight saving or time adjustment. Those arguments have already been discussed except for two points I did not make in my second reading speech.

One point is that the Minister talks about the business community. Five branches of business met in Perth recently —the Chamber of Manufactures, the Chamber of Commerce, the banks, the Stock Exchange, and one other branch of business which I cannot now call to mind. There was so much disagreement amongst those sections that not one of them was game enough to move a motion in regard to daylight saving. So much for the business world.

Whilst Mr. Claughton might have met a few groups, none of which spoke about daylight saving, in the last week I have been in two places where there were groups of 100 and 150 people, respectively, and they were not in favour of daylight saving.

If those who are opposed to daylight saving vote against clauses 1 and 3 of the Bill, the Bill will be so emasculated as to be not worth having, and I suggest that is what we should do.

Clause put and a division called for.

The CHAIRMAN (The Hon. N. E. Baxter): Before the tellers tell, I give my vote with the Noes.

Division taken with the following result:—

Ayes—14	
Hon. D. K. Dans	Hon. R. H. C. Stubbs
Hon. S. J. Dellar	Hon. R. Thompson
Hon. J. Dolan	Hon. W. F. Willesee
Hon. Lyla Elliott	Hon. R. J. L. Williams
Hon. J. L. Hunt	Hon. F. D. Willmott
Hon. R. T. Leeson	Hon. W. R. Withers
Hon. I. G. Medcalf	Hon. R. F. Claughton (*Teller*)

Noes—15	
Hon. C. R. Abbey	Hon. N. McNeill
Hon. N. E. Baxter	Hon. T. O. Perry
Hon. G. W. Berry	Hon. S. T. J. Thompson
Hon. V. J. Ferry	Hon. J. M. Thomson
Hon. A. F. Griffith	Hon. F. R. White
Hon. J. Heitman	Hon. D. J. Wordsworth
Hon. L. A. Logan	Hon. Clive Griffiths
Hon. G. C. MacKinnon	(*Teller*)

Clause thus negatived.

Clause 2: Repeal—

The Hon. G. C. MacKINNON: I would like to point out, Mr. Chairman, that today you have created the distinction of proving *The West Australian* wrong, and I hope you get the front page tomorrow, because it was not my vote but yours which defeated the Bill.

Clause put and passed.

Clause 3: Definitions—

Clause put and a division called for.

The CHAIRMAN (The Hon. N. E. Baxter): Before the tellers tell, I give my vote with the Noes.

Division taken with the following result:—

Ayes—14	
Hon. R. F. Claughton	Hon. I. G. Medcalf
Hon. D. K. Dans	Hon. R. H. C. Stubbs
Hon. S. J. Dellar	Hon. W. F. Willesee
Hon. J. Dolan	Hon. R. J. L. Williams
Hon. Lyla Elliott	Hon. F. D. Willmott
Hon. J. L. Hunt	Hon. W. R. Withers
Hon. R. T. Leeson	Hon. R. Thompson (*Teller*)

Noes—15	
Hon. C. R. Abbey	Hon. N. McNeill
Hon. N. E. Baxter	Hon. T. O. Perry
Hon. G. W. Berry	Hon. S. T. J. Thompson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. Clive Griffiths	Hon. F. R. White
Hon. J. Heitman	Hon. D. J. Wordsworth
Hon. L. A. Logan	Hon. V. J. Ferry
Hon. G. C. MacKinnon	(*Teller*)

Clause thus negatived.

Clauses 4 to 6 put and negatived.

Title—

The Hon. W. F. WILLESEE: I would like to look at what we have left. The whole of pages 2 and 3 has been deleted and the short title has disappeared. There is very grave doubt that the full title will be passed. I move—

That the Chairman do now leave the Chair.

Motion put and passed.

The Chairman accordingly left the Chair and the Bill lapsed.

CHILD WELFARE ACT AMENDMENT BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [5.58 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is straightforward. It is intended that we should restore to the Child Welfare Act a provision that has existed since almost the inception of the Act and which was inadvertently altered when other amendments were made to section 20 of the Act in 1968. The urgent need for this current amendment was demonstrated in a recent case involving an appeal to the Supreme Court. The effect of the court's decision was to cast strong doubt on the jurisdiction of the Children's Court in certain cases and, consequently, a parallel doubt on the jurisdiction of other courts to deal wth this same category of cases. It is this awkward situation that I wish to remedy.

Section 20 of the Child Welfare Act specifies the jurisdiction of the Children's Court in regard to children. Prior to amendment section 20 read—

> A Children's Court—
>
> (a) Shall exercise exclusive jurisdiction in respect of all offences alleged to have been committed by or subject to section 20A of this Act, against children provided that . . .

The section then goes on to enumerate certain specified and very serious offences that may be dealt with only in part by the Children's Court, such as murder, manslaughter, treason, etc. The key words in this section are, ". . . offences alleged to have been committed by or . . . against children . . ."

It is quite clear that, with the exception of the specified offences, it was the intention of the Act that persons who committed offences while children should be dealt with in the Children's Court. The age at which the offence was committed was the important determinant.

Then in 1968 a change was made that has now turned out to have a most undesirable side effect. The amendments to the Child Welfare Act which were passed in that year—Act No. 29 of 1968—amongst other things deleted some subsections of section 20 concerning maintenance matters and, at the same time, streamlined the wording of the section. In the process the section was changed to read—

> 20. (1) Subject to the succeeding provisions of this section, a court has exclusive jurisdiction—
>
> (a) to hear and determine a complaint of an offence brought against a child; . . .

The key words now are, "complaint of an offence brought against a child".

In a recent appeal to the Supreme Court —appeals No. 51, 52, and 53 of 1971—it was held that this particular wording of section 20 (1) (a) stressed the person's age at the time of being dealt with for his offences and did not allow a Children's Court to deal with an offender if he were over the age of 18 years at the time the complaint was made or at the time of his appearance in court. In other words, the Children's Court could deal with a case only if it could be finalised while the person was still a child and could not deal with offenders over 18 years of age, even though they were minors when they offended.

Such an outcome was never the intention of the 1968 amendments and the Child Welfare Department, the Police Department, and the Children's Court have continued, during the interim, to act in the general belief that if the offender were a child at the time of committing an offence then he should quite properly appear in the Children's Court. The age of the person at the time of being charged or at the time of his actual court appearance, has never—until the Supreme Court decision —been regarded as significant for the good reason that there can be many circumstances beyond the child's control that cause delays between the time he commits an offence and the time the court deals with him.

If the present wording of this section of the Act is allowed to remain a good deal of injustice will result and one of the most important principles contained in the Child Welfare Act will have been negated. That principle recognises that offences committed by children should be dealt with by a court which can give special regard to the problems of development and maturity in the young.

It is therefore necessary that we should restore to the Child Welfare Act a provision which will clearly establish the court's mandate to deal with offences by juveniles in a manner that is in keeping with the spirit of the Act and in accord with the intentions of previous legislation.

Mr. President, with your permission I will give what might be termed a brief Committee explanation of the operative clause—clause 2. Deletion of the words, "brought against" and the substitution of the words, "alleged to have been committed by" as proposed, will achieve the desired result. It will make clear that the important consideration is the child's age at the time he is alleged to have committed the offence and not some other event that may be purely extraneous.

Proposed new subsection 1 (a) clarifies a consequence of the amendment proposed by specifically stating that, even though a person has turned 18 years since committing an offence, the court's jurisdiction covers him and that the court has the power to deal with him.

Proposed new subsection 1 (b) is necessary to correct the anomalies that have already arisen. There are a number of cases dealt with by the Children's Courts between 1968 and the present time in which jurisdiction appears to have been incorrectly applied. Without this provision these cases would have to be considered for rehearing. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. L. A. Logan.

Sitting suspended from 6.05 to 7.30 p.m.

BILLS (2): RECEIPT AND FIRST READING

1. Milk Act Amendment Bill.

   Bill received from the Assembly; and, on motion by The Hon. J. Dolan (Minister for Police), read a first time.

2. Legal Practitioners Act Amendment Bill.

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

ALUMINA REFINERY (UPPER SWAN) AGREEMENT BILL

Second Reading

Debate resumed from the 6th October.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [7.33 p.m.]: The Leader of the House introduced the second reading of the Bill in this Chamber on the 6th October, 1971. At the time we were told there was a degree of urgency to have the measure passed. In introducing the second reading Mr. Willesee explained in considerable detail the agreement contained in the schedule, and I would like to thank him for giving the House such detailed information on the matter.

I wish to refer to some words which the Minister used when he commenced his remarks. I will quote the first few lines of his speech, and then perhaps interpolate. On that occasion he said—

> This Bill has been passed in another place and comes to this Chamber with a message seeking our concurrence with its provisions.
>
> Prior to the signing of the agreement, Parliament was given the opportunity of debating the proposals contained within its clauses.

I wondered why those words were couched in the past tense, because in fact Parliament is still debating the measure. He went on to say—

> This is a new approach to the usual ratifying Bill of this nature for the reason that in the past complaints have been made to the effect that the submitting of an agreement to Parliament was merely a formality.
>
> There has been some public controversy as to this industry because the site is not in an established industrial area. Actually the project is based on mining bauxite that is low-grade by world standards and would be unable to withstand the economic strain that would be imposed on it by siting the refinery further north. If it is not permitted to establish on the selected site there is every possibility that the project will be deferred indefinitely.

This was a different approach from that used by the Minister in the Legislative Assembly when he introduced the second reading of the Bill. On that occasion he said—

> The purpose of the Bill now before members is to allow Parliament to determine whether the Government should enter into an agreement with Pacminex Pty. Ltd. and its joint venture partners for the establishment of an alumina refinery at Upper Swan.
>
> This is a departure from the normal practice followed by the previous Government and this Government with the Poseidon nickel agreement which was signed by the Premier before being submitted to Parliament for ratification.
>
> The reason for this departure is that the Government wants to allow Parliament the opportunity to debate the question of whether it is in fact desirable, and in the best interests of the State, to have the industry sited in the particular location proposed by the company. This is a courtesy that the previous Government never extended to Parliament in any of the major mineral agreements it brought forward during its term of office.

I wish to refer to some other words which appear on page 1422 of the previous session's *Hansard*. These words were uttered by Mr. Willesee from a prepared statement, when he was speaking in this Chamber in relation to the motion for the appointment of a Select Committee to inquire into the Corridor Plan. This motion had been moved by Mr. White. On that occasion Mr. Willesee said—

> A further point which I put to members in support of this move is the fact that for some curious reason this motion has been moved in this Chamber, which is thus deprived of the opportunity to receive a reply from the Minister concerned. Liberal-Country Party Governments would not allow Select Committees, but on a change of Government they use their majority not in the popular House where Governments are made and unmade but in this Chamber where, conveniently, the responsible Minister cannot participate.

> It is amazing how the honourable member has found such new virtue in Select Committees only since the change of Government, and in all sincerity I submit to the House that the right and proper thing to do now is to accord to members in another place those advantages which Mr. White has stated will accrue to parliamentary members of the Legislative Council.

I point out those words in order to draw attention to the implications of this sort of thing.

On the present occasion the Government wants to regard the Legislative Council as part of Parliament and, of course, it is part of Parliament. The Legislative Council will have regard for this piece of legislation in exactly the same way as it has for all other pieces of legislation which come before it.

It is said that the Government has not yet entered into this agreement, and that it wants Parliament to debate and decide whether the proposals contained therein are acceptable; and, of course, in the process to determine whether the precise site for the industry will be in the best interests of the State. It is certain that the Government intends members of this Chamber to determine very largely whether or not this agreement should be entered into with the company. We know, of course, that all members supporting the Government in another place gave their support to the Bill. I will be very surprised, indeed, to hear of any member in this Chamber, who supports the Government, doing other than support the Bill. In fact, attempts that were made in the Legislative Assembly to alter the course of the Bill were defeated by the Government.

I wish to deal with the legislation, firstly, by speaking to the Bill itself. Then I will make a few brief remarks in relation to the schedule containing the agreement, and after that I will direct my attention to the matter as it affects the environment, or to use that popular expression, "environmental control."

The Bill contains three clauses, the first being the short title, and the second and third being quite important. The second clause states—

> The execution by the Premier of the State of Western Australia acting for and on behalf of the State of an Agreement in or substantially in accordance with the form set out in the Schedule to this Act is authorized.

I draw attention to the words "an Agreement in or substantially in accordance with the form set out in the Schedule." I think we all know what the word "substantially" means. If we do something substantially the same, we expect it to be as nearly the same as is reasonably possible. However, this agreement has not been signed, and as I develop my remarks I think I can make it clearly understood that it is not the Government's intention to sign it until its proposed environmental protection legislation has been presented to and passed by Parliament. In fact, we do not know what we are to authorise, although we can expect that the agreement which the Government will execute with the company will be substantially the same.

I think the meaning of the word "substantially" can be illustrated by putting the position in reverse: it would not be substantially the same if under this agreement any process other than the mining and treatment of bauxite were carried out; or if the company went into the mining of some mineral other than bauxite it would not be substantially the same.

Under the variation clause of the agreement which I shall deal with in the course of my remarks it is open to the Government of the day to vary the content of this agreement, and keep fairly well within the meaning of the word "substantially."

Clause 3 simply says—

> 3. When the Agreement referred to in section 2 of this Act is executed by all the parties thereto, the Agreement shall, subject to its provisions, operate and take effect as though those provisions were enacted in this Act.

I make the point that the Minister for Development and Decentralisation says this is a courtesy which has never been extended to Parliament before. Whether the word "courtesy" is the correct one, I am not sure. The Government of which I was a member, without any discourtesy to Parliament, negotiated agreements with the companies, entered into them, and then presented the documents to Parliament for ratification; and, to my way of thinking, this is the proper way to do business.

I cannot help wondering, of course, why the Government is extending this courtesy to Parliament with the Pacminex agreement when it did not, to use its own words, extend the same courtesy to Parliament when it entered into the Poseidon agreement. Why not? I suggest the Government did not bring the Pacminex agreement signed, sealed, and delivered because the question of the site of the industry was, to say the least, a very difficult political situation in which the Government found itself, and in which it continues to find itself. The Government wants to be able to say that Parliament passed this Bill containing three short clauses authorising the Premier of the State to sign an agreement which is in the schedule to the Bill in this form or in a form substantially near to that contained in the schedule.

I do not expect to get any real reaction from that statement, but it is just a conviction I hold. In this particular case the Government has found itself to be in a spot.

I do not see any purpose in rehashing the agreement clause by clause, or in telling members what the agreement contains. The Minister has already done that, as I have said; and apart from one or two particular matters, the agreement follows the line of its original negotiations, and is the sort of agreement applicable to the mining, refining, and possible smelting of bauxite in Western Australia.

As to the specific points, firstly I draw attention to the fact that the Government has been very lenient indeed with the company in respect of housing. If members look at what is known as the Alwest agreement they will find a clause under which the company is to provide on the mineral lease or in some adjacent area at such prices, rentals, or charges as are fair and reasonable under the circumstances, such services and facilities, including housing assistance, as may be necessary for the proper and reasonable accommodation, health, and recreation of workers, etc.; and that it must bear the capital cost involved to the State in the establishment on the mineral lease or in adjacent areas any education, hospital, police, or other services to the extent to which such services have been made necessary by the company's operation. The agreement then contains one or two undertakings given to Parliament in relation to housing.

However, the agreement under discussion contains no specific mention of any obligation of the company to find money for housing; and I know that the company plans to draw its labour from those who live nearby and who are already housed in the area or in the nearby vicinity. I simply point out that the Government is far more lenient in this agreement than it has been in the agreement concerning Alwest.

The other point I would like to raise regarding the agreement before us is the variation clause. When Mr. Willesee and I were in different situations—that is to say, when he was over here and I was over there—

The Hon. W. F. Willesee: We were never very far away from each other, though, were we?

The Hon. A. F. GRIFFITH: No. However, we were quite often at a distance in our views, were we not?

The Hon. J. Dolan: Always have been.

The Hon. W. F. Willesee: Oh, I do not know.

The Hon. A. F. GRIFFITH: I find myself in somewhat the same position; but members will recall that on many occasions concerning variation clauses I was reprimanded well and truly by members who did not support the Government of which I was a member.

The Hon. W. F. Willesee: True.

The Hon. A. F. GRIFFITH: We said at the time, in defence of the situation, that whenever any agreement was to be varied in any substantial way—and in creeps that word again—we would bring the agreement back to Parliament for ratification. If members will cast their memories back they will recollect this was so, and I can call to mind a considerable number of these agreements which required more than a simple variation—they required a substantial variation—and, once the Government had entered into the rearrrangement with the company, those variations were brought back to Parliament for ratification. But what do we find on this occasion? On page 45 of the schedule in clause 54, we find exactly the same words which are in the variation clauses in other agreements. Clause 54 reads—

> 54. (1) The parties hereto may from time to time by agreement in writing add to substitute for cancel or vary all or any of the provisions of this Agreement or of any lease licence easement or right granted hereunder or pursuant hereto for the purpose of more efficiently or satisfactorily implementing or facilitating any of the objects of this Agreement.

Fair enough. However, the clause continues—

> (2) Where in the opinion of the Minister an agreement made pursuant to subclause (1) of this Clause would constitute a material or substantial alteration of the rights or obligations of either party hereto, the agreement shall contain a provision to that effect and the Minister will cause that agreement to be laid before each House of Parliament within the twelve (12) sitting days next following its execution.
>
> (3) If either House does not pass a resolution disallowing the agreement, within twelve (12) sitting days of that House after the agreement has been laid before it, the agreement shall have effect, from and after the last day on which the agreement might have been disallowed.

I cannot help but be a little amused about a clause like this because the governing words are "Where in the opinion of the Minister." If it is not the Minister's opinion that the variation is substantial or material, then, of course, it need not be brought to Parliament. I do not cavil about it. I merely think it is—I do not know whether I will use the right word—merely a platitude to overcome some of the criticism levelled at the previous Government because of the variation clause

which existed in the agreements it presented. I think the variation clause in this agreement is a real masterpiece, and I will leave it at that.

I turn now to the Bill as it affects the environment and I am sure all members of the House are aware that the previous Government, before submitting this agreement to Parliament for ratification, intended to submit it for study and report to the environmental protection authority to be established under the legislation passed last year. That was the intention. Members will also recall that prior to and since the general election on the 20th February, a great deal has been said by the Labor Party about environmental protection. I read and reread the Labor Party policy speech in which is was stated that environmental protection would be a top priority. The present Government stated that the legislation introduced by the previous Government would not be proclaimed, but that a new Bill would be introduced and this would be one of the first items to be undertaken by it.

Well, this is the month of November, and the Bill is at last in another place. I cannot say anything about that Bill at this stage of the proceedings because I know you, Mr. President, would not permit me to do so. It was said that the legislation which my friend and previous ministerial colleague (Mr. MacKinnon) introduced had no teeth. I think that was the expression used. As I have said, it was stated that the Labor Government would give high priority to legislation of the right type and that the legislation it introduced would have big teeth. We were also told the proposed legislation would be dealt with urgently and introduced into Parliament as one of the new Government's first measures. But, I repeat, the Bill referred to has only just been introduced.

Why the Government did not proclaim the Act which was introduced by the previous Government, I fail to understand. Even if, in the opinion of the present Government, the legislation of the previous Government had no teeth, or its teeth were not big enough, surely this Government is competent to introduce some amendments. Dr. O'Brien, the man who was appointed to do the job, has been here now for some months but he has, in fact, no legislation under which to work.

The Hon. R. F. Claughton: He has been busy preparing it.

The Hon. G. C. MacKinnon. Since when has he had the qualification of the Parliamentary Draftsman? He is a physicist.

The Hon. A. F. GRIFFITH: All I can say in reply to the interjection is the Government does not take me into its confidence as it appears to have done with the interjector. I did not know Dr. O'Brien was preparing the legislation. I though he was offering some advice, but the honourable member suggests that the Bill will not be the work of the draftsman, but the work of Dr. O'Brien. I do not think that would be a correct assumption.

Perhaps he has given certain of his ideas to the Government. The fact remains we have gone all this time without any environmental legislation at all. The Government seems to have satisfied itself with calling out about it without doing very much.

In September of this year the Government indicated the importance of the legislation before us. We know what the date now is. I would like to quote from *Hansard* No. 9 of last session at page 1489. The Minister for Industrial Development said—

> I emphasise it is necessary for the company which has, of course, international implications, to come to the Government with details of how it intends to proceed with this project which is set out in broad outline in the agreement—and it does not take long for the months to tick by. On the assumption that the blessing of this Parliament would be given to its project, the company has arranged a meeting in London on the 18th October next, which is only a month or so away. It was intimated to the partners of those here in Australia that the agreement would be signed by them. It is vitally important to them that this should be so because it can have some repercussions which could be disturbing and, indeed, in the extreme, could perchance be fatal.

The Hon. Clive Griffiths: It is still only a month or so away.

The Hon. A. F. GRIFFITH: The importance of this legislation paled into insignificance and something else became far more important; I refer to the prorogation of Parliament for a period of five weeks. I mention this only to emphasise that importance of priority. It was far more important from the Government's point of view to stay in office. The fact remains the delay which has been caused in the handling of this Bill—bearing in mind the Minister introduced the Bill, as I said, on the 6th October—was caused by nothing more than the prorogation of Parliament, so far as I am aware. I do not know whether the Minister can tell us whether the delay, occasioned by whatever circumstances, has had any fatal result on the agreement.

The problem attaching to the legislation, as I see it, is in connection with the proposed site and its probable effect upon the environment. To say the least, the site is a very controversial subject. Members are aware the previous Government told the company that it could not establish on at least one site because of the harmful

effect it might have upon the environment. The company was requested to choose another site. A number of representations have been made to me to defeat the Bill; I have been asked to cast my vote against the passage of the measure. The site and the possible effects of the industry upon the environment seem to have hit hard at the hearts of a number of people who interest themselves in damage that is likely to be caused to the environment. They feel this damage could result if the industry were placed where it is proposed. I understand the Government has also been pressed hard on the matter and certain statements have been made. One of the statements appeared in *The West Australian* on the 11th September under the heading, "Refinery Bill To Be Delayed." It said—

> The Government's environmental protection legislation would precede any agreement on the Upper Swan alumina refinery, the Premier, Mr. Tonkin, said yesterday.
>
> The refinery agreement would have no force till he signed it—and he would not do this till the environmental legislation was passed.
>
> It was possible that the two Bills would be debated together.
>
> At his press conference earlier yesterday he said that a debate would probably start on the Environmental Protection Bill first.
>
> Mr. Tonkin said that the Bill would be before Cabinet in its final form on Monday. The refinery Bill had been adjourned for a week by Parliament.
>
> He refused to estimate when the Environmental Protection Bill would be introduced, when a decision on the refinery would be made or how long it would take to pass the two Bills.
>
> He agreed that it might take several months.
>
> He intimated that Dr. Brian O'Brien, the Director of Environmental Protection, would have enough time to consider the refinery question.
>
> Mr. Tonkin said that no existing legislation stipulated whether the Government or Parliament should decide the site for such a refinery.
>
> It was not comparable with such decisions as siting power lines or roads.
>
> The Government had decided as a matter of policy that before any big industries were established and agreements signed, Parliament should have an opportunity to express an opinion. The refinery Bill would enable Parliament to consider the agreement before it was signed.
>
> The Minister for Industrial Development and Decentralisation, Mr. Graham, said in Parliament on Thursday that the alumina project would be bound by all existing and future legislation on environmental protection.

I now turn to the debate that ensued in the Legislative Assembly when the member for Nedlands moved an amendment which is not often moved in this Chamber. It is a procedural amendment whereby the member moves to delete the word "now" when the question, "That the Bill be now read a second time" is put. As I said earlier in my remarks, this move was defeated by the Government. Mr. Court had stated his reasons for moving the amendment. Mr. Lewis, the member for Moore, apparently felt he should speak to the amendment and did so. I shall not read all of what he said because I do not wish to bore the House, but there are one or two points with which members should be acquainted. Mr. Lewis said—

> I rise to support the amendment moved by the Deputy Leader of the Opposition. I assure the House I have no political motives whatsoever.
>
> I assume, Sir, you will confine the debate to the amendment to delete the word "now," but I do hope some latitude will be allowed so that members may advance arguments in support of the deletion of this word.

He went on to say—

> The decisions of the Premier and those of the Deputy Premier on this matter are at variance. On the 12th July this year I led a deputation to the Premier on the proposed refinery and alumina project. On that occasion the Premier gave us an assurance, quite vehemently, that we had nothing to worry about, because the matter would be referred to the proposed environmental protection authority before anything was done. Of course this assurance was not given in writing. I would not expect the Premier to do this. Surely it is sufficient to rely on his integrity and accept his word.

At this stage Mr. Graham said—

> The Premier said that he would do this before he signed the agreement.

Mr. Lewis went on—

> The next day, the 13th July, an article appeared in *The West Australian* as follows:—
>
> > The Premier, Mr. Tonkin, said yesterday that Parliament would not pass legislation to establish an alumina refinery near the Swan Valley before it had dealt with proposed legislation to protect the environment.
> >
> > Mr. Tonkin had received a petition signed by 1,304 people protesting about the possible effects of a refinery.

He said that the situation was adequately safeguarded. Even if the agreement to establish the refinery was signed by the Government it would still have to be ratified by Parliament.

He believed there was ample time for objections to be raised.

The petition said that the refinery could cause extensive damage to the surrounding area.

Further on, Mr. Lewis said—

I interjected on the Minister when he was making his second reading speech and asked, "At what stage will this be referred to the environmental authority?" The Minister said—

Already Dr. O'Brien has carried out some investigations. He has been in touch with the various departments and authorities, whether it be the Public Works Department, the Water Supply Department, the Clean Air Council, the Public Health Department, and so on. However, it is anticipated he will have a further look at it in the light of legislation to be introduced shortly which will govern this matter of environmental protection.

I interjected again and asked, "Before this Bill is passed?" The Minister said, "It will be before the agreement is signed."

The Premier had told me on the 12th July that Parliament would not pass legislation to establish the refinery before it had dealt with legislation to protect the environment. Consequently we have heard two completely opposite opinions of when the Bill would be passed by the Parliament.

Mr. Graham interjected—

I think the member for Moore should place greater credence on what has been said in this Parliament.

Mr. Lewis said—

Where are we if we have to place credence only on what a Minister of the Crown, including a Premier, says in this Parliament?

Mr. Graham interjected—

If there is conflict.

Mr. Lewis went on—

Have we reached a stage where we cannot rely on the integrity of the Leader of the Government and believe what he says? I would hate to have to question the integrity of a leader of a Government. Two opposite points of view have been expressed. I have read them out and I do not think they can be reconciled.

That is all I intend to quote but I thought the debate should be pointed out to members. I am sure all members who have followed the Press, the debates, and the history of the measure are conscious that there must have been a conflict of opinion as to what would happen. I have satisfied myself, as far as I can, on what the Government really intends to do.

I do not have the *Hansard* in question, but the debate to which I shall refer occurred in another place when the Minister for Mines, I think, was replying to the third reading of the Bill in relation to certain undertakings which the Opposition were seeking. Mr. Court had asked for an undertaking that the agreement would not be signed until the environmental protection legislation had been passed, was operative, and the agreement and project had been submitted to the authority.

I thought this would be the case when he said he wanted it to be a categorical assurance. I would like to read further—

Mr. J. T. Tonkin: Did I not spell that out? How can the Minister give an assurance on my behalf? I gave it on my own behalf.

Mr. Court: You were not categorical about the last part.

Mr. MAY: My understanding is that the Premier did make a categorical statement.

Mr. Court: That the legislation will be operative to the point that it is proclaimed and the appointments are made?

Mr. MAY: I understand the Premier gave that assurance.

Mr. Jamieson then came in and said, "He told you that tonight." I am sorry if I have bored members with these quotations from the debates, but it is quite important as other speakers will follow me.

Some people are quite upset that the presentation of this legislation has actually preceded the Government's environmental protection legislation. Although the agreement contains clauses which make the contract with the Government subject to the environmental protection legislation when it becomes law, the fact remains that the environmental protection legislation will not be passed by Parliament before this particular piece of legislation is passed.

I am not going to oppose the Bill because I believe the industry will be of great advantage to the State. Many times I have stood on the other side of the Chamber and introduced similar agreements. I have heard it said by members who did not support my Government that the industries being brought to the State would be of benefit to the State. Time has proved this to be the case.

The Hon. F. R. White: Do you believe it will be an advantage on that site?

The Hon. A. F. GRIFFITH: I think I know something of the honourable member's point of view. If someone were to

hold the Pacminex agreement up in front of him he would colour—and not entirely with pleasure.

I am not going to oppose the legislation for the reasons I have given. There is a requirement contained in the agreement that the company must prove to the satisfaction of the Government that it is a viable proposition. The Government's Ministers say that its viability may be in grave doubt on any other site. I do not know about that. However I do know that I am firm in my opinion, and I repeat what I said before: if the Government of which I was a member had continued in office, this agreement would have been signed and brought to Parliament for ratification. We would not have said, "Let Parliament decide." This Government can come back later and say, "Parliament put the seal on this; it was nobody else." Before this legislation is passed the environmental protection people should look at this site. The legislation should be referred to the environmental control authority.

From my readings in *Hansard* of debates in another place, and from the remarks in the Press, I understand this is not the course which the Government proposes to follow. Therefore, in the interests of the public at large, and particularly of those who have grave doubts about the location of this particular industry, we, as members of Parliament, should ensure that the environmental protection bodies set up under the Government's Bill now before the Legislative Assembly should be given the opportunity to look at the whole project and to report to the Government.

I will put an amendment on the notice paper to be debated when this Bill goes into Committee. The existing clause 2 reads as follows:—

> The execution by the Premier of the State of Western Australia acting for and on behalf of the State of an Agreement in or substantially in accordance with the form set out in the Schedule to this Act is authorized.

I would seek to add the following words after the word "authorized":—

> when the Environmental Protection Authority proposed by the Bill entitled
>
> > A Bill for an Act to make provision for the establishment of an Environmental Protection Authority, a Department of Environmental Protection and an Environmental Protection Council for the prevention and control of environmental pollution and for the protection and enhancement of the environment, to repeal the Physical Environment Protection Act, 1970, and for incidental and other purposes
>
> has come into being and has considered and reported to the Premier on the project covered by the Agreement and the terms proposed so far as they relate to matters of environmental protection.

I apologise for the unwieldy length of the amendment but it is caused by the long title of the Bill. In fact the amendment is very brief, namely that the authorisation to sign this agreement arises when the authority has considered and reported to the Premier.

Having made those remarks, I support the second reading of the Bill. I hope and trust that the industry will be successful; and that it will be of benefit to the people of Western Australia as other agreements relating to mining have been. I hope the company will find it is a viable proposition and that it will meet with success. However, in all the circumstances and after all the discussions surrounding the negotiation of the agreement and the participation of the company in this particular project, it is imperative that the environmental control authority should have an opportunity to consider this agreement and report on it to the Premier so far as it relates to environmental protection.

THE HON. G. C. MacKINNON (Lower West) [8.24 p.m.]: Modern scholars of human nature and relationships have accepted that the socialistic countries lack understanding of human nature. There are reasons for this, and one of them is that Karl Marx, in his writing, lacked understanding. He lacked the advantage of modern socialistic sciences and modern human biological sciences. He did not understand the finer points of human nature.

We have come to accept that these socialistic countries do not have this understanding. Their faults, mistakes, failures—particularly in the field of agriculture and the realms of human endeavour —flow from this lack of understanding. We see this in their secret police and their forceful efforts to obtain their ends. We accept this and understand it. We believe in the fullness of time these deficiencies may be corrected.

I must admit it has come as a tremendous shock to me to realise that the Australian Labor Party, at least in Western Australia, does not understand the parliamentary system under which we work. I have been in this House for 16 years—admittedly the first three were during the Hawke Government's term of office. At that time the Labor Government had been in power for three years and it was virtually doing nothing. We did not see any agreements during this period. However, over the last 12 years they have become commonplace.

The Hon. W. F. Willesee: You have to agree the lifting of the iron ore embargoes helped you a lot.

The Hon. G. C. MacKINNON: Certainly we had a lot of help; hard-working people can take advantage of their luck. Everyone has a little bit of luck and if a person is hard working he can take advantage of it. This applies to farmers, politicians in Government or in Opposition, as well as to many other people.

This Chamber is not an instrument of the Government; it is part of a legislative body. Government is vested in Cabinet, and a very good system it is. The three members on the opposite side of the Chamber form part of the Government; the rest of us are legislators. Whilst the three gentlemen in that front bench are in this Chamber they are legislators, but when they are back in their office they are part of the Government.

It is the purpose of the Government to govern, and the purpose of the Legislature to legislate. It comes as a shock to me that with almost the first opportunity the present Government has to govern, it wants to forego its prerogative and say to the legislators, "Will you make up our minds for us?" It is the Government's right to sign agreements; ours is the right to accept or reject them.

Members who were not elected at the last election have heard Mr. F. J. S. Wise very ably express this. No-one who has been through this Chamber knows more about our parliamentary system than does Mr. Wise. There are members on both sides of the House who have a tremendous admiration for that man. I know how horrified he would have been that this Bill, which should have been in the form of an agreement, is put forward for our decision. We can say, "No," and vote against it. The Government cannot make up its mind, so why should we do it? Does the Government want us to say, "No"? Is it doubtful about the viability of this undertaking? Does it want to opt out and get out from under? Members are entitled to ask these questions. Mr. Clive Griffiths said had we remained the Government this Bill would have been presented here as an agreement. This was because we understood the system. A Government governs; a Government signs agreements and this House either agrees or disagrees. For 12 years we were told that we were arrogant; we were dictatorial. Of course a Government is dictatorial. The Ministers of our Government will find they have to be dictatorial. Mr. Dolan is far from being a dictator; it is not in his nature. We know this because we have seen him in this Chamber. Where else do we learn to understand men as thoroughly as we do in this Chamber?

Yet I saw him on television talking about spot checks and breathalyser tests; matters which I know must be abhorrent to his nature.

The Hon. L. A. Logan: And to many others, too.

The Hon. G. C. MacKINNON: That is so. However, he feels it is necessary to do it.

The Hon. J. Dolan: No, I do not.

The Hon. G. C. MacKINNON: Well, the Minister thinks it may be desirable, in the general interests of the people of Western Australia to introduce such measures, and if he believed they were for the benefit of the people he would introduce them.

The Hon. J. Dolan: I certainly would.

The Hon. G. C. MacKINNON: I hope he would have the courage to stand up to the accusations of arrogance, dictatorship, and the like that no doubt would be levelled against him, and do what he believed was right. However, I consider that the Bill before us now is an example of the Government not being prepared to accept its proper responsibility—not supposed, or understood responsibility, but proper responsibility—and bring an agreement before us.

I have no intention of discussing the pros and cons of the clauses of the agreement, because Mr. Griffith has already done so. He was a party to the original negotiations and I would not presume to discuss the clauses of the agreement because he probably knows more about them than anybody else in this Chamber and what he has said is undoubtedly correct. Nevertheless I feel I can discuss certain aspects of environmental protection.

I was the first Minister for Environmental Protection in Western Australia and some members may say I was a non-Minister for Environmental Protection. But by the Lord Harry we have had two Ministers since and they have acted more in the role of non-Ministers than I because I had no opportunity to carry out my duties as Minister—despite the fact that I did have one or two cases brought to my notice as Mr. Clive Griffiths knows, and he spoke about one of them in this Chamber on one occasion. We have seen a Premier holding the portfolio of Minister for Environmental Protection since I held the office, and if ever there was a non-Minister he was it, because he had an environmental protection council and he could have looked at these problems and introduced an amending Bill if necessary, to dot a few "i's" and insert a few additional words.

The Hon. R. Thompson: It was not worth the paper it was written on, and you know it.

The Hon. G. C. MacKINNON: The President would not allow me to criticise the current Bill, but I would like to pass it over to the *Reader's Digest* to allow the editors of that publication to delete the unnecessary verbiage, and the Bill would then be so near to the one we introduced that it would not matter.

The fact remains that there have been two Ministers for Environmental Protection since I was Minister—The Hon. John Tresize Tonkin and The Hon. Ronald Davies—and an agreement should have been brought before this Parliament. Arrangements were initiated by the previous Government and there has been ample opportunity to have all the ramifications of the agreement examined, but it has not yet been considered by the environmental protection council. Do not let members tell me it has been looked at by Dr. Brian O'Brien, because I know he is not a council or a deliberative body, but only an individual.

The Hon. R. Thompson: If you are so critical, why did you not proclaim your legislation when you had the opportunity?

The Hon. G. C. MacKINNON: The honourable member knows the explanation. We said we would not proclaim the Bill until Dr. O'Brien returned to this State. He had commitments with a couple of universities relating to his experiments concerning the Apollo mission. The honourable member knows that, because the report was published in the Press. We appointed Mr. Fred Logue as the principal administrative officer and got him working on the matter until Dr. O'Brien returned and the Act was proclaimed. In the interim there was a general election and we decided to leave the proclamation of the Act to the incoming Government. However, we were defeated. The honourable member will recall that.

The Hon. R. Thompson: I have a hazy recollection.

The Hon. G. C. MacKINNON: I thought the penny would drop sooner or later. The honourable member knows full well that that was the reason for us not proclaiming the Act; because we did not have a director. It is a very simple explanation. The Minister for Police should interject a little louder because I did not hear what he said.

The Hon. J. Dolan: I will tell you afterwards.

The Hon. G. C. MacKINNON: That is the simple reason for the Act not being proclaimed. I think the request made by Dr. O'Brien was reasonable. He had a wife and two school children in Sydney. I think his wife was lecturing at the Sydney University in New South Wales. He had a house to sell in that State and one to buy over here. We considered that the requests he made to us were reasonable. We are not inhuman, and so we decided to agree to let him fix up his affairs before he returned to this State and before the Act was proclaimed.

The Hon. A. F. Griffith: I think you have convinced Mr. Ronald Thompson.

The Hon. G. C. MacKINNON: I hope he is convinced, because all the understanding members would be convinced. Nevertheless, I feel I have to go a little further to convince Mr. Ronald Thompson.

The Hon. R. Thompson: I do not think you have to say anything to convince me.

The Hon. G. C. MacKINNON: I am delighted to hear that.

The Hon. R. Thompson: You could not convince me at any time.

The Hon. G. C. MacKINNON: "There is none so blind as they that won't see." This explanation is so logical and so obvious I think it goes without saying that this was the position. Let us suppose, however, that we did not have to proclaim the Act. This does not alter the fact that this Bill has no right to be here. One or two Press columnists have said, "What a wonderful thing this is! Here is a Government prepared to let Parliament decide what it should do!" I despair for these people who can reach the position of being a newspaper columnist and yet who understand our system so poorly as to make this type of comment. This really appals me, because they should understand that particular responsibilities devolve upon a government, and the major, and by far the hardest, responsibility is that a government must make up its own mind.

Those outside the Chamber probably do not appreciate that the most difficult responsibility devolving upon a government is to make up its own mind. A member of Parliament—alone in the community—has to make up his mind and stand up in this Chamber to be counted. He cannot waffle around and have two bob each way and say, "I cannot make up my mind yet."

The Hon. A. F. Griffith: He can for a while, but ultimately he must be counted.

The Hon. G. C. MacKINNON: At the end of every debate on every question the time arrives when a member of Parliament must say nay or yea, and when you, Sir, in your exalted position, give the decision in favour of one side of the Chamber and an honourable member calls for the House to divide, every member of Parliament present in the Chamber must be counted. In deciding any issue before Parliament no-one else in the community need be counted, but day after day and year after year, with our friends the *Hansard* reporters keeping the records, members of Parliament have to be counted. Even if a member is not present on any occasion he is paired off with another member and so his decision one way or the other is still recorded.

The Hon. W. F. Willesee: Sometimes pairs are a bit dicey, too.

The Hon. G. C. MacKINNON: I understand that, and I am grateful for the Leader of the House having looked after me to

that extent. To a greater degree the responsibility of making a decision devolves upon the Government itself and it has no right to opt out of its responsibility any more than we have to opt out of ours. I am sure there have been many occasions when some members have said, "I wish I could walk out of the Chamber on this occasion." An honourable member might be able to do this once, but there is no great courage in saying, "I cannot make up my mind and will not vote on this matter." This is the place where a member of Parliament is counted, and above and beyond that the Government must be counted. It has a responsibility to make up its mind and not say, "We will opt out and let Parliament decide on this question." I ask you Mr. President: "How wishy washy can one get?" However, with one or two Press columnists and one or two radio commentators this went over big. One would have thought we were having a referendum on the question which, of course, is arrant nonsense.

We now have the Bill before us and I take it that expert advice has been obtained as to the viability of the industry. Money has been spent on all kinds of research and yet, despite the fact that we have not access to all the information that has been gleaned, we are asked to make up our minds on this Bill. In principle this is absolutely wrong; it is the wrong use of Parliament. Not for one minute will I believe it is the right use of Parliament. I think such an action lacks courage but, worse still, it lacks a fundamental understanding of our system of Government.

Such a system is inflexible among any group of people who have been elected to Cabinet to look after the future of this great State and I hope action such as this is never seen again. I suppose I may get hauled over the coals this week by one or two columnists who expressed their opinions previously on the Bill. Nevertheless I hope such action never occurs again.

As to the environmental aspect of establishing the Pacminex alumina refinery, I do not think there are any great problems involved. We have heard a great deal of nonsense spoken about the use of fluoride following the manufacture of alumina. Such talk is a lot of malarkey. From such a refinery emanates a smell similar to that which comes from an old-fashioned laundry; which is caused, no doubt, by the use of caustic in the treatment process, but it is the settling ponds which constitute the real problem. They could be less of a problem if the refinery were situated in the hills instead of being situated near the coast. Any shiny surface attracts water birds. Therefore a large wool shed or a settling pond will attract water birds, and the residue in the settling ponds of an alumina treatment works is fairly dangerous to water birds. When they put their heads under the water after alighting on such ponds it burns their eyes out and they die.

The Fisheries and Fauna Department spends a great deal of time investigating this problem in an endeavour to find a solution. It is very difficult to find because, as I say, these birds will land, for example, on a shiny roof and break their necks. Members no doubt have read about such instances in the Press, so I am not telling them anything they do not know. Members of Parliament always read the newspapers and would be well apprised of this subject. However, an industry such as this should be examined in depth by people who understand its effect on the environment and who realise that industry follows industry and settlement begets industry.

As members are well aware, in the process of manufacturing alumina the residual water has to be run out in settling ponds and in the fullness of time this ultimately becomes a perfectly flat well-compacted area covering perhaps 20 to 50 acres, but no doubt members, at some time or another, have had the process of alumina production explained to them and they know what happens.

Quite frequently a flat area is, of course, an excellent site for light industry. Because it is flat and can be quite easily drained I am told it makes an excellent site for the type of industry to which I have referred. Such industry will, of course, attract other industries.

One wonders what the ultimate effect will be in the particular area in which this industry is to be established, not so much as it relates to the refinery itself but as it relates to the other industries which might be attracted to the area and which might grow up around it; because none of us really believes for a minute that the end result will be just one factory.

Does any of us believe that? I would be very surprised indeed if any of us did, because we all know that industry attracts industry; activity attracts activity; and people attract people. Accordingly we will get industries developing around this area.

The matter should be examined in depth to ensure that the area mentioned is the right place for the industry in question. At this stage I will not give an assurance that I will vote for the Bill. In effect, the Government has said, "You can knock this on the head if you like"—and I repeat, I wonder whether or not the Government wants us to pass the Bill; whether it lacks the courage not only to make up its mind but to say that though it is not geared for the purpose it will give it a fly and see whether the Legislative Council will throw the Bill out for the Government. The Government's thinking seems to be, "We

have not the courage to do this; let us see whether the Legislative Council will do it for us."

If that is the case I will say right here that I do not propose to pull any chestnuts out of the fire for the Government, because in those circumstances I will vote for the Bill; I am cantankerous enough to do that! I do not see why we should do otherwise.

We have come to accept the fact that the great socialist countries of the world have made their greatest mistakes because of a lack of understanding of what motivates man. After 16 years of experience in Parliament, however, I am horrified to find that we have a Government which does not understand the manner in which our parliamentary system is designed to operate.

Debate adjourned, on motion by The Hon. L. A. Logan.

BILLS (3): RECEIPT AND FIRST READING

1. Dried Fruits Act Amendment Bill.
2. Commonwealth Places (Administration of Laws) Act Amendment Bill.
3. Companies Act Amendment Bill.

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

MARKETING OF LINSEED ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th November.

THE HON. N. McNEILL (Lower West) [8.51 p.m.]: In 1969 the Government of the day placed before Parliament a Bill to provide for the establishment of a board to control the growing, processing, handling, marketing, and all things relative thereto as this relates to the crop of linseed in Western Australia.

That legislation, having been proclaimed, has had only a fairly short time in which to operate. Nevertheless, this opportunity has been given and the legislation has in fact been in operation as it applies only to linseed production in Western Australia.

It may be recalled that when the Bill was introduced and discussed in this House there was a certain amount of discussion which indicated that both in that particular Bill and in the other Bill which came in at about the same time—and which had a rather disastrous end—the discussion centred upon the feature that perhaps the legislation might well have been better had it provided for the inclusion of other seeds of a similar type to that contained in the Bill at the time.

We now see in the Bill before us that it is intended to include other seeds in addition to linseed; and as outlined by the Minister in his second reading speech it is proposed more specifically to include rapeseed. Rapeseed has come into great prominence in Western Australia in the last 12 to 18 months and it is now proposed to include this in addition to linseed and other seeds.

Accordingly, while the specific intention in the Bill is to include in the Marketing of Linseed Act provisions relating to the control, growing, processing, handling, and marketing of rapeseed, the Minister also indicated that rapeseed production has assumed very considerable proportions in Western Australia and has become a most valuable crop.

The increase in the production of rapeseed has been meteoric. The Minister said that in the 1970-71 season something like 12,000 acres was sown to rapeseed which produced some 2,700 tons of seed. The estimate for the 1971-72 season is for an approximate acreage of 70,000 acres which it is hoped will produce anything from 10,000 tons to 17,000 tons, of which some 5,000 tons could be used on the local market.

I mentioned that rapeseed has become a very important crop. It has become important to the farmers as an avenue for diversification, particularly in the grain-growing areas. It has been one of those features of production which has provided a very welcome boost to the farmer's revenue and income.

Accordingly it is fully anticipated that because of the state of the world market today in relation to the availability of edible oils, rapeseed will assume very great importance and proportions in Western Australia.

I do not know—and the Minister did not indicate this in his second reading speech—what might be the total acreage under which rapeseed can be grown. I would go further and say that the Minister, the Government, and the Department of Agriculture might not be capable of making such an assessment in connection with what is a new crop, but I feel that we perhaps do not yet fully realise the ultimate potential of this seed in Western Australia.

Nevertheless as it stands it is certainly a very valuable crop. In these circumstances there has been a move within the industry for rapeseed to be included in the provisions of the Marketing of Linseed Act.

The real intention of the Bill is to amend the Marketing of Linseed Act and where the term "linseed" is mentioned and specified it is intended that in future this should be referred to as seed meaning in the first instance specifically rapeseed.

One other very important aspect of the Bill on which I would like to touch is the inclusion of the expression "any other seed." To my mind this raises some fairly important considerations. One must say that the Linseed Board as constituted is an oil-seed board. I think members in this House will be fully aware that there are certain peculiarities associated with oil seeds which are not common to any other seed, particularly as this applies in the agricultural field.

When one thinks in terms of any other seed one logically thinks perhaps in terms of cereal grains, but more particularly in terms of pasture seeds. Accordingly it would seem that the ultimate intention might be to give to the present Linseed Board—the future seed board—complete power over any seed having been declared a seed for the purposes of this Act; the process of declaration being made by order of the Governor-in-Council.

The important thing to which I would like to refer here is that with a seed producing industry of the proportions that we have in Western Australia—and I believe and understand that Western Australia is one of the leading States if not the leading State in Australia in the production of pasture seeds—it stands to reason, and I think we know this to be a fact, that there are a tremendous number of growers of seed in Western Australia. It is a very big business indeed.

The intention clearly in this Bill is that when particular circumstances arise in future which in the view of the Government would justify such action, there shall be a recommendation by which the Governor by Order-in-Council shall declare a seed for the purposes of this Act and it shall be included. The important thing, however, is that it shall be included without reference to the grower.

In a matter of this nature I think we are entitled to have such a question referred to the growers. It will be noted that I have some amendments on the notice paper which will provide an opportunity for a reference to be made to growers before any such Order-in-Council is proclaimed.

I do appreciate the fact—and it is well known in the industry, particularly in these days of difficulties, or what we understand are difficulties, in the marketing of agricultural products—that one needs to be right on top of the market.

If the circumstances arose wherein a market was available today and not tomorrow the machinery should be surely available in this State to take advantage of that opportunity. In such a case the machinery should be set up and available.

I think, however, that this must be anticipated by the organisation, by the authority, and by the Government and an opportunity given to growers to signify their wishes and say whether in fact they wish to have their product included in the provisions of this Bill and finally placed in the Marketing of Linseed Act.

The purpose of my amendment, to which I refer in general terms, is to provide an opportunity for such reference. It will be clear the amendment does not provide that it shall be an absolute obligation to call a referendum, but that the opportunity shall exist in the event of there being a move within the industry for a ballot to be held. I will not develop that further; there will be further opportunity for discussion during the committee stage of the Bill.

Another matter I would like to raise on the question of oil seeds is the inclusion of any other seed. I have indicated that the Western Australian Linseed Board is an oil seed board and, presumably, it has somewhat specialised in the handling of oil seed. We could safely assume all other agricultural seeds are quite dissimilar and would have other peculiarities about which the board may not be fully aware. However, the legislation now before us proposes that in future the Western Australian Linseed Board would have the overriding authority to control any other seed.

I would like to ask the Minister if, in fact, there has been a reference to the Western Australian Linseed Board on this very matter, and whether the board has had an opportunity to examine the proposal and report on the inclusion of any other seeds, and what are its recommendations.

I am inclined to the view that the board may not have had an opportunity to examine the matter and I think this is important and relevant. For that reason I emphasise the two points: the necessity for reference to the growers, and the necessity for reference to the Western Australian Linseed Board to see whether it is agreeable to the covering any other seed as proposed in the Bill.

I admit that when I refer to the desirability of making a reference to growers as to whether their seed should be included within the provisions of this Bill, it has not, in fact, been done in the case of rapeseed. I emphasise there is no inconsistency in my case.

It is absolutely clear that a good deal of publicity has already been given throughout the countryside to the fact that rapeseed was to be included in the provisions of the Bill and a number of those people vitally interested in the industry should have some opportunity to make representations. So far as the growers are concerned, I have not been made aware of any representation for opposition to the inclusion of rapeseed. It seems to me there has been a sufficient body of those who are prepared to accept the proposition, presumably, in order to take advantage of orderly marketing and whatever market

opportunities exist. From the information made available to me there are considerable market possibilities available.

There is one aspect of the industry which I do not think has been referred to the board. There is one other section which has become terribly important to Western Australia. It relates to the processing of rapeseed. A company was recently set up in Western Australia to promote the growing and, certainly, the processing of safflower, mainly at the Ord River Dam and also in the Esperance area. Those two ventures did not work out very satisfactorily. The processing plant had the capacity to handle other seed and the processors made alternative arrangements. The plant was used for the processing of rapeseed, and I understand that in its first year of operation it processed seed from wild turnip which, as we all know, is a pest in our agricultural areas.

The operators of the plant were able to obtain a sufficient return to undertake further activity in the business. They went to great lengths to obtain seed of confirmed variety from elsewhere in the world, and particularly from Canada. I understand the company has entered into considerable contracts with a large number of farmers for the growing of rapeseed, and it has also been able to secure some reasonably good overseas markets, particularly in Japan.

It will be recalled that a few days ago I asked some questions in this House relative to rapeseed. For the record I think it is worth while that I make some quick reference to those questions. At this point, I will refer only to the portion of my question relative to rapeseed. The answer to my question indicated that in the 1969-70 season there was no production of rapeseed in Western Australia. During 1970-71 there was a local sale of some 2,000 tons, and 400 tons were exported. The price paid on the farm in 1970-71 was $2.20 a bushel. That was an estimated figure subject to the finalisation of sales. The price paid on the overseas market for Western Australian rapeseed was approximately $90 a ton, as against the local market price of some $85 a ton.

It is also relevant to mention the potential market; and the Minister indicated that as far as linseed was concerned there may be some difficulty, but as far as rapeseed was concerned it should be easy to dispose of it on the export market. The anticipated production next year could be up to 17,000 tons.

The company to which I have referred has played an important part in establishing an industry in Western Australia and I would like to think that some opportunity would have been given that company to take part in the preparation of this sort of legislation. At least, the views of the processors should have been sought. I understand this has not been the case. I would like the Minister to also indicate whether there has been a reference to the processor who has played a very important part in the industry.

I think one could go a little further. Under the operations of the Act the view is held that there will be no place for a private company. However, the company concerned might be something more than a private company. I believe that 90 per cent. of the shareholders are, in fact, farmers. The particular company may not be able to trade to the optimum capacity. The company seems to believe that with the overheads of administration and voluntary pools operating in relation to rapeseed it may face extinction. Apart from the overhead costs which the company thinks it will have to bear—if it is recognised by the pool under the compulsory form of acquisition—there is the consideration whether it will be able to obtain supplies of seed, and what opportunities there will be for it to make forward contracts for the purchase and sale of seed.

It must be borne in mind that under the Marketing of Linseed Act the board becomes the sole authority for the purchase of, in this case, rapeseed and linseed. I would like to think that some consideration will be given to writing into this legislation the power for the board to authorise or to issue exemption certificates to processors to enable them to enter into contracts with the farmer-growers. Also, I would like to think that a processor would be able to make forward contracts for the sale of his particular product. I think that would have certain advantages and virtues.

I know it is frequently claimed that for orderly marketing to be a complete and total success it is necessary for the board concerned to have complete control over the entire industry, and over all seeds relative to that board. However, I also believe that legislation could be framed to give growers an opportunity to have made available to them the facilities of a compulsory pool and, if need be, the opportunity to enter into contractual arrangements, particularly with a local processor. I believe that under the provisions of the Act all growers would be registered, and that certainly all products should become registered and should become the property of the board. Under those circumstances a grower would have an option. I also believe such a provision would act as an incentive to both parties, the board on the one hand and the processor on the other. I believe that would provide a certain amount of protection throughout the entire industry and I would like consideration to be given to such a provision.

I realise the Minister in this House cannot give any undertakings in this respect but perhaps after consultation with the

Minister for Agriculture I may have an opportunity to place some amendments on the notice paper.

I also appreciate there may be some necessity to refer to the two sections of the industry before my proposition can be agreed to. Nevertheless, I think it is important to the future of the processing industry. After all, it is a pioneering industry and it is employing a number of people. I believe that 18 or 19 people are employed and the industry is serving a very useful purpose.

The processing industry serves a useful purpose in the promotion and growing of rapeseed in Western Australia, and also in the production of rapeseed oil which is a very valuable product on the overseas and local market. It also produces rapeseed meal which is a useful substitute for high protein dairy meals, and poultry food.

I think such an opportunity would still be virtually a disciplined choice which would be available to the farmers. Under present circumstances I do not believe it would necessarily undermine the powers and functions of the board to a point where it could not operate satisfactorily.

There is another aspect to which I must make some reference; that is, the conduct of the board itself. Rapeseed is a very new crop to us, and the handling and processing of it are very new. I would have liked the Government to give us more information on the world potential for the oil or other by-products of rapeseed. Perhaps that might not have been possible, but it is certainly true that there is a shortage of rapeseed in the world. In fact, in recent times it has been said to me that edible oil seeds are probably the only agricultural commodities which are in short supply in the world today. I think we should be prepared to condition our thinking and our approach to marketing on that basis and provide the flexibility that will enable us to be well and truly geared to take advantage of our opportunities. I believe that is one of the intentions in establishing a board of this nature.

Having said that, I believe we should be prepared to assist such a processing industry, and at least enable it to carry on. Surely in the past we have learned our lesson, that in the growing of so many of our agricultural seeds and grains, in particular, as well as fibres, we have relied on the sale of the raw product when perhaps we could have given a little more thought and emphasis to the processing of those products. Economically, processing means so much more to us, and I believe it puts us in a position to be a good deal more competitive on overseas makets. I would not like to think that a local industry such as that proposed in the Bill could go by the board. I hope the Government will give some thought to this point, and I suggest it might consider having some close consultation will all sections of the industry—the producers, the processors, and perhaps members of the present Linseed Marketing Board—to ascertain whether they can make arrangements which will be mutually satisfactory.

We may not know a great deal about rapeseed oil but it has already been indicated that there are varietal differences in this particular crop, by which I mean there is a difference in the content according to the variety. We know that even in cereal grains there is a difference in the protein content, in particular, between the varieties and also according to the geographical situation in which those varieties are grown. The same may well be true of rapeseed. However, I understand it goes a little further in the case of rapeseed because it produces an edible oil which can be used in margarine and other products of a similar nature, and a specification order is available.

One of the doubts which have been expressed about the operation of a compulsory pool is that there may not be the facility to allow for the supplying of specification orders for overseas, in particular. The same situation could well arise in Western Australia. In other words, in order to take full advantage of the market, it would be necessary to provide for segregation within the pool in Western Australia, with all the circumstances and conditions that segregation of a crop would involve. I think this is very desirable. I cannot speak with any great authority on this matter, but I have heard that certain Scandinavian countries require considerable quantities of rapeseed and rapeseed oil which must not contain more than a certain amount of a particular acid because of its presumed medicinal effect. That may not be the correct term but the acid is believed to have some effect when consumed by human beings. When those quantities—which may be very considerable—are on order, it may be necessary to specify the particular variety or the content of the seeds. In pool arrangements for the marketing of a crop such as this in bulk quantities, it is not always possible to provide for such segregation. I hope a great deal of thought will be given to this matter.

Another point I would like to raise has been put forward by sections of the industry which are vitally concerned; that is, it should be borne in mind that Western Australia is not the only State that is capable of producing large quantities of rapeseed. The Eastern States are also producing vast quantities of it. I understand no pool arrangements are operating in the Eastern States and that they have a considerable potential for production. When opportunities for large export sales are available, I would not like to think we could lose them simply because we have some cumbersome machinery or administration

within the pool which would prevent Western Australia from taking advantage of its opportunities and perhaps cause the loss of those orders to the Eastern States. While it is very desirable that we organise our industry, provide for orderly marketing and exercise some degree of control, including segregation and quality control, we would not want the control to be such as to militate in any way against our taking advantage of any orders that might be available to us.

I cannot vouch for this but it has been suggested to me that the last season's crop of rapeseed which was made available to the voluntary pool in this State, which entered into arrangements to supply overseas markets, was not in fact shipped until within recent weeks. I understand the markets available to the pool in Western Australia are in Japan. It is clear to me that Japan is not the only market available in the world for the supply of rapeseed or rapeseed oil. Canada is also a large supplier of rapeseed to Japan and may well be a large supplier to other countries, particularly in Europe. However, I understand the Canadian crop is available at a different time of the year.

I therefore believe the pool—whether it be compulsory or voluntary—must have flexibility to enable it to meet and supply the market when it is found. This flexibility is usually only available to a private operator. I think the circumstances applying here should be borne in mind by those administering the seed pool, as it will be called.

I hope the Minister will be prepared to give some thought to the questions I have raised. I think they are important because, while this Act is described as the "Marketing of Linseed Act," all too frequently the need for this sort of legislation arises from what might be described as an overwhelming fear of overproduction and surpluses. I suppose there are good and sound reasons for our agricultural community being conditioned in this way but I do not think such factors should be considered to the point where significant notice is taken of marketing as against the processing industry. I thing the agricultural community has another fear leading to the need for the establishment of an authority such as this; that is—if I may use the slang term—the fear of being taken for a ride by the processors or middlemen.

We in Western Australia have achieved a high standard of production and have, in fact, done very well. We are in world class as regards production and also, in many instances, as regards the technology associated with production. We are one of the world's leading suppliers and traders in agricultural products. We are mature and we do not need to have the fears that condition our thinking in the preparation of legislation, which is restrictive rather than adventurous in its philosophy. An authority such as the one created under the Marketing of Linseed Act should be geared to marketing and not predisposed to providing conditions for control and restriction in order to supply a market which we fear might be oversupplied at some time. There needs to be a change of attitude, generally, and it should be borne in mind at all times that marketing is not just the end product of the production and processing that preceded it, but marketing really means the production, processing, and all the other intermediate steps. It is part and parcel of the entire operation. I believe we should adopt this attitude in these days when we appear to be so preoccupied with the necessity for overseas markets and exports.

I support the Bill. I think it is desirable that rapeseed should be included in these provisions. I do not necessarily agree that at this stage it is essential to include any other seed in the legislation without reference to the growers to see whether they are agreeable to its being done. I hope earnest consideration will be given to distinguishing, for the purposes of the operation of the board, between seeds such as pasture seeds, on the one hand, and oil seeds on the other.

I again express the hope that the Government will be good enough to look closely at the possibility of allowing flexibility in the legislation to give the local processor the opportunity to make contractual arrangements within the industry, to enable him to operate on a long-term basis and thus take the fullest advantage of any markets that might be available without the danger of spoiling or undermining the markets which could also be available to the pool or the seed board which it is proposed to constitute under this legislation.

Debate adjourned, on motion by The Hon. J. Heitman.

BILLS OF SALE 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.

ABATTOIRS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th November.

THE HON. S. T. J. THOMPSON (Lower Central) [9.31 p.m.]: I would like to say a few words on this Bill; it certainly gives members an opportunity to discuss the meat industry of the State and its effect on our community. The measure before us is not a large one, but it is important

in that it makes provision for the Midland Junction Abattoir to enter the field of trading. If we can believe half of what we read at the present time this Bill might be very timely because the object of the Abattoir Board in seeking this provision is to endeavour to ensure that the Midland Junction Abattoir is kept working to capacity. Only in this way can we hope to contain the economic rate of killing charges within this State.

I cannot subscribe to one of the points made by Mr. Medcalf when he spoke to this measure last week. He said—

> It means that the board which traditionally has provided a service to the farmers is in future to be permitted to carry on in all these other trades.

I see this in an altogether different light. In the main, I think I would say that the abattoir has been rendering a service to a group of businessmen operating on the Midland market. Those businessmen buy the stock. Perhaps the farmers do render a service in that they pay for the killing of the stock.

However, this season's glut is practically over and the lamb season for this year is nearly finished. The position now is that we have a promise of an abattoir at Katanning. In fact, the situation is much the same as that in which we found ourselves at this time last year. We had promises of the establishment of abattoirs all over the place and we thought there would be a glut of them. But we finished up with extensions to the Midland Junction Abattoir only. The Katanning project is well on the way now and I have high hopes it will be in operation towards the middle of next year.

The Hon. L. A. Logan: Does the project have a Government guarantee?

The Hon. S. T. J. THOMPSON: I do not know about a guarantee; but I notice that the other day the Minister for Agriculture commented that farmers should subscribe to this abattoir. In a recent newspaper article under the heading of "Views on killing problem" the following is stated:—

> The Minister for Agriculture, Mr. Evans, believes that the responsibility for providing extra abattoir killing space rests with the producers and the meat industry.
>
> A letter from Mr. Evans, read at the last Meat Section Executive meeting, expressed his concern at the implication that it was the government's responsibility.
>
> Mr. Evans wrote that he was well aware of the problems currently facing producers of sheep meat.
>
> The new works programme at Midland Junction Abattoir would substantially raise the killing capacity of the abattoir.

In reply to Mr. Logan's question, all I can say is that the farmers of Katanning have subscribed a considerable amount of money. I understand that they probably have some Government backing but that first of all they subscribed a considerable sum.

The Hon. C. R. Abbey: But surely they would not have gone ahead without a Government guarantee?

The Hon. S. T. J. THOMPSON: Let me put it this way: Finance has been arranged, and we have high hopes. I think the article which appeared in this evening's paper concerning the proposal for a union abattoir to sell meat to Russia may well be the end of the Midland Junction Abattoir. An article on the same matter appeared in *The West Australian* last week and it contained a statement by Mr. Cooley in relation to this project. I refer to the Trades and Labor Council-United Farmers and Graziers Association proposal. People have been canvassing and taking around a prospectus in my area.

This evening's paper refers to the proposed abattoir as being a co-operative, but I do not think it is really a co-operative. People are going around asking farmers to subscribe $100 a year to become a member. They emphasise the fact that they have the necessary money to build not one but two abattoirs. The total cost of the venture has been estimated at between $8,000,000 and $9,000,000 and the farmers are being asked to subscribe $100 a year. I understand that sum will entitle them to be a member and, in return for membership, the farmers will receive a bonus of 2c a pound for all their meat.

An interesting aspect of the prospectus is that it says in the event of the scheme failing to get off the ground the $100 subscription is forfeit. I am concerned that this venture is being promoted on the basis that enough finance is available to build two abattoirs. In tonight's paper it is stated that one of the abattoirs will have the capacity to kill 5,000 sheep a day, whilst the other will have a capacity of 10,000 sheep a day. Members will realise that in those circumstances the Midland Junction Abbattoir will soon be out of business.

The Hon. J. Heitman: There will still be plenty of room for the Midland Junction Abattoir. It will cater for all the workers.

The Hon. S. T. J. THOMPSON: I sincerely hope this venture will get off the ground and that farmers are not being misled into subscribing $100 for what appears to be only a hope to get the project off the ground. The article in tonight's newspaper states that the United Farmers and Graziers Association has provided $35,000

for a feasibility study. I wonder whether the farmers' $100 subscriptions are being used to provide that $35,000.

In all sincerity, I wish the Katanning venture luck because once it commences operation it will make an enormous difference to the available killing space. Certainly, if the proposed Boyup Brook and Fremantle abattoirs get off the ground all our problems will be solved. It is proposed that the Boyup Brook works could be operating within six to eight months. The farmers are being told that it will be operating next June, and they are subscribing on that basis. It would sound very nice to a farmer if he were told he would receive 2c a pound more than market value, because it does not take long to recoup $100 on that basis. However, the present position is that farmers are clutching at straws.

The Hon. L. A. Logan: That is, 2c a pound more than the nonmember?

The Hon. S. T. J. THOMPSON: Yes.

The Hon. L. A. Logan: The nonmember might receive less than 2c below the market price, anyway.

The Hon. S. T. J. THOMPSON: I am sure Mr. Cooley will sort out all these matters.

The Hon. V. J. Ferry: It could not be classified as pyramid selling.

The Hon. S. T. J. THOMPSON: Returning now to the Midland Junction Abattoir, I would like to say that over the years it has rendered a great service. It is quite easy for us to say now that the abattoir should have been extended; but I can well recall that every time the killing charge has been increased there has been a tremendous outcry from the farmers.

However, let us face it, we cannot have a service abattoir making a profit unless we have an authority to control the input and output. We will always have glut seasons if we do not have an authority controlling the whole of the industry. I think Mr. Logan mentioned an authority when he spoke, and I am convinced that the only solution to the problems in this State is to set up an authority to control the whole of the meat industry.

The Hon. C. R. Abbey: That was recommended in the Towns and Austen report.

The Hon. S. T. J. THOMPSON: That is right. I feel it is the only solution. I noticed in the Press recently—and probably Mr. Wordsworth intends to mention this—that Esperance is crying out for an abattoir. Perhaps Esperance will follow suit after the Katanning venture comes into operation.

The Hon. L. A. Logan: A site was suggested 10 years ago.

The Hon. A. F. Griffith: Would you tell us what you think about the Bill?

The Hon. S. T. J. THOMPSON: I think the Bill is a good one; I said that in the early stages of my speech. I think the Bill has merit because it makes provision for the Midland Junction Abattoir Board to trade. I would remind the Leader of the Opposition that I also said the Bill provides members with an opportunity to discuss the whole of the meat industry.

I feel the measure will considerably help the board, particularly in the event of these other ventures coming into operation. We have heard some criticism of the Bill on the basis that the board will have to set up a buying authority. I hope to goodness it does not do that. I hope the board will decide to buy direct from the farmer on a weight and grade basis and forget about entering the auction market, and thereby cut out the middleman at least in that respect. If the board can do this it will render a great service to some farmers. With those few words, I support the Bill.

THE HON. D. J. WORDSWORTH (South) [9.42 p.m.]: I rise to support the Bill which is to give the Midland Junction Abattoir Board the right to trade in meat in the same manner as the Robb Jetty Abattoir. As everyone probably realises, previously the abattoir has been confined to killing on consignment. When it comes to such things as offal we understand that the board will be in a better position to market offal collectively than is the case when the butchers who have consigned the stock to Midland endeavour to do it on their own.

It is also anticipated that Midland will purchase more stock to keep the abattoir going in times of slackness. I have to admit that at times I wonder when these periods of slackness will occur, because we have all heard of the sales we have lost as a result of the lack of killing space. We are told that the intention is to keep the works operating when there is no work for it. I agree that if there are slack periods the abattoir definitely should have the right to trade because it will be doing only what every other abattoir does, and I think the Government must see a return on its investment.

One of the main things we must guard against when we set up a Government utility such as this is that we do not compete too much with private enterprise. I say this because as it is a utility we do not expect interest on the large sum we have invested in it nor, for that matter, the full depreciation, which would have to be allowed for in any private enterprise abattoir. I think that if we build an abattoir and use it without paying interest and allowing for full depreciation on the plant we can hardly compete with private enterprise which does pay interest and allows for full depreciation.

Perhaps this was one of the reasons why in the past there was such a shortage of abattoirs; that we asked private enterprise to come in and compete with the Government. Personally I would not like to have to compete against a Government. At times conditions have proved to be difficult for private enterprise to establish abattoirs, particularly out in the country. We have seen an adventurous group of people who propose to establish an abattoir at Katanning. I certainly wish them every success, especially as so many of the farmers are putting their money into the project. They are investing their money, because they realise that they have been losing money through the lack of abattoir facilities in the country.

We have discussed at some length the price of mutton. It is not difficult to appreciate that a producer selling mutton at 2c or 3c a pound would be much better off in having more killing space provided in the country. I think the producers in Katanning are providing just that.

I certainly hope that by allowing the Midland Junction Abattoir Board to trade we will not be allowing another Government instrumentality to compete with private enterprise. We should not allow the Government to build abattoirs all over the countryside, otherwise we would scare off private enterprise.

We have read of the criticism of the U.S.A. in setting high standards for abattoirs. Some people claim that that country is not keeping up with those standards. On a recent occasion I took a visitor from America to the Midland Junction Abattoir, and he owned an abattoir in his own country. His first comment was that we allowed abattoirs which had no ceilings to kill for export. In the United States the abattoirs are not allowed to operate without ceilings over the killing floor. Unfortunately other requirements will be imposed on us if we wish to trade with the U.S.A. in the future.

I do not agree with Mr. Logan's comment about the killing of sheep under a tree.

The Hon. L. A. Logan: That type of meat is as good as any other type.

The Hon. D. J. WORDSWORTH: It all depends on one's eating habits. The other day I read a report in the newspapers which stated that in Europe there was a market for our meat. It mentioned that the veterinary requirements had cost the Western Australian meat export market about $2,000,000. This was in regard to exports to Germany.

On one occasion I had a European friend to dinner at a steak house, and he told me he was used to more tender steak than we have here. He decided to have steak *tartare*. I was unaware of what this was. He said that if I so desired I could have one with him. The chef took the steak away, and came back with it minced up. I presumed that we were to have a hamburger. The meat was mixed with parsley, capers, onions, and olive oil. It was then shaped into balls. I thought the meat would be cooked; but I learned the practice was to eat it raw. People who eat meat in that fashion have every reason to demand a high standard of meat hygiene.

The Hon. L. A. Logan: Sometimes the meat from animals killed under trees is much more hygienic than the meat from animals killed in meatworks.

The Hon. R. H. C. Stubbs: Do you know of the standard of the New Zealand abattoirs?

The Hon. D. J. WORDSWORTH: Not a great deal.

The Hon. R. H. C. Stubbs: The reason I asked the question is that on the European and North American markets all one can see is New Zealand mutton; there is no Australian mutton at all.

The Hon. D. J. WORDSWORTH: I was in the United States last year and spent some time looking into the meat market, particularly into the lamb market, because I am a lamb producer. The interesting thing one sees in America is that the people hang the meat up after the animal has been slaughtered. The American does not eat meat that is unhung; and this seems to be a common practice around the world. People actually demand that the meat be hung in an unfrozen state for two days before they eat it, and that makes the meat very tender.

Mr. Logan referred to the killing of sheep under a tree, but he forgot to tell us that the meat was also hung up overnight. Unfortunately in Australia we have our own ideas on how to prepare our meat for export; and our regulations prescribe that meat has to be placed into a cool chamber two hours after the animal has been slaughtered. That is one of the reasons Americans are not buying our lamb, because it is not up to the specifications of that country.

The Hon. R. H. C. Stubbs: The quality of New Zealand meat sold in North America is poor, judged by our standards.

The Hon. D. J. WORDSWORTH: The mutton from New Zealand might be.

The Hon. R. H. C. Stubbs: I did not strike any lamb there; it was all mutton.

The Hon. D. J. WORDSWORTH: The New Zealand mutton comes from a crossbred sheep; that is one reason why it is not as good as ours.

I shall not hold up the passage of the Bill, because I know it is intended to have it passed tonight. I am in complete agreement with its provisions, but I hope that the privileges it gives will not be abused.

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) [9.51 p.m.]: First of all I must say that I have listened with delight and pleasure to the contributions to this debate, and I have learned many things from members who are engaged in a practical way in this industry. I was particularly delighted to hear Mr. Heitman's contribution, just as I was with the contribution of the last speaker; and in between these two contributions other members have supported the Bill. I thank them all for what they said in the debate.

In view of the number of questions that have been asked by Mr. Logan and other members I thought I would go to some pains to obtain answers which would satisfy all of them, so that members will know exactly what is behind the move of the Minister and the Government. The Minister and his department have provided answers which I think are really worth while.

I will start with a couple of the references made by Mr. Heitman. I think it would be fair comment to say that the previous Government was well aware of the shortage of killing facilities otherwise it would not have appointed the subcommittee comprising Towns and Austen. It was quite obvious the previous Government had recognised the problem which existed, and it appointed two people, who it thought were experts, to advise and to report on the matter.

Mr. Heitman also made reference to a co-operative works established in Victoria; how it got off the ground; and how in spite of difficulties eventually it was able to make good. He said that the present General Manager of the Midland Junction Abattoir was formerly the works manager of that Victorian co-operative; he was referring to Mr. B. M. F. Wilson. He said that Mr. Wilson must know what is desirable at Midland Junction Abattoir, and will advise the Minister accordingly.

The first question asked by Mr. Logan was this: If Midland Junction Abattoir engaged in buying stock, where would the stock be held?

The Hon. L. A. Logan: I asked who was going to buy the stock.

The Hon. J. DOLAN: I will include that in the question. The abattoir would not hold stock, but rather would arrange deliveries to suit killing programmes; that is, the operation would be on a weight and grade basis.

His second question was: Who would get preference in the killing of stock? The answer is that the Midland Junction Abattoir would still be committed to give first preference for kill for domestic consumption by private operators. The balance of killing capacity would be allocated depending on commitments, but not necessarily favouring the abattoir.

The third question by Mr. Logan related to freezing capacity. It was mentioned that there was additional capacity at the abattoir to the tune of 1,000,000 cubic feet. I would point out that freezing capacity is directly related to the kill capacity, and no operator should therefore suffer. The rate of killing is based on the available capacity of the freezer.

The Hon. L. A. Logan: Who will do the buying and the selling of the stock?

The Hon. J. DOLAN: I think the answer has been included in my remarks, but if it is not I will try to answer the question at the conclusion.

The Hon. J. Heitman: In this instance the management would provide its own buyers.

The Hon. J. DOLAN: The progressive increase in stock numbers in the Esperance district will favour the establishment of an abattoir within the next year or two; at the present point of time an export type abattoir might not be fully profitable. It would not be possible to establish an export standard abattoir for $100,000.

Mention has been made by most speakers in the debate to the fact that an overall statutory authority would be required eventually, and that a meat industry authority with statutory powers would certainly give an effective measure of control over the abattoir meat situation in Western Australia.

Mention was also made of absenteeism by slaughtermen as being the main reason for the weekly kill reaching only 58,000 sheep on one occasion.

In an effort to combat the shortage of expert slaughtermen in the abattoirs the Midland Junction Abattoir maintains a trainee slaughtermen programme on a continuing basis. This kind of programme is essential to meet abattoir expansion. I think there are in training at the present time some 30 people; and the abattoir cannot continue to trade unless it obtains sufficient slaughtermen to do the killing. This type of programme is absolutely essential to abattoir expansion. For a successful establishment there needs to be an association of several factors—the acquisition of stock, the men to kill it, the facilities for handling and freezing, and perhaps the market to send the meat to. Before I finish my comments I might have something to say on various aspects of marketing.

Meat hygiene and inspection standards are internationally recognised. The European Common Market standards are equally exacting as those of the United States, so we cannot expect to be better off by exporting to Europe than to the United States. If Australia wishes to export to these countries it must process and

inspect meat at a standard acceptable by and equal to that of the importing countries. After all, they are the buyers and we have to provide what they want. If they do not want what we provide then no good purpose is served by continuing to produce it.

Whether persons do or do not become sick from eating farm-killed meat is irrelevant. This was a point raised by Mr. Logan. When I was a young boy I spent all my holidays on my uncle's farm. Very often I killed the sheep myself, and did exactly as Mr. Logan has said, although I also did what Mr. Wordsworth said. I hung the carcase up after the sheep was slaughtered. I sometimes think that we ought to hang some of the people who handle the meat!

Modern public health standards in all civilised countries require animal carcases for human consumption to be certified as being free of disease. If one sees a lamb carcase which has been examined carefully by a health inspector and stamped all over, it is a guarantee that the meat is fit for human consumption.

In relation to the point raised by Mr. Logan about the buying of stock, there will be no direct buying but rather acceptance of stock on a weight and grade basis. The existing merchandising section will arrange the disposal of meatmeal, tallow, and other by-products, together with edible offal. Meat is placed in a chiller for 24 hours, and not in the freezer. There is adequate freezer space to meet the needs of operators and of the abattoir. Holding paddocks are at present all leased to operators.

A short while ago I mentioned the value of a meat advisory authority with statutory powers. There is no need for me to re-emphasise this. The abattoir site at Kwinana, with an availability of 400 acres, is considered to be ideal. That was one of the sites which I understand was selected by Townsend.

The Hon. J. Heitman: It was Towns and Austen.

The Hon. J. DOLAN: I accept Mr. Heitman's advice; it has been given to me wrongly. Effluent disposal problems at W.A. Meat Exports were considered to be of sufficient importance to counter the building of a special mutton wing.

Two-shift operations were also mentioned. It was felt that a double shift would result in full value from the use of the abattoirs. However the abattoirs are designed on a single-shift system. If two shifts are worked it would be necessary to increase the additional facilities; namely, by-products as well as chillers. Members will see that the introduction of a double shift would certainly cause difficulties. At present the facilities simply are not available to accommodate what would be killed on a two-shift operation.

The Hon. C. R. Abbey: It would not be half as expensive as providing a whole new set-up.

The Hon. J. DOLAN: Provided the facilities exist after the stock is killed this would be most desirable. I see the point Mr. Abbey is making on the score of economy. With regard to the suggestion made by Mr. Abbey, the Crown Law Department has indicated that any attempt to impose a toll on all sheep slaughtered in Western Australia would be viewed as an excise. It is well worth thinking about this because we may be able to clear up this point when an opportunity occurs later on. The situation is not precisely analogous to that of Co-operative Bulk Handling. On the other hand, a private operative could levy his own members and accumulate funds for abattoir development.

Comments with respect to a levy and the establishment of a C.B.H.-type organisation have already been made. This was mentioned by a subsequent speaker and the Crown Law Department's comment also covers those remarks.

The Towns and Austen report recommended the establishment of small abattoirs with a capacity of 3,000 sheep, 250 cattle, and 250 pigs as the daily kill.

The Hon. J. Heitman: That was the minimum was it not?

The Hon. J. DOLAN: If it is a capacity, I would think it is the maximum.

The Hon. J. Heitman: Six thousand was the most economic.

The Hon. J. DOLAN: I accept Mr. Heitman's advice because he is an experienced man, whereas I certainly am not an expert in this field. I am simply taking the advice of the department. Midland management has the marketing contracts that should provide the necessary outlet. Providing Midland Junction Abattoir with powers of trading merely brings it into line with private abattoirs which already have this advantage. Providing the Abattoir Board with trading powers should assist agriculture in providing a further market outlet. This was a point Mr. Heitman raised and which I appreciate, but I think an extra operator right at the source will have a beneficial effect. Farmers themselves should obtain this benefit.

The lower prices during the current season have been related to a lack of killing facilities and consequent reduction of competition at auction. That may not be the whole reason, but it is suggested. This situation does not apply in the Eastern States where there are adequate abattoir facilities. I think it was also

mentioned that Victoria has approximately the same number of sheep as Western Australia but double the killing and storage capacity. This seems to make all the difference. In these circumstances Victoria is able to operate and give farmers a benefit which is quite obvious in the prices they obtain.

The Australian Meat Board plays an important overseas role in locating export markets. Additionally, however, an officer of the department visited the Middle East countries with the intention of assessing future market potential.

At this stage I think I should refer to a visit overseas by Mr. Neil. He visited the Middle East countries and it would amaze members to realise some of the things he discovered. For instance, a big Moslem religious festival is held at Medina. This is not to be confused with the Medina in Mr. Ron Thompson's electorate, but it is the birthplace of the prophet Mahomet. Each year a special religious festival is held and Moslems come from all parts of the Middle East to take part in it. During one week's religious observances over 1,000,000 sheep were slaughtered for consumption. This will give members some idea of the market which exists.

The Hon. D. J. Wordsworth: Perhaps Mahomet should come to the mountain.

The Hon. J. DOLAN: There is a market for many thousands of tons in the Middle East, but Western Australia obtains very little of it. Most of our marketing in this area is on a live-beast basis because of certain religious requirements associated with the killing of sheep.

I suppose we have all had contact with this field. Not so very long ago I received a request from Geraldton asking whether I could assist in contacting Commonwealth shipping authorities to see whether they could be prevailed upon to divert a ship to Geraldton to pick up ram lambs to take them to an overseas market. The negotiations were successful and I think this has started an export market. I know that a ship was loaded in Fremantle last week with ram lambs which are in demand; indeed, many thousands are exported. Only last Thursday the ship was loaded at Fremantle.

The proposed legislation will merely assist in the general problem. It will not cure the situation resulting from abattoir killing deficiencies.

I was delighted to hear Mr. Medcalf enter into discussion on a subject of which, like myself, he probably has only an academic and not a practical interest. I could go along with some of the remarks he made because they were perfectly true. For example he mentioned an order for a few thousand tons of meat which we could not fill. These are deficiencies which are not cured overnight. Cure is a gradual process but everything which is being done is to that end. I discussed this fully with Mr. H. D. Evans who assured me that the present legislation is only a part. It is hoped that everything which is done will eventually dovetail and this will become something really worth while. I repeat that this is only a start and I am sure Mr. H. D. Evans has every intention of going as far as he possibly can.

The need to give preference for the lamb kill recently at Midland and Robb Jetty abattoirs would certainly have reduced the availability of mutton for the market stated. The abattoirs were so busy with the kill of lambs during the lamb season that they were not in the position of being able to fill the order. Had the order come when the lamb season had finished there would have been a possibility of fulfilling the order. Excess sheep turnoff can only be met by the building of further abattoir facilities.

Reference has been made to a proposal for a kind of co-operative between the T.L.C. and the Farmers and Graziers Association. I understand two sites have been selected where they hope to operate; one is at Boyup Brook and the other near Fremantle. Of course, the suggested site near Fremantle would be with a view to entering the export market. The site at Boyup Brook would be for the local market and in the centre of the supplies. This might be a pipe dream but it is worth thinking about. It does not matter who takes the initiative. As a matter of fact I understand Mr. Cooley was in Canberra a week or so ago and had long discussions with U.S.S.R. officials who were on a trade mission. He found that the Russians want large supplies of meat. He received promises that when the abattoirs look like coming to fruition, they could guarantee a share of the market in the U.S.S.R. Politics would not come into this as far as I am concerned. I have always said that when we talk politics we used the term "Red China" but when we talk of trade it becomes "Mainland China." It is a use of words with a difference. Russia is a country with a large population and if it wants commodities which we can supply I say that we should grasp the opportunity. We should forget political differences. After all, Russians are human beings the same as we are. If they want to trade we should encourage it.

The Hon. J. Heitman: Do you think the Government might guarantee the firm for $8,000,000 or $9,000,000?

The Hon. J. DOLAN: Of course, $8,000,000 or $9,000,000 is a great deal of money at this stage. If the honourable member is asking me this question tonight, I say the project has a long way to go yet.

The Hon. Clive Griffiths: The Government guaranteed $1,700,000 yesterday.

The Hon. J. DOLAN: I have often heard members say we have to think big. This is a question which can make or perhaps ruin farmers. It could put them on the up and up or leave the industry in a state of stagnation.

The Hon. L. A. Logan: How could the T.L.C. come into this without any investment? It would not be putting any money in.

The Hon. J. DOLAN: The T.L.C. would be well advised. Perhaps an analogy is worth relating. Members will know it is not long ago that the T.L.C., or its equivalent, in Victoria went into the retail business and entered into a co-operative with another store. It has never looked back.

The Hon. L. A. Logan: The T.L.C. is going into this without putting in any capital whatsoever.

The Hon. J. DOLAN: I shall not enter this discussion because it would be one-sided as I do not know the details. Mr. Logan would be telling me and I would be trying to let it sink in. I could not answer back because I simply do not know.

I have almost come to the end of my remarks. I know members support the Bill and I do not want to delay it but I thought the information I have was worth conveying to the House.

W.A. Meat Exports has operated on a profitable basis in its trading operations. I expect Midland will do the same. Mr. Neil's visit overseas has indicated some areas in which live sheep exports and mutton exports may be increased.

My final comment relates to an interjection made by Mr. Logan on Thursday last. Mr. Medcalf had said that he had received communications from a couple of firms who are terribly keen to enter the abattoir business. I think Mr. Logan interjected and agreed but added words to the effect "Until it is a case of putting up money and then they are not interested."

This position applies. To date, private companies have made no firm propositions to the Government with respect to abattoir establishment. In some cases companies demanded complete access to the market within the metropolitan abattoirs district.

At this stage I commend the Bill to the House. Once again I thank members for the way they have received the measure and also for the information they have given to the House. It will be recorded and of great value in future years when discussions on this subject take place.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [10.19 p.m.]: I move—

That the House at its rising adjourn until 2.30 p.m. tomorrow (Wednesday).

Question put and passed.

House adjourned at 10.20 p.m.

Legislative Assembly

Tuesday, the 23rd November, 1971

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

BILLS (6): INTRODUCTION AND FIRST READING

1. Western Australian Institute of Technology Act Amendment Bill.

   Bill introduced, on motion by Mr. T. D. Evans (Minister for Education), and read a first time.

2. Justices Act Amendment Bill.

   Bill introduced, on motion by Mr. T. D. Evans (Attorney-General), and read a first time.

3. Reserves Bill.

   Bill introduced, on motion by Mr. H. D. Evans (Minister for Lands), and read a first time.

4. Mining Act Amendment Bill (No. 2).

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

5. Consumer Protection Bill.

   Bill introduced, on motion by Mr. Taylor (Minister for Consumer Protection), and read a first time.

6. Traffic Act Amendment Bill (No. 3).

   Bill introduced, on motion by Mr. J. T. Tonkin (Premier), and read a first time.

QUESTIONS (21): ON NOTICE

1. DAY LABOUR FORCE

   Government Departments

   Mr. MENSAROS, to the Minister for Works:

   (1) Has the Western Australian Trades and Labor Council asked the Government to introduce day labour executing construction work for State departments?

   (2) If "Yes" has he or the Government taken any decision in this matter?