Mr JAMIESON: The Premier knows what I say is correct; these people have taken him for a ride.

MR MENSAROS (Floreat—Minister for Industrial Development) [11.04 p.m.]: I did not expect anything else than the statements just made by the member for Kalgoorlie and the Leader of the Opposition. The Opposition must indeed be desperate to try so hard to discredit the Government in any of its activities which have anything to do with development.

Mr Jamieson: We do not have to try; you do it yourself with the stupid remarks you make. It is because we have stupid Ministers like you at the helm, making stupid statements in this Parliament, that we are in our present position.

Mr MENSAROS: We have expected this type of attack ever since the recent no confidence motion was moved by the Opposition.

The interesting part about these statements is that during the term of the Tonkin Government probably more agreements were brought to this House than this Government has brought forward. The Leader of the Opposition claimed his Government was deeply involved in expanding this area of development. However, they were all holding agreements which simply consolidated and perpetuated mining tenements. No new development occurred with these mining holding agreements and with most of them, there was no chance or hope that anything would occur in the foreseeable future. So, from that point of view, I can understand why the Leader of the Opposition has adopted his present attitude. He is standing on the hustings claiming all sorts of things, but he has no idea of how to conduct negotiations with these companies.

Mr Jamieson: You are just being your stupid self.

Mr MENSAROS: Nobody would be surprised at these statements. It needs some experience and knowledge of the world scene to negotiate with these companies. This is something the Government has been able to do and which the Opposition is not and has never been in a position to do. I commend the Bill.

Mr Jamieson: That is your opinion, and it is a stupid opinion.

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.

As to Third Reading

MR MENSAROS (Floreat—Minister for Industrial Development) [11.08 p.m.]: I move—

That leave be granted to proceed forthwith to the third reading.

Question put and passed; leave granted.

Third Reading

Bill read a third time, on motion by Mr Mensaros (Minister for Industrial Development), and transmitted to the Council.

House adjourned at 11.09 p.m.

Legislative Council

Wednesday, the 20th October, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (2): ON NOTICE.

1. MINING

Companies: Report of Inquiry

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

(1) Has the Government received a copy of the report into the affairs of Murumba Oil, Regent Nickel and Bounty Oil, tabled in the New South Wales Parliament on the 16th September, 1976?

(2) If so, will the Minister table it in Parliament?

(3) If not, will the Minister take steps to obtain and table the report at an early date?

The Hon. N. McNEILL replied:

(1) Yes.

(2) and (3) Yes.

The report was tabled (see paper No. 420).

2. ROYAL PERTH HOSPITAL

Orthotics Department: Leg Calipers

The Hon. CLIVE GRIFFITHS, to the Minister for Health:

(1) Is it a fact that polio patients are finding it increasingly difficult to obtain from the Orthotics Department of the Royal Perth Hospital suitable lock joints for use in full length leg calipers?

(2) If so, would the Minister advise—

(a) the reason for this difficulty; and

(b) what action is being taken to rectify this unsatisfactory situation?

The Hon. N. E. BAXTER replied:

(1) One order is outstanding for a lock joint for the caliper of one polio patient.

(2) (a) Parts supply delays.

(b) An order was placed for supplies with the United Kingdom suppliers on 5th August, 1976. Following advice that this firm could not supply, an order was placed with a Sydney supplier on 28th September, 1976. Within the last ten days this firm has been requested to expedite supply.

BILLS (3): INTRODUCTION AND FIRST READING

1. Administration Act Amendment Bill.
2. Criminal Code Amendment Bill (No. 3).
3. Evidence Act Amendment Bill.

Bills introduced, on motions by the Hon. I. G. Medcalf (Attorney-General), and read a first time.

BILLS (3): THIRD READING

1. Electoral Act Amendment Bill (No. 2).

Bill read a third time, on motion by the Hon. N. McNeill (Minister for Justice), and transmitted to the Assembly.

2. Education Act Amendment Bill (No. 2).

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Minister for Education), and returned to the Assembly with amendments.

3. Wildlife Conservation Act Amendment Bill.

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Minister for Education), and passed.

JOONDALUP CENTRE BILL

Report

Report of Committee adopted.

LIQUOR ACT AMENDMENT BILL

Second Reading

Debate resumed from the 14th October.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [4.45 p.m.]: We on this side of the House support the Bill with some reservations. I was disappointed when I picked up the Bill which was recommitted in the Assembly to find—

The PRESIDENT: Order! The honourable member must not make reference to the Assembly; he must refer to it as "the other place".

The Hon. D. K. DANS: Yes, the other place, Mr President. When we look at the Bill we find the original clause 7 now has disappeared. This certainly raises the possibility that it will be almost impossible to move some of the amendments which I and, I am sure, other members in this Chamber intended to move to test the feelings of the Chamber. I intend to obtain legal advice from the Parliamentary Draftsman tomorrow and I trust that advice will not confirm my fears.

It would be rather tragic if this were the case because we would see a situation continue similar to that which we tried to amend when such legislation was last before the House; I refer, of course, to the requirement that only two bottles of beer are permitted to be sold on a Sunday, and to the discrimination in favour of beer. It appears to me this requirement will continue until such time as the Act is brought back before Parliament for even further amendment. It seems that it will be a continual process of amendment. I do not intend to go into all the details of what happened to this Bill in another place, but it is very sad this situation has arisen.

It also leads me to think that the same fate might befall any amendments we wish to put on the notice paper relating to other clauses of the Bill. It is not for me to say this House would carry the amendments, but at least we should have the opportunity to assess the general feeling of the Chamber to see whether the consensus and agreement which were apparent—perhaps in some areas it was excessively apparent—when this Bill was last before the House still obtain.

I am sure members would know what I am speaking about. Perhaps some of the amendments did get a little out of order on the last occasion the Bill was debated in this place, but others would have been to the benefit of the entire community and would have removed from the Act this section which in my opinion serves only to make the law an ass.

I should like to deal briefly in this second reading debate with other parts of the Bill. I do not want to labour the question of appointing a chairman; he could be appointed for a period of up to seven years. However, we on this side of the House were most unhappy that the previous chairman was not given the opportunity to have at least a six-months' extension, and I must protest most strongly about that. I hope the Licensing Court will continue to view the question of liquor trading in the enlightened manner which obtained under the previous chairman.

Despite what I may have said about the narrowness of the Bill now before the Chamber, it also points to the contradictions within our society. On the one hand we have the Road Traffic Authority constantly under attack for carrying

out the wishes of the Parliament, particularly in relation to the breathalyser testing of drivers suspected of having more than the maximum permissible amount of alcohol in their bloodstream and on the other hand we are discussing the very question of the consumption of liquor. This surely must make people stop and think, especially when I refer to the very narrow application of this Bill. We can either debate some of these problems now, or in the Committee stage put forward amendments which might be ruled out of order.

I draw attention to the provision in clause 7. To my way of thinking that is an open and shut case, and no-one will be able to suggest that a person is permitted to purchase more than two bottles of liquor at a hotel on a Sunday under the present section in the Act.

It could be that a person working on a property in the country might wish to acquire more than two bottles on a Sunday. Having regard to the danger of driving on the roads with an excessive level of alchool in the bloodstream, that person might desire to purchase liquor in excess of the permissible quantity—that is, two bottles—at the licensed premises in the country town.

This might involve a journey of 40 kilometres in each direction, but all that he is permitted to purchase is two bottles. In such a case the position would be more difficult for the person in the country than the person living in the city. The latter is able to go to several hotels in his locality and buy two bottles from each. However, in the country areas the patrons of the hotels are well known, and the licensees do not care to offend against the law by selling in excess of the permissible quantity.

It is not my intention to flog a dead horse, and to repeat what was said in the debates on amendments to the Liquor Act in previous sessions. I am interested only in effecting necessary and desirable amendments to the Act, with the concurrence of this House. There is now an opportunity to do that in a restrained and sensible manner, but I do not see there is any value in traversing the road that has been traversed previously. I could pluck quotes from speeches recorded in *Hansard* to prove my points, but I shall not do that. Indeed, when we deal with the Committee stage the fears which I have expressed might prove to be unfounded.

The Bill before us seeks to provide for several things, and that has been the history of amendments to the Liquor Act irrespective of the Government in office. It has been usual for amendments to be made in small stages. On this occasion the Bill is taking the smallest of small steps. Perhaps the members in another place were taken up with their own sense of importance, and found themselves in a situation from which they could not extricate themselves.

Apart from those observations, I am still of the opinion that this is a Committee Bill. I will be placing amendments on the notice paper, and I will attempt to move them at the appropriate stage. However, if they are not in order there is very little I can do. In that event the Act will have to remain in its present form with the amendments contained in the Bill, and I will not be able to do anything until further amending Bills are introduced. I hope that on the next occasion when an amending Bill is brought forward, only a few significant amendments will be included and we will not be placed in the position we are in today.

THE HON. G. E. MASTERS (West) [4.54 p.m.]: I agree with much of what the Leader of the Opposition has said. At least, this small Bill goes a little way in helping to overcome the problems which are to be found in the Liquor Act, but as far as I am concerned the Bill does not go far enough.

The Liquor Act is a voluminous document that has been amended over many years, and on occasions amended three or four times during a session of Parliament. I am sure members on both sides of the House will agree that we cannot continue indefinitely to amend this legislation. In fact, very soon the Act will have to be rewritten, and I hope when that is done it will be simplified.

Many of the provisions in the Bill indicate what appears to me to be an unfortunate trend that seems to be increasing at the present time; we attempt to protect the public against themselves. I am wondering how much further we can go along this line. In this respect I refer particularly to the trading hours of liquor outlets.

Eventually we will have to consider whether we should restrict the trading hours of liquor outlets and shops in general. I think the day will come when these establishments will be given the freedom to choose their own trading hours. The shops and the liquor outlets will then open for business at hours to suit themselves and the public. We cannot go on indefinitely dictating the hours during which they may trade. When that time arrives the change will be in the public interest, because the shops and the liquor outlets will tend to open for trading to suit the convenience of the public, while at the same time aiming to make a profit.

I suggest that to a certain extent our thinking is outdated, and the time will come when we will have no alternative but to reconsider the present situation. Indeed, we seem to be living in an era when the rules and regulations imposed on the

people are increasing year by year. We see it reflected in the functions of this House. We are building an empire of civil servants, and we are unnecessarily appointing wardens, supervisors, inspectors, etc. Eventually we will become just numbers in a book or vegetables in a Government garden, if we continue as we are going.

Initiative and enterprise are being throttled out of private enterprise by the continual restrictions that are imposed. It is not surprising, therefore, that thousands of people try to run away from our system. They get away from the city if they can, and away from the rat race, the rules, and the regulations.

The Bill before us shows to some extent a little realism; although it tries to have two bob each way. Nevertheless to a degree I support it. I regret to see there is failure in the Bill to deal with what I believe to be a very necessary amendment; that is, Sunday trading and the sale of wine and spirits in bottles. In this regard the Bill does not provide for any alternative; therefore the present farce we are experiencing will be preserved. In fact, we are trying to preserve a ridiculous and unenforceable situation, and furthermore we are encouraging the people to break the law. The idea of limiting the quantity to the sale of two bottles or four cans even sounds ridiculous and the application of this law cannot be enforced.

Members here and in another place have the responsibility to do something about this matter, because this provision in the Liquor Act is being flouted. In this regard I intended to move an amendment in the Committee stage, but I believe that Mr Dans will be moving a similar amendment. I understand it might not be possible to move such an amendment, because there is no clause 7 (1) in the Bill which deals with the section of the Act in question.

If that is the case it looks as though I will have to put forward my amendment when the Liquor Act is next amended, presumably next year because amendments to the Act have been made regularly year after year. I anticipate that next year we will be deleting a few parts from and adding some new parts to the Act.

We are entitled to ask the question as to why the provision relating to Sunday trading is being retained in its present form. The question is what pressure has been brought to bear on us to allow the present situation to continue. The suggestion has been made that the brewery has stronger lobbying strength than have the wine producers in this State, who in the main comprise people who operate small businesses, vineyards and production areas in the Swan Valley and the southern part of the State.

The Hon. N. McNeill: I am interested to know what prompted you to make that sort of suggestion, that the brewery might have greater lobbying strength.

The Hon. G. E. MASTERS: I suggest the question has been asked as to how the brewery can get away with it.

The Hon. G. C. MacKinnon: How did you answer the question?

The Hon. G. E. MASTERS: If the Minister will allow me to continue I will endeavour to explain the position to him.

The question has been asked, and quite rightly so. We are supposedly supporting the small businessman; that is what the Liberal Party stands for. If the suggestion is not true—and the Minister obviously suggests it is not true—the only alternative can be that we still maintain the old idea that beer is good and plonk is bad. I suppose that is the only answer.

The Hon. N. McNeill: Oh, no, it is not, you know.

The Hon. G. E. MASTERS: At page 2 of his second reading speech notes, the Minister said—

> This can perhaps best be illustrated by the fact that very little complaint has been expressed by the public about the existing conditions which apply to hours of trading and availability of liquor.

The Minister stated there had been very little complaint. Well, there is a large document on the Table of the House containing some 60 000 signatures. I presented the petition to the House. The names and addresses attached to the petition were from all over the State, so I think it is, perhaps, slightly misleading for the Minister to say there has been very little complaint. Certainly, I do not regard a document containing 60 000 signatures as anything but a matter which should receive consideration. I draw the attention of the Minister to the petition, and I ask him to comment when he replies.

The Hon. N. McNeill: Who prepared the petition?

The Hon. G. E. MASTERS: The Minister knows, as well as I do. However, I will tell the Minister who signed the petition: those people who were interested —some from the Minister's province.

The Hon. R. Thompson: The public of Western Australia.

The Hon. G. E. MASTERS: The people we profess to represent in this place.

The Hon. N. McNeill: I would like you to say who.

The Hon. G. E. MASTERS: I have no doubt the Minister will find on the petition the signatures of many people he represents. Those people will be bitterly disappointed if the Minister does not consider

the problem which has been outlined, and adopt a sensible and common-sense approach to it. I have no doubt that if the Minister is not prepared to consider the matter this year he will consider it at some time in the future.

The Hon. N. McNeill: You have not answered my question.

The Hon. G. E. MASTERS: I think it was prepared by the Wholesale Wine & Spirit Merchants Association. Is that not correct?

The Hon. N. McNeill: Near enough.

The Hon. G. E. MASTERS: I could have drawn it up myself.

The Hon. R. Thompson: Why should not that organisation put it up?

The Hon. G. C. MacKinnon: Why is Mr Thompson suggesting that they should not put it up?

The Hon. G. E. MASTERS: I am making this speech, and I am suggesting, no matter who prepared the petition, members of the public have signed it. The document includes signatures of people represented by the Ministers who have interjected in a most unruly fashion.

The PRESIDENT: Order! I will decide whether or not interjections are unruly.

The Hon. G. C. MacKinnon: Thank you, Sir. We are trying to wrinkle some information from the member.

The Hon. G. E. MASTERS: Let us make the situation quite clear. A total of 60 000 people from all areas of this State gladly put their names to the petition. I think we canvassed the matter fairly well.

The Hon. D. W. Cooley: That would have been when you worked for 64 hours during one week.

The Hon. G. E. MASTERS: No, I worked a greater number of hours than that. Perhaps Mr Cooley's signature is on the petition.

The Hon. D. K. Dans: Did you have any meal hours during that period?

The Hon. G. E. MASTERS: I ask members to consider the present farce, and to do something about it. I hope south-west members will support my views because the south-west of this State is an important area for wine production. Wine production will increase in the area, to a substantial extent.

The Swan Valley, and the wine produced in the valley, are known throughout the world and there is no doubt that our south-west will also become known throughout the world. So, I expect to receive support from members representing south-west provinces.

The Hon. D. K. Dans: Wine consumption has gone down from 12 per cent to 7 per cent.

The Hon. G. E. MASTERS: I draw the attention of members to the amendments which I moved to similar legislation in this place last year—

The Hon. S. J. Dellar: That was an interesting exercise.

The Hon. G. E. MASTERS: —with regard to licensed vignerons having an opportunity to sell wine from their vineyards but, unfortunately, there seems to be some problem.

The Hon. R. F. Claughton: I do not think that was a good month for parliamentary democracy.

The Hon. G. E. MASTERS: The Minister has come up against some problems, and the producers have changed their minds two or three times. However, I will persist with my proposal in the future. I shall continue to represent the thoughts and wishes of the wine producers in the Swan Valley.

The Hon. N. McNeill: An important point, of course, is that there are no such persons as licensed vignerons. No persons applied for such licences.

The Hon. G. E. MASTERS: Let us go a little deeper. The reason vignerons throughout Western Australia have not taken the opportunity to apply for licences is simply that it would not be worth the trouble, such are the restrictions on licensed vignerons. It would not be worth their time to apply for licences. So, again, we should consider a change in this respect. If a law is not working properly, and the opportunity to obtain a licence is not availed of, there is need for a change. However, I hope the Minister, and the responsible department, will examine the Liquor Act further when the Government is returned to office next year.

The Hon. S. J. Dellar: I will have a look at it for you, next year!

The Hon. G. E. MASTERS: I doubt whether Mr Dellar will be in that position. In any case, it is not likely that he will be put in charge of the Liquor Act; I do not think so.

The Hon. D. W. Cooley: Perhaps the honourable member made an error in discussing this subject with the people in the Swan Valley because not many of them supported him.

The Hon. G. E. MASTERS: I can supply Mr Cooley with letters to indicate that I have strong support. I have the support of 60 per cent of the people in that area, but I am aware that situation can change. I received another letter a few weeks ago in support of my proposal. I do not intend to canvass that point, but if Mr Cooley wishes to see the correspondence which I have received I will make it available to him. It will indicate I have the support of the producers in the Swan Valley.

The PRESIDENT: Order! I have listened to the honourable member speaking about what is not in the Bill. Now I would like to hear him speak about what is in the Bill.

The Hon. G. E. MASTERS: I will do just that, Mr President. I will address myself briefly to the penalties set out in the Bill. The changes in the penalties are significant. We witness, daily, deplorable acts of vandalism, hooliganism, beatings, and muggings, and we are all concerned. Alcohol is largely to blame for many, but not all, those acts and the provisions of this Bill seek to put a brake on the situation which has developed.

The Police Force is placed in an impossible position, in many cases. If the police act slowly they are often accused of negligence, whereas if they rush in and try to stop an event from occurring they are accused of provocation. Recently I attended a meeting and I was pleased to hear the Minister for Police answer a question asking what he considered was the way to overcome violence. The Minister answered that it was not the work of the Police Force to carry firearms or batons, or to make use of physical force. He said the answer was to introduce stiffer and stronger penalties, and that is one aim of the measure now under discussion. The courts rather than the Police Force should be armed.

In this respect I think we will gain the support and confidence of the Police Force —the men and women who are dedicated to maintaining law and order. After all, that is the reason we employ them.

I notice that some penalties will be increased to $500—certainly by $100 and $200—where bad behaviour is concerned. There is also reference to terms of imprisonment of six months and 12 months. While I support those moves I will not comment further at this stage, but I will go into the matter in depth while discussing clauses 31 and 32 during the Committee stage.

The Minister for Justice recently introduced a Bill into this place to enable the courts to issue community service orders. When the Minister replies I would like him to indicate whether those community service orders will apply with regard to the penalties in the Bill now before us. The provision for the issue of community service orders received the support of all members in this House, but I was sorry to observe that not much publicity was given to the legislation. I was disappointed that it did not receive the publicity it deserved. Possibly, members should have drawn attention to the matter. If it is at all possible we should draw the attention of the community to community service orders, at this stage, and the benefits to be gained.

Another question I would like answered by the Minister, and relating again to community service orders, is whether damage caused as a result of bad behaviour will be repaired by those responsible.

With those brief comments I indicate that I will speak further during the Committee stage of the Bill. I am disappointed with certain aspects of this measure but, nevertheless, I support it.

THE HON. S. J. DELLAR (Lower North) [5.10 p.m.]: I support the Bill mainly for the purpose of getting it to the Committee stage. I am a little disappointed with some of its provisions, as were my leader, the Hon. D. K. Dans, and the Hon. G. E. Masters. Some of the matters we discussed last year will not be debated under the provisions of the present measure.

I consider the debate which took place last year was beneficial, and indicated that it was necessary to amend the Liquor Act. I understand the present Bill was circulated to 12 different organisations, inincluding the AHA. Those organisations were requested to make submissions to the Government with regard to changes they thought were necessary.

Because of the changing habits of the public of Western Australia, in respect of the consumption of alcohol, I consider this Bill will do very little. In recent years we have observed an increase in the number of taverns. The taverns provide a more sociable atmosphere in which to drink, rather than the old type of pig swill. A person is able to drink at leisure in a tavern, while listening to quiet music under soft lights. Meals also are available if they are desired.

It is interesting to note that there are now approximately 90 licensed taverns in Western Australia. In addition, 81 hotels have converted to taverns. By converting his hotel to a tavern, a proprietor is not required to provide accommodation. Of course, he has to pay the increased liquor tax—an increase from 7 per cent to 8 per cent—but he is relieved of the responsibility of meeting court orders with regard to accommodation.

Although the present measure is an attempt to overcome the problems which we face with regard to liquor, I do not believe it will be at all successful. I understand that in 1970 a Royal Commission inquired into liquor. That inquiry covered all aspects of the liquor trade. In my opinion, in spite of all we have heard and read about Royal Commissions, we have reached the stage where it is necessary for a further inquiry. The people in our community would then be able to submit suggestions. Because of our rapidly changing situation in this State, I do not

think the Government should go ahead and draw up legislation—which it considers to be right—and present it to Parliament.

I do not suggest the Government did not take any notice of the submissions which were presented to it; in fact, I am sure it did take some notice of them. However, I do believe it is time for a complete overhaul of our liquor laws. For instance, there is to be no change with regard to the sale of bottles on Sundays. That matter was canvassed at length when this measure was last under discussion, but the situation is to remain the same as it has always been—absolutely stupid and ridiculous. The two-bottle limit is ridiculous, and prohibits a person from buying a bottle of wine or a bottle of whisky.

The Hon. G. C. MacKinnon: If you talk about the two-bottle rule I will report you to George Bennetts, who was responsible for its introduction.

The Hon. S. J. DELLAR: The Minister can please himself whether or not he reports me. If I want to purchase more than two bottles, and Mr Bennetts does not that is my affair. However, I do not think George Bennetts would object to my purchasing more than two bottles, if I wanted more than two bottles.

The Hon. G. C. MacKinnon: You should not speak in such a derogatory manner.

The Hon. S. J. DELLAR: As I have said people's thinking must change with the times; people must adjust to the modern way of living. I suggest that Mr MacKinnon might be a little behind in his thinking if he supports the old system of only two bottles of beer being available during a Sunday session, particularly when he knows it is farcical and ludicrous; because as we are all aware people are able to get as many bottles of beer as they like at any time at any given hotel.

In recent times there has been a great deal of comment about the road toll and the steps being taken by the RTA to cut down on this road toll. I applaud the efforts of the RTA, even though I do not go along with the implication that the traffic road toll with which we are faced, and which the RTA has not been able to reduce, is caused by Sunday sessions. Without any thought of being unfair I would point out that the RTA has been concentrating its efforts on certain liquor outlets—mainly on hotels—whereas other places such as clubs do not seem to attract much attention. As I have said I believe the action of the RTA has not done anything to cut down the road toll, while on the other hand the action that has been taken is killing the hotel industry itself.

Not many weeks ago it was reported to me that the RTA was directing its attention to the hotel at Doodlakine. I think most members will know this hotel which is situated off the main road. It is a small hotel with a small patronage and on the occasion in question there were four RTA cars parked within close proximity of the hotel. There are not many tourists who go through the town, but one such person who did enter the hotel was warned by the management not to drink too much which, of course, is probably very sound advice.

If it is felt that the road toll is caused by liquor consumed as a result of the Sunday trading sessions—and I do not believe this to be the case, even though there might be some suggestion of it—we should have a standardised opening session in the metropolitan area, particularly on Sundays where, at the moment, some hotels open from 4.00 p.m. to 6.00 p.m. while others open from 4.30 p.m. to 6.30 p.m.

Accordingly if it is felt that these sessions are to blame for the road toll then I feel it is because they are staggered. When the hotel is open between four o'clock and six o'clock, the Australian drinking public being what it is, tries to get as much beer as it can within that two-hour period; and when six o'clock comes around and the particular hotel closes one's friend will probably say, "Do not worry, there is another one up the road which closes at 6.30 where we can get in another half hour's drinking."

The Hon. D. J. Wordsworth: Why do you drink more on Sunday than on a Saturday?

The Hon. S. J. DELLAR: I do not think this is the case, but I know the effect it has even if Mr Wordsworth does not; though I am sure he does. We all know that the six o'clock swill in Victoria resulted in people trying to get in as much as they could before the hotels closed at six o'clock.

The Hon. N. McNeill: That is a sad reflection on human nature.

The Hon. S. J. DELLAR: I do not think so; it is a fact of life with which we have to live. This is what actually happened and I believe that many of our problems connected with the road toll can be attributed to the staggered trading hours on Sunday; where people rush from one place to another in order to enjoy an extra half hour's drinking. Such people might be drinking quite casually but they are generally anxious to get in that extra half hour.

I do not think we will ever overcome the problem of the road toll. I do not think this will be resolved either by the RTA or by the amendments in this Bill which provide for the policing of Sunday trading.

There are other provisions in the Bill which I feel would be better discussed in the Committee stage. I repeat, however, that I am disappointed the Bill does not

contain provisions similar to those we discussed last year. In any event, hopefully we might be able to make some changes during the Committee stage and get to a situation where a more rational approach may be made; though I do feel that is a vain hope.

As I have said before, this business of Sunday sales of bottled beer is ludicrous; it is ridiculous, and a farce, because nobody adheres to it. In places I know of if anybody wants a carton of beer he can buy it. How is it possible for the police to enforce this provision? It is impossible for this to be enforced.

There have been cases where licensees have been prosecuted because somebody has bought two bottles of beer in the saloon bar and has then walked around to the public bar and bought another two bottles of beer. In such cases, of course, the licensee is held responsible and has been charged accordingly. This seems a little unreasonable because it is difficult for a licensee to ascertain whether a person has bought two bottles, four bottles, or six bottles of beer. It is a stupid provision and I think it should be changed. I repeat that I am sorry the Government did not see fit to include in the Bill some of the provisions we discussed last year, but I hope we might be able to give the matter further consideration during the Committee stage.

THE HON. D. J. WORDSWORTH (South) [5.22 p.m.]: I do not wish to speak at any great length on this Bill. I too believe the Act ought to be rethought and rewritten and some new ideas introduced into it. It is quite ridiculous that we should have just gone on and on adding amendments to the original Act which quite often results in one finding provisions at the beginning of the Act conflicting with those at the end. There is no doubt that this is caused by the continuous number of additions that are made to the Statute.

The Minister drew attention to the Joint Government Parties Committee which looked into the Liquor Act. It certainly came up with the recommendation that the Act should be rewritten; but, of course, it would be a major job to do this, and the Minister quite wisely suggested that certain amendments should be made now, particularly in connection with hardship within the industry.

It is rather unfortunate that provision has been made for the chairman of the Licensing Court to be appointed for a period of seven years. I think many people would have liked to see this taken out of the hands of the judiciary; they would have preferred a commission, or something of that nature to be appointed, rather than have the Licensing Court continue in its present form. I wonder whether the amendment in the Bill will not put off the day when it will be necessary to get down and rewrite the Act.

I do not know whether members are aware that the Australian Capital Territory does not have a Liquor Act at all, and I do not think it has ever been regarded as a city of great sin.

The Hon. D. K. Dans: It is regarded as Canberra the sinful city.

The Hon. D. J. WORDSWORTH: If this is the case it is not because it does not have a Liquor Act.

The Hon. D. K. Dans: I did not say that.

The Hon. R. Thompson: It is because it has too many Liberal politicians.

The Hon. D. K. Dans: Too many Liberal lovers.

The Hon. D. J. WORDSWORTH: I think it is good that we should increase the penalty for those who are quarrelsome and disorderly and create a disturbance in the hotels. This matter has got completely out of hand, particularly in the outer suburban hotels where groups of bikies have been known to take over hotels and where the manager has not had the nerve to get over the counter and speak to them. This matter reached a stage where the safety of the patrons was at risk, quite apart from the possibility of destruction to the hotel premises. I hope the provision in the Bill will make it safer for the public, though I wonder whether a fine of $100 is sufficient. It certainly seems odd to have a fine of $100 while at the same time providing for a penalty of six months' imprisonment.

I notice also that if a person continues to enter the premises and is quarrelsome an order can be written out prohibiting such person from entering the licensed premises. This seems to be very much in line with the old "Dog Act"—we have all heard of people being placed under the "Dog Act" by their wives!

The Bill also contains a provision in connection with riots or civil disorders where a hotel licensed premises can be closed by a senior member of the Police Force. I thought perhaps there might have been a further provision; and rather than merely have a member of the Police Force carrying out this duty, I would like to have seen provision made for a JP to be included. However, it is expected that its implementation will be fairly rare. I do wonder, however, whether some provision should not have been made for a notice to be placed on the door of the public bar, or some other place, so that the public on the outside may be informed why the hotel had been closed.

The Hon. G. C. MacKinnon: How long would it last?

The Hon. D. J. WORDSWORTH: It might be ultimately ripped down, but it would be there on the day in question.

The Hon. G. C. MacKinnon: Not for more than one minute.

The Hon. D. J. WORDSWORTH: Does the Minister think the rioting mob would rip it off?

The Hon. G. C. MacKinnon: Somebody would.

The Hon. D. J. WORDSWORTH: Does the Minister suggest the publican should shout out of the window, "I am not coming out to your riot; the pub has been closed by the police"?

The Hon. G. C. MacKinnon: The pub would be closed if the door was locked.

The Hon. D. J. WORDSWORTH: That is so, and the amendment has been included because on one occasion the general public did bash on the front door: indeed, I am not sure that they did not break it open. I feel a notice ought to be placed on the front door so that the public would appreciate why the hotel had been closed; that it had not been closed because of any action on the part of the licensee.

There are a few other amendments which will be better discussed in the Committee stage. These have been requested by various people in the trade and I feel sure there will be very little opposition to them.

I notice there is a provision in the Bill to place tavern licensees in the same position as hotel licensees, under certain conditions. I do feel, however, there must be some distinction between a tavern licence and an hotel licence because after all is said and done a hotel licensee supplies extra facilities such as bedrooms, and he should derive some benefit from having to make these extra facilities available.

We appear to be getting the tavern licence and the hotel licence on very much the same plane and ultimately this will mean there will be little advantage in supplying rooms; particularly when one appreciates the costs involved in converting old hotels to new hotels. As a result of this there will be a shortage of accommodation.

There seems to be a need for accommodation cheaper than that supplied by motels. While most of the general public are willing to pay the extra amount, I notice in the rural areas I represent that one can seldom get a motel room now for under $12; and I have been told by Mr Gayfer that it cost him $19 when he was last in my home town.

The Hon. S. J. Dellar: I can get you a fully serviced unit for $11 a night.

The Hon. D. J. WORDSWORTH: I know the amount is high, but it is an expensive industry to service. This indicates there is a place for the old hotel room, particularly for a person who is moving into a town to take up a job and needs somewhere to stay for a week or two until he finds other accommodation.

As a theatre patron I welcome the extension of the hours in which liquor may be served at live shows. These shows are well patronised at Esperance, where the Bijou theatre is a great success. However, I wonder why one should be allowed to drink in a theatre but not in the hotel next door.

The extension of club licences where there are no hotel licences is also a good thing. I have had one or two cases in my electorate in which this amendment will have an important bearing, particularly in respect of isolated communities.

I know many hotel licensees will be happy to see the amendment which provides that where the court has refused an application for another licence in the area of the hotel, a further application cannot be made in under 12 months. Many hotel licensees find that no sooner do they finish going through the lengthy procedure of proving successfuly to the court that there is no need for further premises, than another application is made, and the whole thing starts again. One of the difficulties of having a Licensing Court is that it becomes very expensive to make an application or to defend an existing licence.

I am pleased to see the Government has appreciated the difficulties faced by many hotels today as a result of the wholesale granting of smaller licences, particularly licences for small taverns; and I note that a ground for objection against the granting of a new licence is to be sustained economic hardship.

I intend to support most of these amendments, depending on the arguments expressed in the Committee stage. Once again, I express the hope that when the Government is returned to office next year it will rewrite the Liquor Act.

THE HON. D. W. COOLEY (North-East Metropolitan) [5.34 p.m.]: I support the Bill in its present form, but I must express my extreme disappointment in respect of the drastic changes the Government has made when we compare this Bill with the one which was before us last year. On the previous occasion I strongly supported the Government in respect of most of the provisions of that Bill. That measure was a most progressive move in respect of our liquor laws because it sought to remove anomalies, particularly those associated with Sunday trading, and it seemed to me to be a step in the right direction.

However, it seems in respect of both sides of the Government the lions of 1975 have turned into the lambs of 1976. The Government was a lion in respect of the amendments last year; and some of its

members in this Chamber were lions when they opposed the Government; but they have now turned into meek lambs.

The Hon. G. E. Masters: Why should you say that? Have you any indication that they have changed their minds?

The Hon. D. W. COOLEY: Whereas previously this was supposed to be a nonparty measure, it is now a strict party measure.

The Hon. D. J. Wordsworth: Why do you say that?

The Hon. N. McNeill: That is not apparent to me.

The Hon. I. G. Pratt: That is untruthful.

The Hon. D. W. COOLEY: The action of members opposite is worthy of the strongest condemnation possible. After the shemozzle of 1975 when members opposite were taken up to the party room and then brought back here like little schoolboys and made to vote in a certain way—

The Hon. A. A. Lewis: Who was?

The Hon. D. W. COOLEY: Members opposite were.

The Hon. A. A. Lewis: I was?

The Hon. D. W. COOLEY: Well, those who crossed the floor were made to vote in a certain way; I am not talking about Mr Lewis personally, but about the members concerned.

The Hon. I. G. Pratt: You are criticising us without even hearing us.

The Hon. D. W. COOLEY: I have the record in front of me. The lions of 1975 who are now the lambs of 1976 are the Hon. J. Heitman, the Hon. T. Knight, the Hon. G. E. Masters, the Hon. I. G. Pratt, the Hon. J. C. Tozer, the Hon. R. J. L. Williams, and the Hon. W. R. Withers. That is the Liberal Party's interpretation of a free vote!

The Hon. H. W. Gayfer: What side did you vote on?

The Hon. D. W. COOLEY: I voted with the Government.

The Hon. H. W. Gayfer: Did your party stick together and vote together?

The Hon. D. W. COOLEY: I am pointing out that what was previously a nonparty issue has been turned into a party issue. The Government should be condemned for the fact that it set up a Government committee to inquire into the Liquor Act after the shemozzle of 1975, but—

The Hon. D. J. Wordsworth: The Government committee was there a year before.

The Hon. D. W. COOLEY: —it did not have the decency to invite members of the Opposition to sit on that committee to discuss a nonparty issue.

The Hon. Clive Griffiths: The committee was formed about 18 months before that.

The Hon. D. W. COOLEY: It was formed after the shemozzle in 1975, and it ill-behoves the Government to appoint a committee comprised of Government members to inquire into a matter such as this, because members of the Opposition also have an interest in the matter and have points of view to express just as Government members do.

The Hon. Clive Griffiths: The committee was set up in 1974.

The Hon. R. F. Claughton: It could have been made a parliamentary Select Committee.

The Hon. G. E. Masters: Mr Cooley, why don't you explain some of the Bill?

The PRESIDENT: Order! I must point out to the honourable member that he is discussing a Bill which was before the Parliament last year, whereas he should be discussing the Bill which is presently before the Parliament.

The Hon. D. W. COOLEY: I understand that, Sir, and I wished to make only a brief comment in respect of the party discipline that is evident.

The Hon. Clive Griffiths: All you wanted to do was to talk about the Government and not the Bill.

The Hon. G. E. Masters: As usual, gross distortion of the facts.

The Hon. I. G. Pratt: Has he touched on any facts?

The Hon. D. W. COOLEY: I am extremely disappointed to see no effort has been made by the Government to do something about the perfectly stupid situation in which people are allowed to buy only two bottles of beer on Sundays.

The Hon. G. E. Masters: Hear, hear!

The Hon. D. W. COOLEY: I do not support the proposition that people should be able to go willy-nilly into the vineyards, and nor do the producers in the Swan Valley support that proposition.

The Hon. G. E. Masters: Oh, yes they do.

The Hon. D. W. COOLEY: Mr Masters acted prematurely last year when he indicated that they do support it, because according to my investigations most of the manufacturers of the Swan Valley do not want that. There are a couple of big firms which do, but the small people do not.

The Hon. G. E. Masters: If I give you proof, will you stand up and apologise to the House?

The Hon. D. W. COOLEY: I had hoped something would be done about the provision which requires that a person may purchase only two bottles on a Sunday. Any law that cannot be enforced properly is a bad and stupid law, and the two-bottle

law cannot be enforced. One can purchase as many bottles as one likes in large hotels by buying them at different bars. The Government should have done something about this law, knowing that in its present form it cannot be enforced.

The Hon. T. Knight: It would be enforced if you got caught.

The Hon. D. W. COOLEY: Mr Knight is so narrow in his outlook; he has hardly travelled outside Albany, and he does not understand the facts of life.

The Hon. A. A. Lewis: I think he knows more about kangaroos than you do.

The Hon. R. F. Claughton: He might know more about breaking the law.

The Hon. D. W. COOLEY: I would have liked to see something done about the trading hours on Sundays. When I spoke on this matter last year I said I would like to see all or nothing; if hotels cannot be opened all day Sunday they should be closed. If we cannot buy enough to drink during the week there is something wrong. However, if we do have to have so-called civilised drinking laws and people have to drink on every day of the week, then hotels should be open all day Sunday. The way the law stands at present only encourages uncivilised drinking.

The Hon. G. E. Masters: Would you like to close the pubs on Sundays?

The Hon. D. W. COOLEY: I would be happy if we went one way or the other, but the two-hour arrangement is not satisfactory to anyone, and I am sure members know what I mean. The Government should have grasped the nettle and done something about the matter. It should have been courageous enough to do that, but the lions of last year have turned into lambs.

I must comment on the appointment of the Chairman of the Licensing Court. Mr Wordsworth touched on this matter and indicated he is not happy with a seven-year appointment in the case of a qualified legal practitioner. If a legal practitioner can be appointed for seven years, why cannot an ordinary person be appointed for a term of seven years? There is something a little suspicious about this, but I will not say it is a "job for the boys".

The Hon. Clive Griffiths: That is your long suit.

The Hon. D. W. COOLEY: There have been "jobs for the boys" for a long time, and both parties have been at fault. Members opposite have two boys on the job, and one is the President of the Australian Hotels Association.

The Hon. A. A. Lewis: When did Smith go on to the Licensing Court?

The Hon. D. W. COOLEY: Another defeated Liberal candidate is the *pro tem* chairman.

The Hon. N. McNeill: A candidate of 15 years ago; is that what you are talking about?

The Hon. D. W. COOLEY: I did not refer to 15 years; I said he is a defeated Liberal candidate.

The Hon. N. McNeill: There is a very good reason for the seven-year appointment, and I will explain it later.

The Hon. D. W. COOLEY: This Government has continued with the "jobs for the boys" concept. Members opposite need not try to interject, because I have already said this has been the fault of both parties. But that does not make the practice any better. Members opposite can say the Labor Party did it, and to all intents and purposes it was a "job for the boys"; but, as I said, they now have two boys on the job—Arthur Dunstan and Mr Nowland.

The Hon. N. McNeill: How does Arthur Dunstan fit into that category?

The Hon. D. W. COOLEY: I can only say I am very disappointed—

The Clive Griffiths: What about the third member?

The Hon. D. W. COOLEY: —because I was a strong supporter of a similar measure last year which was a progressive move. But, of course, one cannot expect progressive moves to last very long under conservatives; they cannot stand change. Both Mr Masters and Mr Wordsworth have expressed a pious hope that when we come back here next year, if by some unfortunate circumstance their Government is again in office, the Act will be further amended. That is just a sop which has been handed to the rebels of last year to make them the lambs of this year.

The Hon. N. McNeill: Before you sit down I want to make it clear that you are referring to the progressive move of last year?

The Hon. D. W. COOLEY: Yes.

The Hon. N. McNeill: Could you be more explicit as to the particular move you are talking about that the Government took last year?

The Hon. D. W. COOLEY: I was thinking the Government was going to do something about the hours of Sunday trading; the Government was going to abolish restriction on bottle sales; it was going to make it permissible, in some circumstances, for kegs to be available to people on Sundays. All those things were progressive in respect of the present Act, but the Government has let me down

The Hon. Clive Griffiths: You want more and more drinking on a Sunday.

The Hon. D. W. COOLEY: If that is to be our way of life, yes.

The Hon. N. McNeill: I was asking the question and I just wanted to be clear.

The Hon. D. W. COOLEY: I supported Mr McNeill in these matters, and I thought they were good. I went against my colleagues and voted with the Government in this respect. Now that it is a

party measure I will have to go along with everybody else and vote with the party, but I am disappointed with the Government because I thought we were moving in the right direction. But we are not. Poor as it is, I shall support the Bill.

THE. HON. I. G. PRATT (Lower West) [5.47 p.m.]: It was my intention purely and simply to say that the feelings I expressed when last we discussed this matter have not changed—in fact they have been strengthened specifically in relation to the sale of table wines, and so on, on Sundays—and also to say I was looking forward to hearing the contribution that the Leader of the Opposition was going to make at the Committee stage to see whether he was going to bring forward something I could support to help us to achieve this aim. However, I find that I am now compelled, because of the comments which have just been made by the Hon. Don Cooley, which I assume were in order because they were not stopped, to enlarge my comments.

I wish to point out very clearly that if anyone wishes to take my name and put it to something which has not been said or done, he will pay the consequences. I took very strong exception to the way my name was used by the Hon. Don Cooley. I considered at the time whether I should ask for the comment to be withdrawn, but I felt it would be much better for me to include these comments in my speech so that I could point out the malicious, mischievous, and misleading statements this man has made in this House today.

Mr Cooley interjected.

The Hon. I. G. PRATT: I feel the statements are completely unworthy and I should like to hear him—

The PRESIDENT: Order! As I understand the Hon. Mr Cooley, he used the expression "liar".

The Hon. D. W. Cooley: I said that if he takes exception to being called a lion I would have withdrawn the word when speaking, but I though it was a compliment.

The PRESIDENT: I will have to move my wig onto one side.

The Hon. I. G. PRATT: The implication was absolutely clear—I challenge anyone to say it was not so—that the members Mr Cooley named had turned about and were taking a different stance at this stage from the one they took last year. This assertion was made without even hearing what we were going to say; it was completely unfounded and without basis.

If he had listened to one of the members who was involved last year and who spelt out the matter very clearly, he would have known that the Hon. Gordon Masters felt the same way in the case of liquor available to people for use on Sunday.

The Hon. G. E. Masters: Absolutely.

The Hon. I. G. PRATT: By interjection the Hon. Gordon Masters tried to point this out to him, but he would not listen; he persisted in these untrue and malicious implications.

The Hon. D. W. Cooley: You do not have to listen to interjections.

The Hon. I. G. PRATT: He did not need to listen to interjections; he just needed to listen to the speech of the Hon. Gordon Masters. If he were capable of understanding common English he would have understood what the situation was. I do not intend to carry on further except to repeat again that what he said was untrue, unfounded, and absolutely mischievous and misleading.

The Hon. Mr Cooley used words to the effect "if by some unfortunate circumstances the Liberals are the Government next year". If his exhibition today of the handling of the truth is an exhibition of what can be expected from the Opposition, there is no doubt at all that we will continue to be the Government for many years to come.

THE HON. R. THOMPSON (South Metropolitan) [5.50 p.m.]: Compared with what was presented to Parliament last year, this Bill is of a complex nature. As pointed out by the Hon. Mr Cooley, there were many beneficial provisions in the Bill last year and, in the main, they received the full support of this Chamber.

However, when we look at what was presented to another place this year, we find the Bill is in a totally different form. I shall go into the reason it was presented to another place and not brought to this place in a little depth later on. The only reason that the Bill had to be introduced in another place was the increased remuneration, which could fall as a burden on the Crown, which can be paid to a solicitor appointed to be chairman of the Licensing Court under the provisions of the Bill.

Last year the Minister said that the idea of not proceeding with the Bill was not to kill it but to keep it on the notice paper. Of course, that has proved to be an untruth. I shall make some more general comments on things that have been said. This is purely and simply a Government Bill. I read in the Press—this cannot be denied because it is mentioned in the Minister's second reading speech—that a working committee comprising National Country Party and Liberal Party members was set up to examine the proposition. Is that true or untrue?

The Hon. D. J. Wordsworth: Why does that make it a Government Bill?

The Hon. R. THOMPSON: It is a Government Bill because in the past such Bills have always been nonparty measures and the Parliament made the decision.

The Hon. G. C. MacKinnon: When was the last Liquor Bill presented by a private member? That is a non-Government Bill.

The Hon. R. THOMPSON: That is right.

The Hon. G. C. MacKinnon: This is a Government Bill; of course it is. It was introduced by the Minister.

The Hon. R. THOMPSON: It is a Government, party political Bill; it was introduced by the Government. But licensing Bills historically have always been nonparty Bills. During the period of the Hawke Government, Bert Hawke, who was then the Premier, crossed the floor and voted against a Government Bill because it was a Bill of a nonparty nature; and that is how it should be.

We represent people; we do not represent monopoly interests. This time the Government has perpetuated the ruling monopoly interests. Mr Cooley will not like that, but that is what it has done. The Bill was emasculated in another place; clause 7 was struck out. I have not followed the debate there because I was away, and I do not read what goes on in another place anyway. But I did read the Bill which was presented. It is the prerogative of the other place to strike out that clause if it so wishes, but the situation regarding the sale of an amount of liquor on a Sunday has reverted to the current situation under the parent Act. Another provision which was not in the Bill as it was introduced in another place is the provision whereby kegs could be sold provided they were ordered the day prior and then delivered on a Sunday. Perhaps I should quote exactly what the Minister said after the shemozzle that took place here last year. His remarks are recorded in the second column of page 4492 of volume 20 of *Hansard* for 1975. The speech was made on the 13th November probably at about 10.45 p.m. During the course of the debate, and some interjections, the Hon. N. McNeill said—

> If we are to talk about precedent, let us talk about that precedent, and the Leader of the Opposition knows it full well. However, let me deal with the particular point as to whether the motion I have moved will kill the Bill. In fact, the purpose of the motion is to keep the Bill on our notice paper. I have made no secret of the fact.

I think the Minister's credibility is at stake here because he did not keep the Bill on the notice paper. He said he was dissatisfied with the decision made by a vote of the Council. He claimed that the Bill could not be reprinted and presented to the Legislative Assembly.

The Hon. N. McNeill: Did I say that? Give me that quote.

The Hon. T. O. Perry: I think you are right.

The Hon. R. THOMPSON: I am right. I shall read the whole passage. It appears on page 4491. We had just had the vote, whereby the business was taken out of the Minister's hands. We therefore reached the report stage and at 9.45 p.m. the Minister, the Hon. N. McNeill, said—

> In the circumstances, Mr President, perhaps you will allow me some indulgence. Normally, it would be appropriate to move for the Bill to be read a third time, and for the Bill to proceed.

The PRESIDENT: Order! The Minister has to move to adopt the report.

The Hon. N. McNEILL: I beg your pardon, Mr President. In view of that decision, I move—

> That the report of the Committee be adopted.

May I, in the process of moving the motion for the adoption of the report, state the circumstances in which we are now placed?

The PRESIDENT: I think it is reasonable that the Minister be given an opportunity to explain his point of view.

The Hon. N. McNEILL: If the report is adopted, and the Bill is passed, it is not possible for the Bill to be reprinted tonight in order for it to be conveyed to another place. Therefore, I hope—in fact I must convey the thought to the House—that the third reading of the Bill would not be agreed to in the circumstances simply because we are in the situation where it is not possible to have the Bill reprinted for it to be considered in the Legislative Assembly.

I have told the House that the time was 9.45 p.m. If members recall, on that evening the House adjourned at 6.00 o'clock for the usual ceremony and then sat again at one minute past eight. About 10 minutes after we sat I made a point concerning what was going to happen to the Bill. This appears on page 4482 of the same *Hansard* in the second column. Amongst other things, I said—

> The other comment I want to make is not about this clause. The corridor rumour about the Bill is that it will die in this Chamber; that is, it will not be proceeded with in another place. This is the first Bill we have debated this year that was introduced on a nonparty basis, and on which we can express our opinions and views, and members can support their areas. However, we have been told that the Bill will not be proceeded with.

During the course of that debate I repeatedly stated that there was no reason in the world why Parliament should rise on the 13th November. We have often sat as late as the 18th and 20th December.

The Hon. G. C. MacKinnon: And growled all the time.

The Hon. R. THOMPSON: The expression of this House was that what was contained in the Bill should be transmitted to another place for consideration. However, we were told that the idea was to keep the Bill alive and on the notice paper, but that has been proved to be an untruth because it was not kept alive and on the notice paper. The Bill introduced in another place this year is a totally different Bill, and does not contain the same provisions as were in the measure we dealt with last year.

The PRESIDENT: Order! I have been fairly generous in allowing the debate to continue on these lines, but I suggest the honourable member might get on with the Bill before us rather than with the history of last year's Bill.

The Hon. R. THOMPSON: I acknowledge your direction to me, Mr President, but I think it is necessary that members of the Chamber should be reminded about what took place.

Over the years the members of the Labor Party have been castigated by members of the Liberal Party sitting opposite us and we have been told that we are a regimented party and we are whipped into line. We have been told that we take orders from outside bodies, which is completely untrue.

However, we all know the experience we witnessed in this Chamber last year. We saw what happened when the vote went against the Minister. A five-minute discussion took place in the corridor after the Minister had asked you to leave the Chair, Mr President, and then there was another 40-minute meeting in the party room to which the then Parliamentary Secretary of the Cabinet was called. The members of the Liberal Party assembled in their party room and were told that if they did not go back and agree, there would be a new leader of the Government in this Chamber.

The Hon. A. A. Lewis: They were all told, were they?

The Hon. N. McNeill: Don't interrupt him.

The Hon. G. E. Masters: What utter rubbish.

The Hon. R. THOMPSON: No-one can deny that Ray Young was called up to the party room and made those statements.

The Hon. N. McNeill: I will deny it. I will deny that Ray Young was called to the party room, and also your other assertions, which were pure speculation on your part.

The Hon. R. THOMPSON: After 45 minutes, members opposite came down and toed the line because they were regimented to do so.

The Hon. A. A. Lewis: I did, I suppose?

The Hon. R. THOMPSON: Of course the honourable member did.

The Hon. A. A. Lewis: That is another absolute untruth.

The Hon. R. THOMPSON: Let me check to see whether the honourable member was present.

The Hon. A. A. Lewis: In other words you said I was without bothering to check. That is the type of statement we expect from you.

The Hon. R. THOMPSON: My apologies to the honourable member. He was not even present. But those members present about whom I was talking—

The Hon. A. A. Lewis: So you are accusing all of us. There were other members not present, too.

The Hon. R. THOMPSON: I said members in the Chamber.

The Hon. A. A. Lewis: You said Liberal members.

The Hon. R. THOMPSON: They assembled there.

The Hon. A. A. Lewis: Straightoff you said I was there and I was not.

The Hon. N. McNeill: I think you can allow a little indulgence with him. He is up to his usual game.

The Hon. S. J. Dellar: You mean they did not change their minds?

The Hon. R. THOMPSON: This Chamber made a decision which was that the Bill was to proceed to another place so that it could be dealt with there. That was the expression of this Chamber—those members representing the people in their areas, and this is what Parliament is all about. This is what representation in Parliament is all about.

The Hon. A. A. Lewis: How about the Bill?

The Hon. R. THOMPSON: We come here to record a vote and to submit the views of our constituents.

The Hon. A. A. Lewis: I thought you said last year we were rubber stamps.

The Hon. R. THOMPSON: I am indicating what members opposite should do, but they do not. They are rubber stamps.

The PRESIDENT: Order! Would the honourable member please get on with the Bill? I have been generous in allowing the present debate to continue so far.

The Hon. R. THOMPSON: I like to answer interjections, Mr President. The following is found on page 2 of the Minister's notes—

> Members will no doubt give due recognition to the fact that changes to our liquor laws by successive

> Governments have generally made for better standards in the industry, to a stage where the consumer now enjoys relatively good conditions and drinking hours.
>
> This can perhaps best be illustrated by the fact that very little complaint has been expressed by the public about the existing conditions which apply to hours of trading and availability of liquor.

I agree with him. Liquor is available and last year we tried to legalise something which is currently being done illegally. I indicated that anyone can obtain a keg or any amount of liquor on a Sunday.

The Hon. A. A. Lewis: You can speed every day, too!

Sitting suspended from 6.07 to 7.30 p.m.

The Hon. R. THOMPSON: Prior to the tea suspension I was saying that according to the Minister's speech the general public did not have much complaint about the trading hours and the availability of liquor. I said they have no reason to complain about the availability of liquor on Sundays because it can be obtained in any quantity illegally, whereas last November we made provision that it should be obtained legally. To that point we amended and extended the legislation which was introduced to us. Of course, it was not acceptable to the Government.

So it is hardly fair for the Minister to make such a point in introducing legislation, when he knows, I know, and every other member knows one can buy any kind of liquor in unlimited quantities on a Sunday. It places the onus on publicans, who I believe are not having the most successful time. Some of them are complaining and many of them have converted their hotels into taverns because of other economic factors in the industry. I think it is wrong not to introduce sensible laws which people do not have to break to be able to continue in business.

On page 3136 of *Hansard* the Minister referred to a person who has been convicted of an offence involving the consumption of alcohol. The Bill provides that—

> . . . the court of law many impose, in addition to any other penalty, an order prohibiting that person from entering licensed premises for a period not exceeding 12 months.
>
> The penalty for breach of such an order is to be $200, or imprisonment for 12 months.

I think we are turning back the clock a little too far. We are virtually reverting to what was called "the Dog Act", where every bar had to have a permanent list of the names of persons who were prohibited from drinking liquor in any hotel within the boundaries of Western Australia.

The Hon. J. C. Tozer: Has that been repealed?

The Hon. R. THOMPSON: Yes; from memory I would say in the late 1960s, or it might have been in the 1970 Bill; but it was definitely repealed. I think we should progress, not turn back the clock. Here we see a double penalty. If a person appears before the court and is put on a bond to keep the peace or be of good behaviour for 12 months, and he breaks that bond, he goes before the court again and is convicted for breaking the bond. Under this Bill a person can be convicted twice for the same offence. Firstly, he pays the penalty meted out by the court and he is told not to enter licensed premises for a period not exceeding 12 months. If he enters licensed premises for any reason other than to obtain a meal, go to the toilet, or something similar, he can then be arrested and be up for another fine of $200 or imprisonment for 12 months.

I do not think that is just legislation. I do not like it and I think the Minister should have another look at that aspect of it. I am not a legal man but I think we should be looking for ways and means to rehabilitate people. If a person wants to obtain alcohol he does not have to go to a hotel. He can have all the liquor he wants delivered to his home by any prominent hotel or licensed store. The penalty applies only if he re-enters the premises of a hotel, and I do not like it. If he is to be prohibited from drinking, the Alcohol and Drug Authority should come into it.

The Hon. D. J. Wordsworth: It is not the intention to stop him drinking.

The Hon. R. THOMPSON: It is to stop him entering hotel premises.

The Hon. D. J. Wordsworth: No—from wrecking the premises when he goes into them. In his own home he can drink as much as he likes. Is there anything wrong in that?

The Hon. R. THOMPSON: Why should a person be subject to a double penalty?

The Hon. D. J. Wordsworth: He is allowed to go to a hotel to eat a meal.

The Hon. R. THOMPSON: But if he enters a hotel for the purpose of consuming alcohol he is up for a second penalty. It might be a hot day and he might have one beer and leave. If he is a troublemaker the publican does not have to serve him. I ask the Minister to have a look at that provision.

The next point I want to raise is in relation to the following passage in the Minister's speech, on page 3136 of *Hansard*—

> An amendment is proposed to provide for the appointment of a Chairman of the Licensing Court for up to seven years, providing the person to be appointed is a legal practitioner of eight years' standing, and otherwise qualified to be a judge.

> Representations have been made to the Government in this regard, placing emphasis on the legal complexities which had arisen from time to time in administering the Act. Such an appointment would also balance the composition of the Licensing Court.

In the first place, I do not think it is fair merely to say "representations have been made". I think we should know the source of the representations. If representations were made a case would have been put as to why a legal practitioner would be the right person.

The Minister in charge of the Bill, who is the Minister for Justice, may be able to tell us how many appeals have been lodged against decisions of the Licensing Court and the result of those appeals. He could also tell us how many appeals have been lodged against decisions of the Workers' Compensation Board and the success rate of those appeals. No case has been made out to us as to why the Chairman of the Licensing Court should be a legal person of eight years' standing.

The Bill goes on to provide that a legal man, if appointed, would receive a far greater salary than a lay Chairman of the Licensing Court. The legal man would qualify for a judge's salary and his term of office would be four years longer than that currently provided in the Act, which is a period of three years.

The Hon. A. A. Lewis: Do you think that extra time would make for stability of the court?

The Hon. R. THOMPSON: We could advance the same argument for anything else. I think we have had very good Chairmen of the Licensing Court. I do not think we have had any bad ones. I cannot remember any chairman having been removed from office.

The Hon. A. A. Lewis: That is a poor argument. You are accusing the Minister of not giving you arguments for doing something, yet you say you cannot think of any bad chairman and you use the argument that no-one has been removed from office. No-one has been dishonest to the stage that he had to be removed. I do not think that is an argument at all.

The Hon. R. THOMPSON: There must have been good reason for fixing a term of three years in the first place.

The Hon. A. A. Lewis: Do you think it was just picked out of the air?

The Hon. R. THOMPSON: Why extend it to seven years?

The Hon. A. A. Lewis: For stability, I think.

The Hon. R. THOMPSON: What about the other members of the court? Why should their terms not be extended?

The Hon. A. A. Lewis: You could have a point there but Mr Cooley would argue it.

The Hon. R. THOMPSON: I think we should be consistent in our approach to this matter. It does not matter whether it is Mr Graham, the last Chairman of the Licensing Court, or the next chairman: if it is right for one to remain in office for seven years, it is right for all of them to do so.

The Hon. A. A. Lewis: If it goes into law, that will be so; or do you want to change it back?

The Hon. R. THOMPSON: I ask the Minister what representations have been made—I think it is fair enough that we should know what they were—and who made the representations.

On page 5 of the Bill it is proposed to amend section 31 of the Act, which deals with the hours during which theatre licensees may sell liquor. I feel this is progressive and it should be supported, but by the same token we are talking about live theatre shows, some of which do not finish until rather late. In this Bill midnight is the deadline. No provision is made for an extension of time on new year's eve or Christmas eve, or perhaps I am wrong and the theatres can apply for an extension.

The Hon. N. McNeill: No.

The Hon. R. THOMPSON: I do not think they can, and this is another thing we should look at.

The Hon. A. A. Lewis: Do you believe that theatre shows go that late?

The Hon. R. THOMPSON: I have been to live theatre shows which have finished at 11.30 p.m. In fact, I attended one recently at the Concert Hall and it did not finish until 11.35 p.m.

The Hon. A. A. Lewis: That must have started late.

The Hon. R. THOMPSON: No.

The Hon. D. J. Wordsworth: They might have midnight horror shows.

The Hon. R. THOMPSON: We are talking about live shows. Perhaps if the honourable member were performing it would be a horror show, but I do not believe we have any live midnight horror shows at present.

On page 3137 of *Hansard*, the Minister had this to say—

> At this point I wish to inform members that consideration is currently being given to an undertaking given by the Minister in charge of the Bill in another place which would provide an extension of the application of voluntary associations permits to include licensed clubs in the metropolitan area in certain circumstances.

I hope that the amendment will be forthcoming.

The Hon. N. McNeill: It is on the notice paper.

The Hon. R. THOMPSON: The Minister continued—

> The proposed two year qualification requirement of an association to be eligible for a permit is also being examined, and I hope to be in a position to give an early indication to the house on any amendments to these areas which I would move during the committee stage of the Bill.

Of course members who were here in 1970 know how much sensible debate took place in regard to the complexity of granting these licences. I know there have been some anomalies and abuses. However, we do not want to find a proposed amendment on the notice paper one day and have to discuss it straightaway. I believe we should have time to examine any amendments.

The Minister said that the amendment will be for seasonal and periodical fluctuations in residential accommodation. I believe that is a good provision.

Further on the Minister sums up the contents of the measure when he says—

> The Government welcomes the improvement that has taken place in many of the facilities now being provided for the benefit of the public, and hopes that this trend will continue.

I think that statement is a great compliment to the person who took on the chairmanship of the Licensing Court and was responsible for these improvements. I am referring to Mr Herb Graham, and although he may have upset a few people, he was applauded by all the newspapers in Western Australia.

The Hon. D. J. Wordsworth: All the newspapers?

The Hon. R. THOMPSON: All the newspapers applauded Herb Graham in their editorials and articles for the enlightened approach made by the Licensing Court to liquor problems. I believe he did a great job. I recall that when Herb Graham was appointed to this position he did not want to go on forever and a day. He wanted to work for three, four, or five years, and then to retire because he always said he intended to retire at the age of 65 from politics or from any other position he held. I think he is about a year short of that age, and in view of the wonderful job he did, it would have been to the credit of the Government if his term had been extended for 12 months. I am not saying that he did not upset some people, but at least he brought some sanity into the operation of the court and into the hotel trade generally.

The Hon. A. A. Lewis: Would he have taken another term?

The Hon. R. THOMPSON: I do not think he would have taken the full term.

The Hon. A. A. Lewis: Do you think that would have been good for stability—taking bits of terms just because he is good?

The Hon. Clive Griffiths: You are suggesting that previous Licensing Courts were not doing the right thing by the liquor trade.

The Hon. R. F. Claughton: You are probably right.

The PRESIDENT: Order! The Hon. R. F. Claughton is not in his seat.

The Hon. Clive Griffiths: I do not think you are right.

The Hon. R. THOMPSON: I did not say anything about the chairman or members of the Licensing Court before Mr Graham was appointed. I said that his was a fresh approach.

The Hon. Clive Griffiths: But it did not make that particular chairman any more competent or invaluable to the industry than any others. I cannot see what you are going on about.

The Hon. R. THOMPSON: The legislation in respect of taverns had been in force for some three years when Mr Graham took over the position and yet hardly a tavern had been built. Every time an application was made to the court for a tavern licence, the hotel industry objected and the application was rejected. Not only Herb Graham, but the other members of the Licensing Court also had an enlightened outlook. If they thought a tavern licence was warranted, it was granted. Another action taken by the Licensing Court at the time was of great benefit to many hoteliers, and this was permission to convert some hotels into taverns. Such permission had never been granted previously.

The Hon. A. A. Lewis: Forced them, in many cases.

The Hon. R. THOMPSON: Probably that could be true.

The Hon. A. A. Lewis: Especially in country areas.

The Hon. R. THOMPSON: It sometimes happened that the Licensing Court had to put work orders on some hotels to ensure the necessary work was undertaken. In many cases the accommodation side of the hotel business is a drag on a hotel; it has to maintain a dining room, employ cooks, housemaids, etc. Frequently the return from the accommodation side is insufficient for the work involved, and it was a good and sensible idea to convert these hotel licences to tavern licences. I know that three hotels close to where I live were very happy with this provision and they could not convert to taverns quickly enough. These were hotels of a good standard, but because of the increase in local modern motels, they did not get the house trade.

The Hon. H. W. Gayfer: I think I have to agree with you. There were a lot of people who experienced satisfaction with the term of office of Herb Graham.

The Hon. R. THOMPSON: His was a fresh approach.

The Hon. Clive Griffiths: I take strong exception to your saying that the Government gave him the sack.

The Hon. R. THOMPSON: I did not say that; I did not even mention it.

The Hon. Clive Griffiths: And that the Government ought to have extended his time. His term was up and the Government did not renew it. What is wrong with that?

The Hon. R. THOMPSON: I said it would have been—

The Hon. Clive Griffiths: A nice gesture.

The Hon. R. THOMPSON: —a credit to the Government if it had extended his term for another 12 months.

The Hon. A. A. Lewis: Would he have taken it for another 12 months?

The Hon. R. THOMPSON: Yes, if I remember correctly, when he was sacked—

The Hon. N. McNeill: Hold it! I suggest you get your terms correct because you are certainly not doing so at the moment.

The Hon. R. THOMPSON: He was not offered a further appointment which other Chairmen of the Licensing Court had been offered in years gone by.

The Hon. D. J. Wordsworth: Did a lot of chairmen wish for one extra year?

The Hon. R. THOMPSON: Yes, as a matter of fact, when we were in Government we extended the term of the previous Chairman of the Licensing Court.

The Hon. T. Knight: Who was that—Lewis?

The Hon. R. THOMPSON: Yes.

The Hon. D. J. Wordsworth: That was to fit in with the incoming chairman.

The Hon. R. THOMPSON: No it was not; we extended his term.

The Hon. A. A. Lewis: Before you sacked the Deputy Premier.

The Hon. R. THOMPSON: We did not sack the Deputy Premier; he applied for the job and he got it.

When I commenced to speak I said what I thought of the legislation that was introduced last year and what I thought of the legislation now before us. I feel the Minister for Justice is at short field; I would say he is under an obligation to Parliament to carry out his expressed views. They are printed in *Hansard* and I have quoted them. The wishes of the members of this Chamber have not been included in the legislation. I do not think it is possible to amend the Bill before us to fit in with the wishes of some members of the Chamber. I think the Minister should introduce another Bill. It is not the last night of a session and there is plenty of time for us to debate sensibly the wishes of the members of this Chamber and their constituents.

I will close my speech by quoting an editorial which appeared in *The West Australian* on Monday, the 17th November, 1975, four days after the Minister refused to proceed with the Liquor Act Amendment Bill of 1975. The editorial is headed, "Why the delay?" and it reads—

> So much for the illusion that the State Government was taking a commonsense approach—on non-party lines—to the question of liquor-law reform.
>
> For inexplicable reasons it has deferred the Liquor Act Amendment Bill which, among other things, would have removed the farcical limits on the amount of bottled or canned beer that can be sold on Sundays.
>
> Deferment of the Bill might have been justified if it had been trailblazing legislation or if amendments proposed in the Legislative Council (and supported by seven Government members) had made it unrecognisable.
>
> But neither was the case. As far as it went the Bill was eminently sensible; the amendments merely sought to extend the spirit of liberalisation by removing the indefensible discrimination between beer and wines or spirits, and allowing vignerons to sell their products on Sundays. Those were hardly earth-shattering propositions, yet the Minister for Justice, Mr McNeill, has invested them with ridiculous importance—enough, in his view, to hold the Bill back several months for re-examination.
>
> The amendments which found majority support in the Council should have been part of the Bill in the first place. And the measure should have been introduced in plenty of time to be dealt with by both Houses—not debated in the dying hours of the session.
>
> The Government's timidity could now expose it to charges that it has deferred the Bill while it consults with vested interests. If that suspicion is already abroad the Government has itself to blame.

The West Australian could not have been more "spot on" because that is exactly what the Government did. It consulted with vested interests and we find the same old prohibition. The enlightened proposed laws of last year have disappeared from the Bill introduced into the Assembly; they are not in the Bill before us.

The PRESIDENT: The honourable member knows the Standing Orders in relation to reference to the other Chamber.

The Hon. R. THOMPSON: I am sorry, Mr President, I should have said, "in another place".

The Hon. D. J. Wordsworth: What is a vested interest—the Salvation Army?

The Hon. R. THOMPSON: It is now incumbent on the Minister to do the right thing and to carry out his implied intentions to the Parliament. He should introduce a Bill which complies with the wishes expressed by the members of this Chamber last year.

THE HON. T. KNIGHT (South) [8.00 p.m.]: I intend to be very brief in my remarks. I wish to support most of the comments made by the Hon. Gordon Masters; I followed what he said today very closely, and also listened carefully when he spoke on this subject last year. I believe this Act is too rigid in some aspects and too lax in others. For instance, the two-bottle rule is quite ludicrous. I believe sales of all types of bottles should be permitted to the public on Sundays as they are the rest of the week. As members have pointed out, people can obtain any number of bottles if they so desire. We realise they are breaking the law, but they must be apprehended before that can be proved.

One point which is of particular concern to me and my constituents is the situation which affects vignerons in the Mt. Barker area. The Mt. Barker or Plantagenet winery is a vineyard some 15 miles out of Mt. Barker. For economic reasons, and because the building existed, the company set up its cellars in the town of Mt. Barker. However, under our legislation it is not permitted to sell its wine from its premises in Mt. Barker because the law states the shop must be attached to a vineyard of five acres or more.

The same situation applies to Frankland and Valley Wines. Frankland River is situated some 25 miles west of Cranbrook and it is completely unfeasible to suggest to people travelling down the Albany Highway that they should drive the additional 25 miles to Frankland River to purchase their wines. As I understand it, the company wishes to sell its wines from Cranbrook but, because of the existing legislation, it is unable to do so. I believe this situation also applies to many of the small wine industries being established throughout the south-west in places such as Cowaramup, where these wines are of an excellent quality and have been proved to be so at the judging of recent competitions throughout the State.

It is a great tourist attraction for the people to be able to visit these vineyards, see the wine on display, sample it and take some away if they wish, just as they are able to do in the Barossa Valley in South Australia.

Most aspects of the legislation are good, and I support a lot of what Mr Masters had to say. However, I draw that one matter to the attention of the Minister in the hope that he may be able to improve the situation which presently obtains in my electorate.

THE HON. R. J. L. WILLIAMS (Metropolitan) [8.02 p.m.]: I too will be brief; there is no point in rehashing the history of this Bill, or its predecessors, because as long as we have a Liquor Act it will never satisfy everybody. Perhaps the day will come when the Licensing Court will be able to tell us that many of the necessary rules and regulations need only be rules and regulations which the court can control quite closely.

I am in agreement with a great deal of what a few speakers had to say tonight, particularly in relation to Sunday trading. I believe it must be all or nothing and, at the moment, it would not be a bad thing if it were nothing at all. The present situation is inconvenient to licensees; they lose money. It also encourages people to rush hither and thither collecting as many bottles as they can in the available time. Mr Cooley suggested that the lions on this side became lambs, but I can assure him that when I am convinced about a subject I do not care to which party I belong; I will cross the floor at any time, because that is my right.

The Hon. D. W. Cooley: You changed your mind in half an hour after you were brought into line.

The Hon. R. J. L. WILLIAMS: I do not know whether it was that, or whether we were told the truth about a certain thing; however, that truth about a certain thing I will leave to the Leader of the House to explain to Mr Cooley, because the truth does not hurt anyone.

What I do commend in this Bill is the fact that the Minister has looked very closely at updating a procedure within the hotel industry with a view to assisting the tourist industry. Clause 29 updates the method of registering people in hotels, allowing the licensee or an authorised person to do so. When one goes abroad on a coach tour which may comprise some 30 or 40 people, and the coach visits a hotel, the people do not have to bother about queuing up at a desk to register. A list of passengers' names is provided by the coach captain, and the passengers are registered by computer; later in their hotel rooms they can fill in the cards and sign them at their leisure.

We must face the fact that Perth now has a great deal of international traffic. The 747 or "Jumbo Jet" now calls at Perth. If for some reason one of these aircraft is prevented from leaving the ground and keeping its regular schedule, hotels sometimes are requested at a moment's notice to provide accommodation for 180 or more passengers who may be stranded for up to nine hours. Whenever this occurs abroad it appears to go without a hitch but I know from only one instance that the passengers stranded in Perth were forced to queue for something like two hours at a hotel desk because the law insisted the licensee must register each and every person. The passengers

were almost asked to register with a quill pen and ink at a large, old register at the hotel desk before the law was satisfied.

The Hon. D. J. Wordsworth: Do you think they should have to register?

The Hon. R. J. L. WILLIAMS: I believe the police like to have signatures, but I cannot see the reason in this day and age for keeping signatures in such a way. We may as well return to the era of high desks and old bound registers.

The Hon. D. J. Wordsworth: Does the law require the hotels to register them in such a manner?

The Hon. R. J. L. WILLIAMS: I would not be too sure, but I believe that the larger hotels are so obliged. Even so, with this new method of registering it should be quite an easy task to sign in on a card, or get someone to sign in for one, and fill in the details later.

I should like to make one appeal to the Minister: It is not generally known, but there are catering firms within the city block which, when given sufficient notice —and, in some cases, with insufficient notice—are able to provide lunches, quite often complete with liquor, at the office of the person making the request or anywhere else for that matter. We have become very efficient and proficient at this. Where it involves a function for which a month's notice can be given, this presents no difficulties whatsoever.

However, I will quote just one example to illustrate what I should like to see the Licensing Court taking into account. A racehorse owner in this State went to the races on Saturday to see his two horses running. He did not hold out much hope for either of them, but they both won. He wanted to celebrate the victory and telephoned a certain hotel in the city, requesting it to send someone over to his home that night to cater for the celebration. He gave the hotel four hours' notice to cater for his party and the hotel replied, "Yes, we will be delighted to, but we cannot supply the liquor because we have not given the Licensing Court 24 hours' notice of our intention to supply liquor."

I believe under such circumstances, provided the caterers, who were so licensed, informed the court on every occasion they provided such a service, it would be quite in order for the court to be notified on the following Monday, it being a Saturday afternoon that the request was made. Many people suddenly find at short notice that they have to organise a party of some sort, and I believe we should be sophisticated enough in this day and age to be able to cope with such demands.

The other appeal I would make to the Minister and the Licensing Court is to consider the situation which presently obtains in the city block, where there are many hotels and also various bottle shops. I feel that in the case of a hotel complex, where after 5.00 p.m. or 6.00 p.m. everyone leaves the city, its bottle shop operation should be permitted to close. The requirement no longer exists because the people have left the city block, and the bottle shop must close at 8.30 p.m. anyway; that is mandatory. So, from 6.00 p.m. until 8.30 p.m. these places must provide staff and meet overheads relating to heating, lighting and all the rest. They could still give bottle service from another part of the complex, and should be permitted to close their bottle shop at 6.00 p.m. Some of these licensees are very accurate with their figures and claim that perhaps three people may visit their shops between 6.00 p.m. and 8.30 p.m.

The Hon. S. J. Dellar: Are you saying they must close at 8.30 p.m.?

The Hon. R. J. L. WILLIAMS: Yes, that is my understanding of bottle shop licences.

The Hon. S. J. Dellar: I was not aware of that.

The Hon. R. J. L. WILLIAMS: I am sure I am right.

The Hon. N. McNeill: I think you are talking about store licences.

The Hon. R. J. L. WILLIAMS: Yes, a store bottle shop. It must close at 8.30 p.m., and these people would risk losing their licences if they infringed this regulation; it would put them out of business.

The Hon. S. J. Dellar: I thought you were talking about a bottle shop attached to a hotel.

The Hon. R. J. L. WILLIAMS: No, a store licence. I ask the Minister to examine this situation. I cannot see any reference to it in the Bill.

The Bill as it stands has some commendable points, particularly the new registration provision; it will assist the tourist industry which I believe will be very important to Perth within the next two or three years.

I do not know what is going on in town this week, but 38 beds were required for some people from Selangor, and the nearest to Perth that they could be accommodated was at Cannington. Members can see that our accommodation hotels are doing very well and we as a community must be geared to this situation so that people will return to our State. With those few remarks, I support the Bill.

THE HON. A. A. LEWIS (Lower Central) [8.11 p.m.]: I support the Bill probably for a reason that has not been mentioned before in this debate; namely, because the industry and the public as a whole wish it to be passed. I appreciate the concern expressed by Mr Masters and Mr Thompson about how far the Bill goes, but neither of those gentlemen predicted that next year they would bring forward a private member's Bill.

The Hon. G. E. Masters: I do not think anyone said that.

The Hon. S. J. Dellar: Will you?

The Hon. A. A. LEWIS: Yes, I will.

The Hon. S. J. Dellar: Why not this year?

The Hon. A. A. LEWIS: Mr Dellar keeps on talking about other people but does nothing. At least some people in this House show some leadership. I realise he is only a deputy and that he will never show leadership qualities, but will only echo what his leader says. I am quite prepared to show leadership and to say that next year I will bring forward a private member's Bill unless the Government produces a satisfactory Bill for debate by this House.

The Hon. R. F. Claughton interjected.

The Hon. A. A. LEWIS: Mr President, do we have to put up with little men who cry in the wilderness but who are prepared to do nothing themselves? They have never really studied the Liquor Act, but are prepared to stop somebody who wishes to come forward to improve the legislation.

The Hon. S. J. Dellar: I should like to give you a hand in drafting it.

Several members interjected.

The Hon. A. A. LEWIS: I will deal with Mr Cooley. Because of kangaroos and things he has become a bit of a boomer in this place. He may understand a little about producing liquor, but he understands very little about the Liquor Act or about the economy of the industry. He is not concerned about what the hotel industry needs; rather, he looks at this subject as he looks at every other subject; namely, with blinkers on. Everything is in black and white to Mr Cooley. He believes there should be no liquor sold on a Sunday.

The Hon. D. W. Cooley: I did not say that.

The Hon. A. A. LEWIS: I apologise to Mr Cooley if that is the case.

The Hon. D. W. Cooley: Do you want to have a look at it?

The Hon. A. A. LEWIS: I would love to. I believe that before the suspension of the sitting for tea, Mr Cooley said that at the moment it is neither one thing nor the other and that he believed there should be no liquor sold on Sundays. I would be very interested to read his comments. I have great faith in the *Hansard* reports, and my ears do not let me down very often. I believe that Mr Cooley said he preferred that there be no sales of liquor on Sundays.

The Hon. D. W. Cooley: Now you are getting closer.

The Hon. Clive Griffiths: I thought he said he preferred the hotels to remain open all day on Sundays for trading.

The Hon. A. A. LEWIS: He preferred the position to be set out as either black or white, and he showed a preference. On the other hand, I lean towards the tendency outlined by Mr Masters of allowing liquor to be sold as required by the public, but that has very little to do with the Bill before us.

The Hon. S. J. Dellar: Unfortunately.

The Hon. A. A. LEWIS: As I have pointed out to the honourable member, he has an opportunity to contribute to the debate. He is probably trying to make a name for himself in the House, which he has not been able to do in the past 5½ years he has been a member; he could do that by introducing a private member's Bill to deal with the sale of liquor.

The Hon. G. E. Masters: He will have to obtain permission to do that. See what happened to Mr Claughton.

The Hon. A. A. LEWIS: Both Mr Cooley and Mr Thompson have spoken about regimentation. I believe that Mr Claughton is not particularly popular with some factions of his party. I admire Mr Claughton for standing up to the leader of his party, and he has been the only member to do so in years.

The PRESIDENT: Order! It is about time the honourable member got back to the Bill.

The Hon. A. A. LEWIS: I could not agree more. The liquor industry wishes the Bill to go through in its present form mainly because it contains two or three provisions which are important to it. One is the provision that deals with the people who make a nuisance of themselves in the hotels. In the past the penalty was fixed at $10, when wages were not as high as they are today; but now that penalty is not as great a deterrent as it should be.

It is good to see that another part of the Bill seeks to protect the people who are running the industry which at the moment is severely affected by the highest costs of any in the world. Today the cost of running a hotel in Australia is higher than the cost anywhere else in the world. We have golden opportunities to construct new hotels, and in saying this I am not blaming anybody or indulging in union bashing.

The Hon. D. W. Cooley: You would be joking in saying that!

The Hon. A. A. LEWIS: I can assure the honourable member that I have not indulged in union bashing.

The Hon. R. F. Claughton interjected.

The Hon. A. A. LEWIS: If the honourable member will remain silent I will continue with my contribution.

The Hon. S. J. Dellar: He only learnt that from the "Bull from Boyup"!

The Hon. A. A. LEWIS: If I can address myself to you, Mr President—

The PRESIDENT: The honourable member may by all means address the Chair.

The Hon. A. A. LEWIS: —the operation of hotels has become a dicey business. Despite Mr Thompson's comments about the previous Chairman of the Licensing Court, whom I regard as a friend, I do believe that as a result of some attitudes he adopted an increase has occurred in the running expenses of licensed premises. He has made statements that he could not care less about the economics of the industry, and that was very unfortunate. He also made statements about the class of accommodation provided in some country hotels.

The Hon. R. Thompson: His job was to administer the Act.

The Hon. A. A. LEWIS: Mr Gayfer agreed that what the previous chairman said was quite correct.

The Hon. D. W. Cooley: A moment ago you were dealing with union bashing, but now you are supporting it.

The Hon. A. A. LEWIS: I accept my portion of the blame, which according to weight for age represents a big portion! If we reviewed the Act each year it would still not be sufficient, because of the changing circumstances. Mr Thompson has made the point that the Chairman of the Licensing Court has the responsibility of administering the Act.

That is the reason I believe the Australian Hotels Association wants the Bill to be passed in its present form, because it can see into the future. It has members who understand the liquor industry, and who will continue to work on behalf of the public and of the industry.

The Hon. R. Thompson: The interest of the public should come first.

The Hon. A. A. LEWIS: I have the strongest faith in the AHA providing the service that is required by the people. Many people in this country have not seen the ultimate that can be provided by hotels.

The Hon. R. F. Claughton: This is an industry where the customer is not always right.

The Hon. A. A. LEWIS: That may be so.

The Hon. R. F. Claughton: The customer has not had an opportunity to have a say.

The Hon. A. A. LEWIS: I think he has had such an opportunity. The honourable member, just like any other customer, has the opportunity to drink at the hotel of his choice. I believe the public of this country have not seen the variety of ways in which liquor can be provided and consumed at hotels. I understand many hotels wish to effect changes in the industry.

I will give some examples of people who operate hotels in small towns, and who wanted to improve facilities on the basis of a five-year plan, but who were knocked back by the Licensing Court which insisted that the improvements had to be carried out within a certain period. It did not permit those people to effect their improvements according to an overall plan over a given period.

The Hon. R. Thompson: You are making a valid point. Does it mean the previous chairman was not prepared to upgrade the hotels?

The Hon. A. A LEWIS: I am not saying that.

The Hon. R. Thompson: You are implying that.

The Hon. A. A. LEWIS: I am saying we were wrong in not giving those people the opportunity under the Act to effect improvements according to a planned programme.

The Hon. R. Thompson: If those people acted in accordance with the Act they would not have to do that.

The Hon. A. A. LEWIS: I refer to the hotel at Darkan, the licensee of which has set up a very imaginative programme for the construction of units. The turnover of that hotel is not that great to enable it to generate enough money for capital works over a 12-month period. However, over a five-year period the licensee could do a wonderful job in constructing those units.

The hotels at Collie are in the same position. Another example are the hotels at Bridgetown about which the previous Chairman of the Licensing Court was very rude. I have been provided with good simple accommodation in those hotels. I do not expect to be provided with units with hot and cold running water and everything else. The simple accommodation is provided at $5 to $7 for bed and breakfast, as compared with $17 to $20 a night for a unit, and that is without breakfast.

The simple accommodation in some of these hotels will enable the average tourist to be accommodated at a moderate tariff. I believe we have gone overboard in the provision of units attached to hotels. I am sure Mr Thompson, in the days when he was a Minister, and the present Minister when visiting various parts of the State did not find a television set or a refrigerator of much use in the units. I am sure Mr Thompson would not mind walking up the corridor to get a bottle of ginger ale if he wanted one. Unfortunately

we have been forced into a unit mentality, and into thinking that every hotel should provide units.

The Hon. R. F. Claughton: I have stayed at the Northampton Hotel which provides both rooms and units.

The Hon. A. A. LEWIS: The honourable member is imaginative.

The Hon. R. F. Claughton: I am more imaginative than you are.

The Hon. R. Thompson: The member who is sitting in the seat which you now occupy said exactly the opposite 15 years ago.

The Hon. A. A. LEWIS: It is a terrible thing for an ex-Leader of the Opposition to say. I suppose that is why he became an ex-Minister. He is turning back the clock 15 years, but I am talking about the future.

The Hon. R. Thompson: You do not understand what I am saying.

The Hon. A. A. LEWIS: I understand what he is talking about, as do many other members. Our duty is to look at the Bill, and to see what the future holds for the liquor industry and for the public who are served by that industry. We should not set aside alternatives and say definitely that units and taverns are the only satisfactory facilities.

The Hon. R. Thompson: There should be a choice.

The Hon. A. A. LEWIS: I agree. If a licensee provides poor accommodation—

The Hon. R. Thompson: I always live in the cheapest accommodation.

The Hon. A. A. LEWIS: I shall not comment on that remark, because I do not think it is true. I believe the public, and especially the family man, should be given some choice of accommodation in the hotels.

In view of the escalating costs of running hotels, we may have to adopt the American system of charging unit costs of labour, with no loadings for Sunday work. Mr Cooley will probably agree with me, because when I interjected while he was on his feet he seemed to indicate that a person employed in the industry could work any five days of the week and not impose a loading, as any loading would be far and above what the public could afford.

The Hon. D. W. Cooley: I think you have misjudged my reaction.

The Hon. A. A. LEWIS: I am sorry if I did.

The Hon. R. F. Claughton: I am sure you have.

The Hon. A. A. LEWIS: I have given Mr Cooley credit for understanding the problems confronting the industry. I hope we can take him for a tour through the south-west of the State without slugging him a great deal for his accommodation. Some comments have been made about "jobs for the boys". Once before in this House I had to refute a similar allegation.

The Hon. Clive Griffiths: That is a pastime perfected by the Labor Party.

The Hon. A. A. LEWIS: I have not been a member for that length of time to know that. Mr Arthur Dunstan has risen in the industry and become President of the Australian Hotels Association. He was elected to that position by members of the industry.

The Hon. N. McNeill: He was also the Federal president.

The Hon. A. A. LEWIS: Yes.

The Hon. R. F. Claughton: There are also similar people associated with the liquor industry, other than with the hotels.

The Hon. A. A. LEWIS: If my memory serves me correctly, the last two appointees before Mr Dunstan were, firstly, an ex-Deputy Premier, and secondly, a person from the club industry. I would have thought it was about time the hotel industry got an appointment. I do not think that is an unfair attitude to take.

The Hon. Clive Griffiths: Particularly as the Labor Party sacked the previous appointee with indecent haste.

The Hon. A. A. LEWIS: The Labor Party may take the view that clubs should be represented on the Licensing Court.

The Hon. R. Thompson: What did the Liberal Party do with his successor?

The Hon. A. A. LEWIS: Whose successor? The club representative?

The Hon. R. Thompson: No.

The Hon. A. A. LEWIS: The honourable member can go on arguing, and I will go on with my speech. I would have thought he would have learnt in his later years from listening.

It is a pity that every time Mr Cooley gets up he seems to have a knife into somebody in the hotel industry. Does "jobs for the boys" mean that a person who tops his profession—a union leader who gets to the top of the union scale—should not be given a job on the board?

The Hon. R. F. Claughton: On that ground, Mr Herb Graham was a very good appointee.

The Hon. A. A. LEWIS: Do members opposite believe that a man who gets to the top should not be appointed? I do not call that "jobs for the boys".

The Hon. Clive Griffiths: Mr Cooley is a glaring example himself.

The Hon. A. A. LEWIS: That is so. I did not intend to bring up that point, and put Mr Cooley in the position where Mr Cooley puts Mr Dunstan—under parliamentary privilege—every time he gets up in this House.

The Hon. D. W. Cooley: I do not need to get my courage out of the neck of a bottle.

The Hon. A. A. LEWIS: We have not noticed much courage.

A few remarks were made about the seven-year term of the chairman, and the fact that he should be a lawyer of eight years' standing. I believe that to be a forward step. I agree with Mr Thompson that perhaps the other members of the court should be appointed in the same way, preferably with a seven-year term for the president and five and three years for the other two members, or five and five years for those two members. That would provide a better balance and take the court out of the political field. I agree with previous speakers that politics have been introduced over a number of years.

I support this Bill, and I support the liquor industry. I believe that in the next few years the industry will require a great deal of additional support because of what has gone on before. The industry is vital to the State, not just for serving liquor, but also in providing accommodation. I am horrified at the number of country hotels which have converted to taverns.

I give an assurance to this House that if the Minister does not introduce an up-to-date measure I will introduce a private member's Bill. We have heard comments from the other side about joint party committees. I assure all members that this system was started before the 12th November last year, and a great deal of work has been done on the subject in conjunction with the industry, with clubs, brandy and spirit merchants, and what-have-you.

The Hon. D. W. Cooley: What was your comment about a committee being appointed before the 12th November?

The Hon. A. A. LEWIS: We in the Liberal Party do not stagnate and leave the same members on committees. In the coalition parties we change things around and we appoint other members to committees. Funnily enough, for Mr Cooley's benefit, you Mr President, being one of the senior members in this place, may recall that in 1956 Sir Cyril Bird and I formed a committee to examine the liquor laws of this State. We formed the committee from the lay section of the Liberal Party. So, we have not only just taken it up. We have not just jumped at this "apple in the tree" as Mr Cooley seems to indicate. We have been working on it, in conjunction with the industry, year in and year out.

The Hon. D. W. Cooley: When preparing legislation, is it not usual to have members of the Opposition on the committee, particularly on a nonparty issue?

The Hon. A. A. LEWIS: I do not know whether the Opposition has looked at the Liquor Act at all; that is not my business. As a member of Parliament I have associated myself with people who have ideas. Those ideas may not be the same as mine, but we have been able to work out a policy. Unfortunately, on the other side members are instructed with regard to their policy. We have heard a lot of talk about regimentation and people who cross the floor against the Government. That kind of talk fascinates me because I am a person who has a fairly good record of crossing the floor when I do not agree with the Government. I have taken that action in both Houses.

The Hon. D. W. Cooley: I have not seen it yet.

The Hon. A. A. LEWIS: I am sorry that Mr Cooley is absent from this House so often. If Mr Cooley had been here he would have seen me cross the floor. I do not think that is a fair comment for Mr Cooley to make—that he has not seen me cross the floor. I believe he has. I can mention the incident of the Painters' Registration Bill. Mr Cooley was present and chiding us because certain members were voting on the other side. I seem to remember another occasion when I could not get any other member to join with me in calling for a division. Mr Cooley was in the House at that time, so I do not think he is thinking too clearly this evening.

It is on record in the other place that I have crossed the floor, and for members on the other side to claim that this side of the House is regimented is absolute rot. When I look around at my colleagues I recognise those who have crossed the floor. Perhaps they were wrong but at least they had the spirit and the intestinal fortitude to take that action and not be regimented.

The Hon. R. F. Claughton: They also had the numbers.

The Hon. A. A. LEWIS: They voted according to their consciences.

The Hon. D. W. Cooley: You should have been here on the 12th November last year to see regimentation in its best form.

The Hon. A. A. LEWIS: Mr Cooley and Mr Thompson accused me of being regimented until they read *Hansard* and realised I was not present. Mr Thompson told us that the Parliamentary Secretary of the Cabinet was called to the party room. I had dinner with the ex-Cabinet secretary this evening and he said he was not called to the party room. I asked him whether he went to the party room and he said "Yes". However, he was not called to the party room in the way stated by the Opposition. We do not operate in that way.

I support this Bill in the interests of the people and in the interests of the industry itself so that it will remain viable. I believe the measure should be passed, and if the Minister is doing his job he should produce a complete rewrite of the Liquor Act during the next season of Parliament.

THE HON. H. W. GAYFER (Central) [8.40 p.m.]: I have sat here listening to the debate on this Bill as I have sat through quite a number of debates on Liquor Bills. I have always heard it stated that the Act should be rewritten. That has occurred on almost every occasion amending Bills have come before this Parliament, so there is nothing new in that belief.

I sat through the debate on the 1970 legislation while in the other place. I worked in conjunction with members of the Opposition, and I saw co-operation between members of the Government and members of the Opposition in an attempt to provide an Act suitable for this State. In my opinion, amendments to the Liquor Act always excite a fair amount of controversy.

There has been mention of Bills introduced by private members, and there seemed to be the opinion that Governments would not allow that to be done. Let me assure members that it has been done; I have introduced a private member's Bill which received the approbation of both Houses of this Parliament. That Bill amended the Liquor Act.

The Bill now before us—it is hoped—will bring some measure of stability to the industry. I do not say it will do anything else, or make our drinking laws any more liberal, but nevertheless I believe the aim of all of us is to try to liberalise the Act as far as possible in conformity with the laws which operate in other countries and other nations with more liberalised drinking laws.

Unfortunately, we seem to get bogged down in arguing the pros and cons of what has happened previously, and what might happen in the future. Let me say that as long as we have a Liquor Act, and as long as we try to break down the resistance of the group which does not want any drinking at all, and as long as we try to provide for the others who are quite prepared to live in a society which is free to drink, nothing will lead to a civilised drinking structure such as exists overseas.

We always hear arguments with regard to regimentation. I support the Bill because it is an attempt to clear up some anomalies. I believe it will tighten the law to a degree but, nevertheless, until we can throw out the principal Act altogether and have no legislation at all with regard to liquor, I do not see we will ever overcome the arguments for and against the various provisions of the Act.

I hope this measure will receive the approbation of the House, and we will be able to get on with discussing the various clauses and, possibly, introduce amendments to improve the Bill.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [8.44 p.m.]: I want to raise one small matter in case the Minister decides to take the advice of other members who have spoken and introduce a new Bill to amend the Act. I draw to the attention of the Minister an anomaly which is causing a problem at the Bentley Food Trade School, a branch of the Technical Education Department. The school is doing an excellent job in the training of food and drink waiters, but because it cannot obtain a liquor licence—except for special occasions, when a licence has been issued for functions such as the occasion of Cabinet visiting the school to taste some of the delectable food produced there—

The Hon. N. McNeill: And not just Cabinet.

The Hon. GRACE VAUGHAN: No, I agree. I am not saying the special occasions apply only to the present Cabinet. In fact, I am looking forward to the opportunity of seeing a Labor Party Cabinet going to the school to enjoy sampling the food.

The training school has not been established for very long, but it is a very laudable section of the Technical Education Department. It is operating under severe restrictions because of the limitations of the Liquor Act. The school is not able to get a licence, so there exists the ludicrous situation of the drink waiters learning how to pour wine by using coloured water.

We have progressed immeasurably in our drinking habits in Australia at least since I was a girl, when wine was called plonk. For the most part we are now connoisseurs of wine; we appreciate wine being served with our meals because it enhances the appetite and increases the enjoyment of eating.

I hope the Minister will have a look at this aspect of the Bill and, if it is not possible for him to do so, perhaps Mr Lewis may include a provision in his private member's Bill to make allowance for educating the authorities, so that it is not necessary to go through the pretence of pouring out coloured water or red and white grape juice in order that the wine waiters may show how they are likely to behave after they have qualified; and, after all, we are training these people to wait at tables.

While a good wine waiter asks the person who has ordered the bottle of wine to sample it before he pours it for the guests, he will know a bad bottle of wine after it has been uncorked and before it ever gets to the table. This will save a lot of embarrassment.

Finally in supporting the Bill I want to say that there should be further investigation for the convenience of all concerned.

THE HON. N. McNEILL (Lower West—Minister for Justice) [8.46 p.m.]: Not surprisingly, the Bill has provided an opportunity for members to elaborate at some

length, and possibly beyond the confines of the legislation itself, in a manner which we have come to expect and to which we have become accustomed when considering the Liquor Act and any amendments that might be proposed to it.

Quite apart from the number of points that have been raised and to which I feel I should reply, there are a number of other aspects on which I have been requested to make observations and on which I will endeavour to reply.

As you have been so indulgent in relation to the debate, Mr President, there are also certain observations which I think ought to be made concerning some of the history of the legislation. I will not go back very far into that history but I merely wish to say that the opportunity, not surprisingly, has been taken by some members to refer to the last occasion on which we had before us a Bill to amend the Liquor Act. This was at the latter end of the session in 1975. I do not need to refresh the minds of members about those circumstances.

I would say, however, that Mr Thompson in particular has been at great pains to try to remind members of what took place on that previous occasion.

Unfortunately, however, Mr Thompson also went to some pains to refer to matters and to incidents of which he claims he has knowledge; and he feels he makes this claim with some accuracy. For example, he made reference to the fact that there was some difficulty experienced in this matter. I do not mind admitting that as Leader of the House and the Minister responsible for the Bill I was in some difficulty during the course of the consideration of the measure last year, because the business was taken out of my hands and out of the hands of the Government. In this, of course, the Leader of the Opposition at the time played a paramount role and, as I reminded him, it was something of a precedent in this House for that to have happened.

The Hon. S. J. Dellar: How could we take the business out of your hands when you had the numbers?

The Hon. N. McNEILL: As I have said, this was something of a precedent irrespective of the party which happened to be in Government at the time.

You, Mr President, have been Leader of the House and Leader of the Opposition long enough to know what that meant to the party or parties occupying the Opposition benches in this House.

Mr Thompson said a meeting was held in the party room—in our Liberal Party room I presume—at which the then Parliamentary Secretary to Cabinet (Mr Ray Young) was called. The suggestion is that he was called to the party room.

Mr Lewis has already indicated this, and in case Mr Thompson did not hear him I will restate the position.

The Hon. R. Thompson: I heard him.

The Hon. N. McNEILL: Mr Young was not called to the party room on that occasion. It is true that Mr Young came to the party room, but he did not go into the party room; in fact he had a brief discussion with me following that meeting in the party room at that time. He was, however, not party to the meeting and he was not called to the meeting. I say that with absolute authenticity.

The Hon. R. Thompson: How did he know it was on?

The Hon. N. McNEILL: Mr Thompson endeavoured to make adamant and dogmatic statements that he was correct. He tried to deride and question my integrity and certainly he tried to say I was lacking in some honesty in my approach to the matter. He added that I was also lacking in credibility. Mr Thompson made another observation and persisted with it until he eventually succumbed to the interjections made by Mr Lewis, when he said Mr Lewis knew all about it; that Mr Lewis was there.

Of course Mr Lewis was not here at the time. So it is Mr Thompson's credibility which is in doubt, because he was purely speculating about the incident in question.

The Hon. R. Thompson: I was not speculating.

The Hon. N. McNEILL: Mr Thompson was taking the opportunity to use such an occasion as this—and quite understandably—to remind the House and the public —if they are interested—of a circumstance which I admit again was a somewhat difficult one for me. It was difficult for one very important reason.

The Hon. R. Thompson: It took you three quarters of an hour to regiment your members.

The Hon. N. McNEILL: The difficulty I was in at the time was caused by the Liberal Party and the National Country Party members being permitted a conscience vote, because the Bill was being treated as a nonparty Bill and accordingly the members crossed the floor; and some were prepared to cross the floor not on the substance or the provisions of the Bill but on a procedural motion. Accordingly Liberal Party members crossed the floor. As other members have said, we are waiting to see the occasion when members of the Labor Party will cross the floor in similar circumstances.

The Hon. V. J. Ferry: You will wait in vain.

The Hon. N. McNEILL: We all remember one instance when that happened.

The Hon. D. W. Cooley: When was that?

The Hon. R. Thompson: Mr Cooley crossed the floor.

The Hon. D. W. Cooley: I voted with you.

The Hon. N. McNEILL: The particular instance I had in mind is when a member of the Labor Party crossed the floor on a party measure; on a party vote; and the occasion to which I am referring and the one that comes to my mind is when the then Minister for Police (Mr Dolan) crossed the floor.

The Hon. Clive Griffiths: But he changed his mind the next day.

The Hon. N. McNEILL: Of course he had to go running to Trades Hall—he was called to Trades Hall.

The Hon. D. W. Cooley: I did not go to Trades Hall.

The Hon. S. J. Dellar: Your boys had to go running upstairs.

The Hon. N. McNEILL: If Mr Cooley wants to persist with that line of argument and say he crossed the floor he would do so on a nonparty Bill and a nonparty vote, and that has been made clear in reference to this measure.

So far as the Government parties are concerned this is a nonparty Bill. I do not know whether I need to make that any clearer. If members of the Opposition need any further evidence of this fact we have the statements made by the Government members in this House expressing their attitude to the lack of certain provisions in the Bill. They have expressed a dissentient view and there is nothing remarkable about that; though members of the Opposition have tried to attach some insidious significance to the fact that there was a Government party committee involved in the preparation of the Bill.

The Hon. R. Thompson: I was not speculating at eight o'clock at night when I said the Bill was going to be killed, and it was killed at 10 o'clock.

The Hon. N. McNEILL: I will return to the point to which I was alluding which is the question of work being done on the preparation of this Bill by a Government party committee.

I daresay there is another alternative which I, as the Minister responsible for the Bill, could have adopted. I could have gone through the exercise and sought the advice of the Licensing Court, as I did; I could have received the court's submissions, which I did; I could have received representations, as I did, from all manner of people associated with the industry—from the hotels, the taverns, the stores, and the wine houses; I talked with everybody who happened to be concerned.

The Hon. S. J. Dellar: I said you did that.

The Hon. N. McNEILL: Thank you. I also received representations from a great many other people; the ordinary people who are not the least important.

The Hon. Clive Griffiths: The consumers.

The Hon. N. McNEILL: That is so. They are tremendously important people. In addition I let it be known that apart from the other discussions I had I was also in consultation with the Government party committee.

Is there anything so terrible about that? Mr Cooley asked—and I hope I am not doing him an injustice—why the Opposition was not invited to take part in that discussion. It was not a committee of inquiry.

The Hon. R. Thompson: I said that.

The Hon. A. A. Lewis: Mr Cooley said it first.

The Hon. N. McNEILL: I recall when the Labor Party was in Government and the previous Minister who was responsible for the legislation brought a similar Bill to Parliament—if I remember correctly it was Bill No. 76 of 1972. I wonder what were the procedures the Minister adopted on that occasion when he brought to Parliament a nonparty Bill, as liquor Bills traditionally are.

The Hon. S. J. Dellar: And debated as such.

The Hon. N. McNEILL: Yes. Did the Minister in the Labor Government at that time invite the then members of the Opposition to join with the Labor Party? Did the Minister dream up the legislation in his own mind?

The Hon. R. Thompson: We did not set up a committee.

The Hon. N. McNEILL: Is there anything remarkable about political parties having committees? From my experience of nearly 12 years in this House—apart from my other experience, but particularly that of the last 12 years—there is little doubt that the Labor Party seems to have as many party committees as do the Liberal and National Country Parties; indeed, I would say the Labor Party has more, judging from the announcements I hear over the public address system from time to time. So there is nothing remarkable about committees being appointed to assist Ministers.

The Hon. D. W. Cooley: There is a big difference in this respect: we had a Bill before us, and the committee emasculated that Bill after it left this Chamber, and there should have been Opposition members on that committee.

The Hon. N. McNEILL: However much Mr Cooley might have liked to be a fly on the wall at those meetings, he was not; and, therefore, he does not know what happened at those meetings. So he, like Mr Thompson, is purely speculating about

what occurred. The fact of the matter—and he ought to realise it; and you certainly would, Sir, because of your long experience—is that there happens to be a responsibility on the part of the Minister in respect of any matter at all. The Minister receives masses of representations, especially in regard to the Liquor Act, and he has a responsibility to endeavour to produce legislation. Sure it is Government legislation, because the Minister has to get Cabinet approval. I am sure the coalition parties' Cabinet is no different from the Labor Cabinet, and that any Bill which comes to Parliament must have the approval of Cabinet. So to that extent this is a Government Bill, because the Minister received approval of Cabinet to bring the Bill to Parliament.

Some references were made to the appointment of the chairman, and so on. I am not going to succumb to the temptation offered by members to enter into a debate relating to the appointment of the chairman and, more particularly, to the nonreappointment of the former chairman.

The Hon. R. Thompson: I did not ask you for those reasons. You should have listened to what I said.

The Hon. N. McNEILL: I will continue. I make no comment at all on the Chairman, present or past, of the Licensing Court. In my view it would be most improper for the Minister responsible to Parliament in respect of the Liquor Act to make any observation regarding the Chairman or any member of the Licensing Court. However, it is relevant and appropriate that I say—and this has been made public—that the previous Chairman of the Licensing Court (the Hon. H. E. Graham) early in 1974 shortly after the Court Government took office made it known to me that he would not be seeking reappointment after his term expired.

He made that known to me at our first official meeting early in 1974. He volunteered the information and subsequently confirmed it with me in 1975. However, he did make a request that the Government consider the extension of his term by six months for two reasons: The first as was explained at the time in personal discussion—our personal relationships were good—was to enable him to prepare his final report for the 1976 year; and the second was to enable him to preside over and take part in the conference of licensing authorities which was to take place in Perth, and which in fact took place a matter of a week or two ago.

So he requested an extension. The Government made its decision not to reappoint him for that six-month term for what I believe are very good reasons. The major one, of course, is the fact that we had legislation in the course of preparation and almost before the Parliament which was to provide for a changed constitution and a changed type of chairmanship of the court. Obviously in those circumstances the most appropriate thing to do, because the term of the other member was due to expire on the 30th June, was to see that the new chairman could take up his position from the commencement of the new financial year, at which time it was hoped the new Bill providing for a seven-year term would be in operation. That turned out to be a vain hope. The Government gave thorough consideration to the matter and weighed the pros and cons before making that decision.

The Hon. R. F. Claughton: That is a pretty feeble argument.

The Hon. N. McNEILL: All I can say is that I hope it is nowhere near as feeble as the sort of interjection Mr Claughton offers.

The Hon. R. F. Claughton: If it is a feeble interjection it is because it is a feeble explanation.

The Hon. G. E. Masters: Mr Claughton's interjections are better than his speeches.

The Hon. N. McNEILL: Anyway, I do not have to make excuses or offer apologies. Let me turn now to the actual appointment of a legal practitioner as Chairman of the Licensing Court. The Hon. Ron Thompson asked who made representations.

The Hon. R. Thompson: Yes, I want to know that.

The Hon. N. McNEILL: The Australian Hotels Association made representations, and that was made known to me at the first meeting which, contrary to certain public statements, I called early in 1974. Present at that meeting were the chairman of the court, the President of the Australian Hotels Association, a representative of what I will describe as the public, a representative of the Police Department, and a representative of the Law Society. The AHA presented a submission, and so did the Law Society. The Law Society did so not just because it was pushing its own barrow, but because it recognised from experience that there was a need for a person of legal knowledge to hold the position of chairman.

We must bear in mind that we are talking about a Licensing Court which does more than simply administer the Liquor Act; and it does not have any great legal standing. The fact is, as you well know, Sir, that it is a court of record. The Government does not have to make excuses at all about the desirability of having persons with a strong legal background available to the court.

The Hon. R. Thompson: You did this once previously, and then you changed it again.

The Hon. N. McNEILL: There is absolutely no obligation for the next appointee to be a legal practitioner.

The Hon. R. Thompson: That is right.

The Hon. N. McNEILL: But the fact of the matter is that, in the light of representations and when making up its mind, the Government considered there was a case, and having had available to it a person suitable for appointment, it made the appointment.

The question of the term of seven years also arose. Mr Lewis has already commented on this matter. One of the matters which was put to me with great emphasis came from people who had a major concern for the industry. They said one of the things they would like to see in the operation of the Licensing Court—without being disrespectful to any previous members of the court—was stability and continuity of policy. That is terribly important. I think Mr Lewis also emphasised this point.

What has happened in the general operation of the liquor industry in past years is not quite relevant to what has been happening in the past four or five years, mainly because of the economic circumstances. So we have had this situation where there have been a great many licensees of one sort and another who have got into considerable financial difficulty. According to the representations made to me, part of this difficulty arose because of the implementation of a certain policy of the court. That policy might have been good, but it was a policy which had in some respects an unfortunate effect upon the economic operation of some businesses. I do not think I need elaborate on that point.

Mr Thompson asked whether I could tell him how many appeals have been made. I do not think that is terribly relevant. He would know that the Act provides an opportunity for an appeal to be made from the Licensing Court to the Supreme Court on matters of law. There is no appeal from the Licensing Court on matters of fact. In recent years I recall only a couple of appeals which have gone to the Supreme Court on matters of law.

The Hon. R. Thompson: What would be the record in respect of appeals being upheld or dismissed?

The Hon. N. McNEILL: Straight off the cuff, I think the last one I can recall was upheld, but I do not know that is of any great significance in the whole question.

The Hon. R. Thompson: It is of significance in respect of whether or not a legal practitioner need be appointed. If a simple layman can do it and get the Supreme Court to uphold his appeal, perhaps we do not need a legal practitioner.

The Hon. N. McNEILL: I am not sure that Mr Thompson fully grasps the point. There is a need in the application of the Act itself; in terms of the interpretation of the law. It is a matter of the understanding of the law. It is not a question of whether there is some point of law which should be made the subject of an appeal to the Supreme Court. That is an entirely different question.

Because some comment has been made about "jobs for the boys" and the extension or nonextension of the term of the previous chairman, I simply say that one previous member of the court, who was a member when we became the Government, had his term extended for a 12-month period. I am sure members would know who that was. It would not be the first occasion on which I, as the Minister responsible for legislation, have reappointed a member appointed by the Tonkin Government. In fact, three come to my mind at the moment. The third member of the Licensing Court at the present time is an appointee of the Tonkin Government who was reappointed by this Government. I think our record on that question is quite beyond reproach.

One or two other matters have been raised. The last matter raised by the Hon. Grace Vaughan concerned the Bentley Technical School and its wonderful facilities. I agree with her that it is a tremendous training ground and is doing an absolutely magnificent job. By interjection I said that the banquet the school has been prepared to provide was not for members of Cabinet. In fact it was for people who have been associated in one form or another with the promotion, assistance, and support of that institution; and it is doing a marvellous job.

I have not received a representation previously in regard to licensing facilities for that establishment. It may be that they have been considered by the court, but I wish to emphasise again that the Licensing Court, not the Minister, administers the Act. However, the point has been noted and we will have a look at it.

The Hon. Tom Knight raised the question of a wine producer and vineyard operator in his province. This is a matter of which I have close personal knowledge. It has occupied many hours of my time and a great many hours of the time of other people in trying to provide some sort of solution. So far we have been unable to find a solution to that gentleman's problem. But I wish to restate that the man established his winery in that great southern town at a time when he should have known what the provisions of the Act are. It is one thing to set up in business and try to change the law to suit circumstances, but we have tried very hard to accommodate that particular establishment, so far without success perhaps because of the difficulties of the Act itself.

Perhaps there is a case for a complete revision of all liquor legislation. There are probably good grounds for giving that matter serious thought.

The Hon. R. J. L. Williams made an observation about the caterers' permit. I am not sure whether the point he raised is not taken care of in the provisions of the Bill. The honourable member said that there ought to be a lesser period in which a caterer can operate in some circumstances; in other words, 24 hours or seven days' notice should not be required for the application of a caterers' permit. In fact there is a provision in the Bill which specifies a period but then says, "or for such lesser period as the court in special circumstances may allow". I do not know whether that covers exactly the point raised by the honourable member, but I am prepared to have a closer look at it.

I acknowledge the speeches that have been made in regard to this Bill, particularly those which have dealt with the Bill with some objectivity and have not concentrated on the one emotive issue, namely, clause 7 dealing with the trading hours and the sale of liquor on Sundays which provision is not contained in the present Bill but was contained in the Bill that was introduced originally to Parliament. I ask members to remind themselves that when the Bill originally came to Parliament it contained a provision which related to that subject. It is not there at the moment simply as a consequence of what happened in another place.

I am particularly grateful to those members who have made an objective study of the provisions of the Bill. I think we tend to be carried away sometimes with the emotiveness of the questions concerning two-bottle sales and the availability of liquor on a Sunday. I know that people can be inconvenienced sometimes. I know, too, that the present law is probably observed more in the breach than in the observance—

The Hon. D. W. Cooley: You could do something about it.

The Hon. G. E. Masters: You said it was not enforceable.

The Hon. N. McNEILL: I am not going to repeat what I said already in relation to that matter. I hope my previous references to it were clearly understood. Nevertheless I think I ought to say that certain things have been said in this House about the activities of the Road Traffic Authority outside licensed premises in trying to cope with drivers who are under the influence of alcohol. Quite clearly most of those criticisms have come from the Labor Party. I certainly believe that the greater availability of liquor will not lessen the need for greater attention by authorities such as the RTA to this sort of question.

The Hon. S. J. Dellar: The person who has complained most to me about these activities is a prominent publican who is a very well-known member of your party.

The Hon. N. McNEILL: That does not surprise me. What I am saying is that the Labor Party has certainly been to the fore in these criticisms and comments upon the activities of the RTA. These arise out of the operation of the hotel, the availability of liquor, and so on. I believe we must exercise a very responsible view generally about this whole matter. I do not believe we should be preoccupied with only one aspect of liquor legislation which, as it happens, is not contained in this Bill. I think there are other and more important questions about the conduct of the whole trade. As Mr Lewis and Mr Gayfer have said, the all-important thing now—I suppose I should assist the process—is to get the Bill through so that all people, including the consumers, can secure benefit from it.

If there is one underlying theme in this legislation it is an attempt to make a further step in the improvement of facilities for the public at large and at the same time to provide the means whereby the economic operations of the industry can be maintained, if not improved. This is not in any way an acknowledgment, as has been so loosely and incorrectly stated, of any pandering to vested interest. The greatest vested interest in the liquor trade would be the breweries, the wine and spirit merchants, and the hotel people generally. I do not think any provision in this Bill demonstrates or illustrates a deliberate attempt to be subject to pressurising or lobbying to an undue extent from any vested interests. I suppose the best way to pander to those interests would be to have open slather drinking on a Sunday and that is certainly not reflected in the Bill before the House.

I repeat that I am grateful for the expressions of support for the second reading of the Bill. I agree with the Leader of the Opposition that a Bill of this nature is better dealt with at the Committee stage. I hope the Committee stage can proceed but I do not intend to proceed with it tonight. Members have given notice of their intentions to place amendments on the notice paper and I am certainly prepared to co-operate with them to that extent by holding the Committee stage over to another day.

Question put and passed.

Bill read a second time.

RURAL AND INDUSTRIES BANK ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. N. McNeill (Minister for Justice), read a first time.

Second Reading

THE HON. N. McNEILL (Lower West—Minister for Justice) [9.26 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to amend section 112 of the Rural and Industries Bank Act to enable the Rural and Industries Bank to open and conduct branches outside Western Australia.

Such action is considered desirable in view of the rapid expansion of the bank's international business, which has created a need for the establishment of representation in London. Gross revenues earned in the bank's international business have more than doubled in the last four years from $422 776 to $1 088 694.

Other major State banks already have establishments in London, and the R & I proposes to obtain accommodation in one of their buildings.

It is intended that the London office would provide the following services—

Act as banking contact for Western Australian businessmen and travellers in Europe.

Assist in inquiries on banking and directly related matters originating from Western Australia.

Enable attention to be given to travel and currency problems of bank customers encountered in the United Kingdom.

Help maintain contact with correspondent banks within the United Kingdom, with a view to increasing the R & I's share of available business.

Promote the R & I with businessmen and travellers in Europe.

Establish early contact with intending migrants to Western Australia.

Maintain a close liaison with Western Australia House.

Initially a suitably skilled international banker, probably recently retired from one of the big four British clearing banks, would be selected as the representative.

By seeking to use expertise available in London, and sharing office accommodation and teller facilities, the bank will be able to establish representation on a low cost budget. In due course it will be necessary to ensure that overseas experience is gained for local officers of the bank by a judicious selection of people for attachment and eventual posting when opportune.

The proposal is a necessary step in enabling the bank to extend the service facilities which its customers look for outside Australia, and I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Grace Vaughan.

IRON ORE (HAMERSLEY RANGE) AGREEMENT ACT AMENDMENT BILL

Receipt and First Reading

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

Second Reading

THE HON. N. E. BAXTER (Central—Minister for Health) [9.30 p.m.]: I move—

That the Bill be now read a second time.

This Bill is to ratify an agreement between the Government and Hamersley Iron Pty. Limited, which will pave the way for the company to spend $250 million on establishing a concentration plant to process previously unsalable low-grade iron ore at Tom Price.

The Government has considered and agreed to a proposal from Hamersley Iron Pty. Limited and a related company, Mount Bruce Mining Pty. Limited, to restructure their processing obligations under the Iron Ore (Hamersley Range) Agreement Act, 1963-1972, and the Iron Ore (Mount Bruce) Agreement Act, 1972, thereby making it possible for the above-mentioned project to proceed.

It is a very significant step in the development of the Pilbara, not only for Hamersley Iron Pty. Limited, but for all companies which have iron ore agreements with the State.

The first point of significance is that the development will lift Hamersley's production to 46 million tons of salable ore per annum. This makes it the largest producer in Western Australia, and confirms its position in the forefront of the world's iron ore industry. The remarkable performance of Hamersley is underlined by comparing this level of production with the obligation imposed on the company in the first agreement, which was one million tons of iron ore per annum.

It is even more significant that the current proposal to install a heavy media concentration plant will allow the sale of lower-grade iron ore for which, to date, there has been no use. This will have the effect of greatly increasing the reserves of usable ore, thus prolonging the life of the industry. In particular, it will mean that ore deposits previously discarded as being of too low a grade to be commercially attractive, will now come back into consideration. It will also act as a stimulus to further exploration for additional similar ore bodies.

The new commitment requires that the concentrator's capacity will be at least 6.5 million tonnes per year of concentrated high-grade iron ore. In fact, Hamersley intends commencing at a higher rate than the minimum required by initially treating and concentrating 13.5 million tonnes per annum of low-grade ore which would

otherwise be discarded as waste. This will result in a net increase of 7.7 million tonnes of salable high-grade ore.

The capital programme of $250 million will involve expenditure on the concentrator, associated infrastructure, and capital works, and a series of operational improvements to enhance the overall efficiency of the company's operation. Hamersley is prepared to commit itself immediately to this expansion.

It is expected that, at the peak of the construction phase, 875 people will be employed, and permanent employment for 270 people will be provided when the concentrator plant begins operation. This will require additional housing at Karratha and Tom Price.

The expansion programme will satisfy part of the processing commitments to the State by the companies, and marks the beginning of a new era of iron ore development in Western Australia involving an important new form of secondary processing on a large scale for the first time.

I will now explain, in general terms, the effect of the Bill. As previously mentioned, the matters covered by this Bill are closely related to a further Bill, which sets out to amend the agreement which is scheduled to the Iron Ore (Mount Bruce) Agreement Act, 1972. In particular, certain of the provisions of the Mt. Bruce agreement relating to the production of iron ore concentrates, metallised agglomerates, and iron and steel, are set aside or deferred in a manner which is complementary to the changes to the Hamersley agreement which is the subject of this Bill.

Before describing the Bill, it would be appropriate for me to touch briefly on the evolution of the Hamersley agreement. Members will no doubt be aware that the iron ore developments, which have been undertaken in the Pilbara by Hamersley Iron Pty. Limited, arise out of agreements set out in the first, second, third, and fourth schedules to the Iron Ore (Hamersley Range) Agreement Act, 1963-1972.

The original development at Tom Price was made possible by the agreement which was set out in the first and second schedules to what was then the Iron Ore (Hamersley Range) Agreement Act, 1963-64, which I will refer to as the "principal Act".

Subsequently it was found desirable to make provisions for the grant of additional rights to, and the undertaking of additional obligations by, the company. This was given effect by an agreement which became the third schedule, added by the Iron Ore (Hamersley Range) Agreement Act Amendment Act, 1968, which I will refer to as the "Paraburdoo amendment" because it resulted in the development of the Paraburdoo mine.

In 1972 the Hanwright agreement, the agreement forming the second schedule to the Iron Ore (Hanwright) Agreement Act, 1967-68, was determined by mutual consent of the parties. At the same time, the agreement which was scheduled to the Iron Ore (Mount Bruce) Agreement Act, 1972, came into force, thereby conferring certain rights and obligations on Mount Bruce Mining Pty. Limited, a company related to Hamersley Iron Pty. Limited. As a consequence of these actions, it was desired to alter the rights and obligations of Hamersley Iron Pty. Limited, and this was effected by an agreement which became the fourth schedule, added by the Iron Ore (Hamersley Range) Agreement Act Amendment Act, 1972.

To assist members in their understanding of this quite complex matter, a chart has been provided showing in very general terms the existing situation under present agreements, and the changes which are proposed by this Bill.

A copy of the chart has been distributed to each member in this Chamber and, with your permission, Mr President, a copy will also be tabled.

I must stress that the diagram is illustrative only, and for clarity certain simplifications have had to be made. Nevertheless, it should be a useful aid in understanding this legislation.

Turning firstly to the requirement of the Iron Ore (Hamersley Range) Agreement Act, 1963-64, the principal Act, which relates to the first and second schedules, it will be seen by reference to the coloured bars against clauses 12 and 13 on the chart that it contained obligations for both secondary processing of iron ore and also iron and steel.

Under clause 12 of that agreement, the company was required to produce half a million tons of secondary processed ore per annum by 1979, increasing to two million tons per annum by 1983. In fact, the company fulfilled this obligation well ahead of schedule by producing, firstly, 2.5 million tons, increasing to three million tons of oxide pellets at its plant at Dampier.

As illustrated on the chart, it continues to produce at this level.

Under clause 13 of the same agreement, and I refer members to the first blue coloured bar on the chart against that clause, the company was obliged to produce half a million tons per annum of pig iron or steel by 1992, increasing to one million tons per annum by 1996. This obligation is subject to suspension under the provisions of the Iron Ore (Hamersley Range) Agreement Act Amendment Act, 1972, which refer to the fourth schedule and relate to the steel obligations incorporated in the Iron Ore (Mount Bruce) Agreement Act, 1972.

Turning now to the Iron Ore (Hamersley Range) Agreement Act Amendment Act, 1968—the Paraburdoo amendment—this had the effect of adding to the secondary processing obligations of the abovementioned principal Act, additional requirements in respect of the production of metallised agglomerates. The Paraburdoo amendment obliged the company to produce one million tons per annum of metallised agglomerates by 1974, increasing to two million tons per annum by 1979, and to three million tons per annum by 1982. Over the years, the company has been able to substantiate with the State the impracticability of proceeding in accordance with this programme for the production of metallised agglomerates. Thus, the State had agreed to extend the time for the fulfilment of these obligations to 1978, 1983, and 1986 respectively. This is shown as the first pink bar on the chart against clause 9.

The provisions of the Bill now before the House have the effect of deferring the obligations under clause 9 of the Paraburdoo amendment to produce metallised agglomerates so that it is now only necessary for a plant to be established capable of producing one million tons per annum of metallised agglomerates by the 13th August, 1982, with the increase to two million tons per annum deferred until the 13th August, 1985. The obligation to expand to three million tons per annum has been waived.

In my early remarks I mentioned the significant development which is to be undertaken by the company in the form of a plant to produce iron ore concentrates, using low-grade ore associated with the Mt. Tom Price ore body. In this respect, the obligations under the Paraburdoo amendment have been extended to include a requirement to submit proposals for the establishment of a plant for the production of 6.5 million tons per annum of iron ore concentrates by the 31st December, 1976. The plant is to cost not less than $80 million and is to be in production not later than the 13th August, 1979.

In view of the situation which confronts the iron and steel industry, world-wide—particularly the recent history of direct reduction of iron ore, as in the production of metallised agglomerates—even without any other consideration, it is only realistic that the State should agree to the deferment of the company's obligations as set out in the Bill, and also the proposed Mt. Bruce amendment. This will permit the company to carry forward its intensive research and investigations which it is presently undertaking, and I am certain that there will be technological and marketing breakthroughs which will enable this fine concept to become a reality in the years ahead.

This means that the obligation in the Bill for the company to produce immediately 6.5 million tons per year of concentrates may in effect be regarded as a discharge of the obligation under the Paraburdoo amendment to produce a third one million tons of metallised agglomerates at some time in the future, coupled with a bringing forward of the obligations under the Mt. Bruce agreement to produce two million tons of concentrates and increasing this obligation to 6½ million tons.

It is considered that this arrangement is equitable to both State and company, and this principle has formed the basis of the negotiation of the agreement.

I commend the Bill to the House.

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

The chart was tabled (see paper No. 419).

IRON ORE (MOUNT BRUCE) AGREEMENT ACT AMENDMENT BILL

Receipt and First Reading

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

Second Reading

THE HON. N. E. BAXTER (Central—Minister for Health) [9.43 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to ratify an agreement between the Government and Mount Bruce Mining Pty. Ltd., which is a company related to Hamersley Iron Pty. Limited. The Bill is interrelated with the Bill to amend the Iron Ore (Hamersley Range) Agreement Act, 1963-1972, on which I have already referred to the request from Hamersley and Mt. Bruce for their secondary processing obligations to be restructured so that a project to produce iron ore concentrates could proceed immediately. The importance of this project to the overall development of the Pilbara iron ore industry, in addition to the immediate impact it will have on investment and job opportunities, is no doubt recognised, and is equally pertinent to both Bills.

I will now explain in general terms the effect of the proposed amendments to the Iron Ore (Mount Bruce) Agreement and, in this regard, I again direct members' attention to the chart which was distributed complementary to the Hamersley Bill, and also to my comments on the evolution of the Hamersley and Mt. Bruce agreements.

The Iron Ore (Mount Bruce) Agreement Act of 1972 in respect of secondary processing obligations requires the company to undertake certain operations in addition to those which are specified in

the Iron Ore (Hamersley Range) Agreement Act, 1963-64—the principal Act—and the Iron Ore (Hamersley Range) Agreement Act Amendment Act, 1968—the Paraburdoo amendment. Firstly, the company was obliged to produce iron ore concentrates or metallised agglomerates, as shown in the second half of the chart.

In the case of iron ore concentrates it was two million tons per annum by 1981, and in the case of the alternative metallised agglomerates it was one million tons by 1980. This Bill waives the company's obligation in this respect, and it is now no longer obliged to proceed with either of the alternatives.

However, if Hamersley Iron defaults in its obligations under the Iron Ore (Hamersley Range) Agreement, 1976—in other words, if it does not for any reason start to produce the 6.5 million tons of concentrate—then the provisions of clauses 8 and 10 of the Mt. Bruce agreement are revived, with a postponement of obligations for four years.

Clause 32 of the Mt. Bruce agreement also placed a further obligation on the company in respect of the production of metallised agglomerates, iron, or steel, the latter alternative being at the choice of the company under clause 34 or, in other circumstances, at the choice of the Minister under clause 35. The date upon which the company must elect whether to produce metallised agglomerates or steel, has been extended by about five years to 1983 to be compatible with the restructuring of other obligations.

If the choice is metallised agglomerates, the Mt. Bruce agreement obliges the company to produce one million tons per annum by 1980, increasing to two million tons per annum by 1982, and three million tons per annum by 1984. The legislation now before the House has the effect of deferring this obligation—as shown by the pink bar against clause 32 on the chart—so that it is now required to establish a plant capable of producing one, two, and three million tons per annum by 1985, 1987, and 1989 respectively. The arrows on the chart signify this.

The above-mentioned alternative of the company, by its choice or by that of the Minister, proceeding to produce iron and steel initially at the rate of half a million tons a year by 1994, increasing to one million tons a year some years later, has been unaltered by the legislation before us. This is shown by the last two blue bars on the chart.

In my second reading speech on the Hamersley Bill, it was pointed out how the changes in Hamersley's obligations under that Bill, and the changes in Mt. Bruce's obligations under this Bill, are interrelated, and comprise certain deferments and waiver which must be weighed up against Hamersley's proposal to proceed immediately with a 6.5 million-ton per annum iron ore concentrator.

It is believed that the arrangement made with the company is equitable to both parties, and I commend the Bill to the House.

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

ROYAL VISIT HOLIDAY BILL

Second Reading

Debate resumed from the 19th October.

THE HON. V. J. FERRY (South-West) [9.48 p.m.]: I support the Bill, which proposes a special holiday for the visit of Her Majesty the Queen and the Duke of Edinburgh next year. I do so with a great deal of pride and I believe the people of Western Australia will welcome the visit. In my experience, the Queen's visits to the State are very well received.

I never cease to be amazed at the tremendous part played by the Royal Family in the British Commonwealth of Nations. These people perform a tremendous service to the British family of nations. In the system under which we operate Her Majesty the Queen, being the Queen of Australia as well as the Queen of other countries of the Commonwealth, has a special place. She will undoubtedly be welcomed by His Excellency the Governor (Sir Wallace Kyle) and Lady Kyle.

I suggest that in so welcoming Her Majesty, the Governor and his lady are well placed now to report to the Royal visitors on the progress and the state of affairs in Western Australia. I would like it recorded that in my view, since taking up his office as Governor of Western Australia representing Her Majesty, the Queen—I think in November of last year—Sir Wallace Kyle has done an outstandingly good job. This man is held in very high regard indeed. He is a son of Western Australia and one of whom we can be very proud. He has shown great interest in everything that happens within the State. I am personally grateful that we have a man such as Sir Wallace Kyle as our Governor and as I say, he is well placed to welcome and report to Her Majesty next year.

I note the holiday is proposed for the 28th March, 1977. It is perhaps a little unfortunate that it is so close to the Easter break, and therefore, some inconveniences may be caused to certain industries, commercial undertakings, or individuals. Notwithstanding that, I believe the advantages far outweigh any disadvantages.

I wish to reiterate that I believe it is a great tribute to Western Australia that Her Majesty made a special request to spend more time here on this visit. I can

remember that on one previous occasion when she visited the nation she was unable to come to Western Australia.

The granting of a holiday by legislation is a traditional way of catering for a Royal visit, and it is certainly appropriate. I believe the legislation has the wholehearted support of Western Australians, and it certainly has my concurrence.

THE HON. H. W. GAYFER (Central) [9.52 p.m.]: I rise to support the Bill. Like all members of my party, I look forward to the visit of the Royal couple to Western Australia. We believe this will be a great period in the history of Western Australia.

We are justly proud of our State and we have every reason to be proud that Her Majesty the Queen should take it upon herself to visit and examine, as she has requested, the activities of this State in some detail. Unfortunately, as we all know, it was not possible for her to have an extended visit here last time she was in Australia, but we look forward to her stay with us during March of next year. We agree that the holiday should be declared so that other people may enjoy this festive occasion with us.

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.

Third Reading

Bill read a third time, on motion by the Hon. N. McNeill (Minister for Justice), and passed.

PARLIAMENTARY COMMISSIONER ACT: RULES

Application to Authorities: Assembly's Resolution

Message from the Assembly received and read requesting the Council's concurrence in the following resolution—

That pursuant to sections 12 and 13 of the Parliamentary Commissioner Act, 1971, this House make the following rules:—

1. In these rules the Parliamentary Commissioner's Rules, 1972, made by the Legislative Assembly and the Legislative Council on the 1st November, 1972 and published in the *Government Gazette* on the 10th November, 1972, as amended by the addition of a rule made by the Legislative Assembly on the 12th December, 1973 and the Legislative Council on the 13th December, 1973 and published in the *Government Gazette* on the 11th January, 1974, are referred to as the principal rules.

2. The principal rules are amended by adding after rule 6 the following rule and schedule—

7. The Act is hereby declared to apply to the authorities specified in the Schedule to these rules in addition to the government departments and other authorities specified in the Schedule to the Act.

SCHEDULE.

Builders' Registration Board of Western Australia constituted under the Builders' Registration Act, 1939-1975.

Land Agents Supervisory Committee of Western Australia constituted under the Land Agents Act, 1921-1974.

Motor Vehicle Dealers Licensing Board constituted under the Motor Vehicle Dealers Act, 1973-1974.

Murdoch University constituted under the Murdoch University Act, 1973-1976.

National Parks Authority of Western Australia constituted under the National Parks Authority Act, 1976.

Registrar of Building Societies holding office under the Building Societies Act, 1920-1970.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 5)

In Committee

The Deputy Chairman of Committees (the Hon. Lyla Elliott) in the Chair; the Hon. I. G. Medcalf (Attorney-General) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 160 amended—

The Hon. H. W. GAYFER: As the Committee is aware, I have amendments appearing in my name on the notice paper and also on the supplementary notice paper that has been circulated. I move an amendment—

Page 3, line 20—Insert after the word "may" the passage "after consultation with, and with the concurrence of the council".

During the course of the second reading debate I explained this amendment in full. I hold very strong views about the powers of local government and I believe that

local government should make decisions in keeping with decisions made by responsible and recognised people.

Subsection (1) of section 160 of the principal Act gives the Minister power to appoint an unqualified clerk to the position of shire clerk of a particular council upon representation to him by that council. It is then up to the council to determine, I believe, whether or not such an unqualified clerk should go on to obtain qualifications and the council could decide this is not necessary if it believes that obtaining those qualifications could interfere with such a person's general work in the interests of the shire.

As is intimated in further amendments dealing with this matter, this should be done only after consultation with the shire. That is not very different from the provision in the Bill; however, I believe the shire should have the right to say whether it agrees with the Minister setting down a period within which the clerk must obtain qualifications.

I do not believe it is necessary for shire clerks to obtain the qualifications that are being set for them. I have yet to see an economist who has become a millionaire. There are many shire clerks who have helped to build Western Australia and who are unqualified but are still keeping up with the activities forced upon them by general legislation.

The situation will become impossible if a Minister approves a clerk without qualifications and then lays down that he shall become qualified within a certain period. I believe the clause as it stands would cause a lot of hardship to shire clerks who are doing an excellent job. I ask the Committee to support my amendment.

The Hon. I. G. MEDCALF: Mr Gayfer wants to give councils a power which they do not have at the moment. He believes there has been an erosion of the power of councils and the Minister should not have the sole right to decide the conditions. He further wants consultation with the council concerned, and for the council to agree with the imposition of the conditions.

At present the law provides that where a position requires a qualification, a qualified person must be appointed unless the Minister gives his consent to the appointment of an unqualified person. Mr Gayfer wants the Minister to obtain approval of the council in future when he gives such consent. In effect, he is attempting to reduce the power the Minister has at present. Quite clearly he is endeavouring to extend considerably the power of the council as against the Minister. No doubt this is based on his honestly held view that the council and not the Minister should make the decision.

However, he would extend the power considerably. At present the Minister has an absolute discretion to approve or not to approve an appointment. He does not have to obtain the council's consent to a refusal, nor is it mandatory for him even to consult with the council. On the notice paper there is also an amendment which will enable the Minister to consult with the council, and that provision forms part of the amendment suggested by Mr Gayfer; that the Minister should consult with the council before he imposes conditions. The conditions would be that a qualification be obtained within a reasonable time; and under the Bill the Minister will have power to extend and further extend the period.

One can assume the Minister would act reasonably in this situation. At present when the Minister makes an appointment of an unqualified person to a position which requires qualifications—and he normally imposes the condition that the appointee obtain a qualification—he has no specific authority to impose conditions, and he is not empowered to enforce them. It is proposed in the Bill that he be given the authority to impose and enforce conditions, but still subject to the right of extension and further extension.

This seems to be a reasonable extension of the Minister's power. The Bill simply recognises what the Minister is doing at present, but gives legal sanction to it and enables him to enforce conditions if necessary. I think that is eminently reasonable. Successive Ministers have endeavoured to use this method but have been unable to enforce the conditions.

I am suggesting that before the condition is imposed the Minister would consult with the council; and that is the import of the further amendment on the notice paper. If the Minister must obtain the concurrence of the council, we would have a situation where a council could make a certain stipulation about one officer and another stipulation about another officer. One council might make a stipulation about a shire clerk, and another council might make an entirely different stipulation about its shire clerk. Surely we must have consistency, and the only way to achieve it is for the Minister to have the final say. For those reasons I oppose the amendment.

The Hon. H. W. GAYFER: The Attorney-General referred to consistency between shire councils and said the clause as it stands will create consistency. However, we will get the situation where one shire clerk will be given permission by the Minister to have his time extended for three years, and the next shire clerk will have his time extended for seven years. Another shire clerk might have his time extended from three years to five years, and from five years to 10 years. The Attorney-General admitted this. This is not consistency.

What I am saying is that if a shire clerk is doing a job which is satisfactory to the council and the auditors, the council

should have some say in that man's future. However, the Bill definitely states that if he does not obtain qualifications within a given time, the Minister can ask for his discharge. I am trying to protect these honest, dedicated men who have gone into the field of local government genuinely believing they are putting their all into their jobs. We should let the people elected to represent the local areas decide whether or not he is doing a good job.

The Hon. G. E. Masters: That is probably what will happen.

The Hon. H. W. GAYFER: The Minister used practically the same word—"probably". I cannot be sure of how a Minister tomorrow may interpret the Bill. We cannot be certain what his department will direct him to do.

The Hon. G. E. Masters: It would be a poor old Minister in that case.

The Hon. H. W. GAYFER: Perhaps "direct" was the wrong word. However, members know we often get a strong department and a weak Minister. Many councils will be frustrated in their endeavours to keep good shire clerks purely and simply because the shire clerk does not have time to study.

The Hon. G. W. Berry: What is the point of having higher qualifications?

The Hon. H. W. GAYFER: This goes back to another issue which I believe also falls within the ambit of this Bill. Perhaps the Bill does not go far enough; perhaps we should impose qualification requirements shire to shire according to status and need.

The Hon. J. C. Tozer: Corrigin would be a five-star council.

The Hon. H. W. GAYFER: I am not talking about Corrigin or about any council with which Mr Tozer has been associated. We all know Mr Tozer is highly qualified; but although he was probably a good theoretical shire clerk, he may not have been a good practical shire clerk. I am interested in protecting the practical man who has given good service to his district.

The Hon. I. G. MEDCALF: It is quite apparent the honourable member has completely misinterpreted what I have endeavoured to say. Perhaps I did not explain the position adequately, and I shall attempt to do so now. There should be a consistent principle. The principle of the Bill is that persons who hold certain offices—but not all—should be qualified. The honourable member knows that very well. That is the principle on which the Local Government Act in relation to this matter presently is based.

A person must obtain adequate qualifications if he is to be one of the specific officers named in section 160 of the Act. From what the honourable member is saying, he disagrees with that principle. He is quite clearly saying he believes that an unqualified shire clerk should be permitted to remain at his post without the need to obtain qualifications. He is really putting up an argument for not having qualifications.

I quite frankly admit there will be inconsistencies in terms of whether one man is granted an extension of three years, while another is given five years. That is necessary, and will occur under this system. Clearly, in one particular situation it may be necessary to grant one man a long extension because there is nobody else to fill the position; for example, it may involve a remote area. We could even have a situation where a series of extensions are granted up to, say, 10 years.

However, that still does not alter the principle of trying to establish qualifications for certain offices in shire councils and it is in an endeavour to maintain that principle that the Minister is seeking to amend this Act; to provide some means of enforcing the qualification. The Minister cannot impose any principles and he cannot impose conditions. At present they cannot be enforced because the Statute does not so empower him. As a result, if the Minister now grants an exemption, he grants it for all time.

What he is seeking to do is grant an exemption on certain conditions; namely, that qualifications be obtained. I am quite certain the Minister is not going to act foolishly or arbitrarily if it is not possible in certain circumstances for an officer to obtain qualifications. I believe that is just one of the things we must accept. The Minister is going to act reasonably; he will be advised by his department and he will act in accordance with that advice and the principles which have been laid down under the legislation. I think by those means we will obtain some consistency in the principle of securing qualified men for these positions.

The Hon. H. W. GAYFER: If after extensions of 10 years the man still has not obtained his qualifications or has failed his examinations I presume he would be sacked from office—despite the fact that he is still doing an excellent job of work, to the satisfaction of his council. We have now reached a ludicrous and silly position. Members will recall that, I think in 1963, we gave many shire clerks amnesty, and many of them are still with us, carrying out their duties in a practical manner.

I am not saying that unqualified men should be appointed. What I am saying is that after the Minister has agreed to grant an extension to an unqualified man,

and if that man continues in his employment to the complete satisfaction of the shire council, it should be up to the council to say whether or not he remains in that position. The Minister should not hold a hammer over his head year after year, while he is doing a perfectly good job. I cannot understand why a council should be dictated to by some bureaucrat in the city who has suddenly got it into his head that all shire clerks should obtain certain qualifications.

What about the situation in this Chamber? We have unqualified people discussing and passing legislation. In fact, the Hon. I. G. Medcalf probably would be the most qualified person in the Chamber. Do we need to pass examinations before we can understand the workings of Parliament, of finances, and of the country? I am not happy about the provision which will empower the Minister to dictate to a shire clerk that he must obtain certain qualifications within a prescribed time, otherwise he will be sacked. We are going to lose some good men.

The Hon. I. G. MEDCALF: I think the honourable member is wrong in assuming that if the shire clerk has not fully qualified within a specified period, he is automatically going to be sacked.

The Hon. H. W. Gayfer: Not automatically. I said "may". You check back on what I said.

The Hon. I. G. MEDCALF: At least the honourable member gave the impression that he would be sacked if he had not—

The Hon. H. W. Gayfer: If he is not going to be sacked, why bother about the provision?

The Hon. I. G. MEDCALF: I think the honourable member is assuming he is going to be sacked.

The Hon. H. W. Gayfer: I said under certain circumstances.

The Hon. I. G MEDCALF: This is a matter of discretion just as his appointment is a matter of discretion in the first place. We should not forget that when the shire clerk or other officer—because it applies to anyone who is required to have qualifications—is appointed, he knows what the condition is. He is told, "It is a condition of your appointment that you obtain your qualification within a specified period." It may be difficult in certain cases, but the same applies in all walks of life except, as the honourable member has said, to members of Parliament. But the job of a member of Parliament is very different from that of an officer of a shire. I do not think anyone would ever say it was desirable or necessary that there should be any qualifications for a member of Parliament. So I think that is a completely extraneous issue.

The Hon. S. J. Dellar: There is a very stringent entrance examination!

The Hon. I. G. MEDCALF: I believe the honourable member is really opposed to qualifications as such.

The Hon. H. W. Gayfer: I deny that. I am talking about a particular person, and that is all.

The honourable member has indicated by his views that he believes exceptions should be made to the principle of having a qualification for certain jobs in a shire. That is not the principle of the Local Government Act as it is at present. It is quite clearly laid down in section 160 that there are certain jobs for which qualifications are required. The Minister may grant a certificate which gives an exemption, but the Minister has no way of enforcing any conditions. If we accept the principle that there should be qualifications, we must accept that those qualifications must be obtained, if possible; but there is nothing here that says they have to be obtained. Nevertheless the Minister has a discretion. There is nothing here that says a person will be sacked after 10 years or after any other period of years. The Minister may grant exemptions and further extensions of the time, but eventually if a person has not obtained qualifications which he had the opportunity of obtaining it is only proper that the principle of qualification for particular jobs should be enforced by the Minister. One might as well say that a doctor need not have a qualification.

A shire clerk, an engineer, or any one of these specialised officers must eventually obtain a qualification one way or another. Some of them learn from practice. I do not dispute that many eminently suitable men have done their jobs very well without qualifications. But times have changed—they are changing all the time—and the work of shire councils is becoming increasingly difficult.

In his speech at the second reading stage the honourable Mr Dellar mentioned that in the old days a relatively small shire might have an income of £25 000. The same shire today, he said, would have an income of $250 000 which brings increasing responsibilities. Shires are now being asked to do more and more. Shire councils have to play an increasingly important part in the affairs of the electors and the ratepayers.

For these reasons Parliament has considered on many occasions in the past the necessity for qualifications. This is a means of allowing the Minister to use his discretion in a proper case, but it is intended to include a provision that the Minister will consult with the council.

The Hon. H. W. GAYFER: The Minister has said straighout that I seem to favour the appointment of unqualified

people to the position of shire clerk. We are amending section 160 of the principal Act which states in part—

> (2) Where regulations so made require the occupant of the office of clerk, engineer, building surveyor or treasurer to be qualified the council shall not appoint a person to the office—
>
> (a) unless he holds the appropriate certificate of qualification issued under the regulations; or
>
> (b) if he does not hold that certificate, unless the Minister approves the appointment.

I am not arguing with that. All I am saying is that once the Minister has approved the appointment of an unqualified town clerk he must recognise that that man has ability.

The Hon. I. G. Medcalf: You are not saying that at all.

The Hon. H. W. GAYFER: Then by this amendment to section 160 of the principal Act he wants to impose a condition that the person shall study to pass the examinations, in a certain period, to give him the qualifications which he did not have when the Minister appointed him.

The Hon. I. G. Medcalf: That is not right.

The Hon. H. W. GAYFER: That is how I read it, because proposed new subsection (2c) states—

> (2c) Where approval is given by the Minister under paragraph (b) of subsection (2) of this section subject to a condition imposed under subsection (2a) of this section and, at the completion of the period fixed pursuant to the latter subsection or of any extension of that period granted under subsection (2b) of this section,—
>
> (a) the officer appointed by the council pursuant to that approval still does not hold the certificate of qualification required by the regulations to be held by the occupant of his office; and
>
> (b) the Minister does not consider that the circumstances justify an extension or further extension of that period,
>
> the Minister may direct the council to remove the officer from the office . . .

I believe shire councils should have some rights in this world. But what will happen is that a council will say, "He is doing a good job. We have not had one complaint about his audit since he has been here. The people are happy. He can build a road, he can change a tyre, he can empty the toilets and he can drive an ambulance. Now because he has not passed your confounded examinations you are directing us to get rid of him because we have some young chap just out of college who has these qualifications." As I see the matter, it is taking certain rights away from councils which rights they should, as an ordinary employer, have a right to express.

The Hon. I. G. MEDCALF: I think the honourable member is being carried away by his imagination when he talks about some young fellow just out of college taking a job. There has been no suggestion of anything like that. We are not even considering that part of the Bill. The honourable member is dealing with a part we have not reached yet. We are dealing only with proposed new subclause (2a). I think I should repeat the terms of section 160 of the original Act, which states in part—

> (2) Where regulations so made require the occupant of the office of clerk, engineer, building surveyor or treasurer to be qualified the council shall not appoint a person to the office—
>
> (a) unless he holds the appropriate certificate of qualification issued under the regulations; or
>
> (b) if he does not hold that certificate, unless the Minister approves the appointment.

That is where the regulations require a qualification. We are not talking about some young fellow coming out of college and taking the man's job or about the man being sacked. We are talking about the appointment in the first place. The proposed new subsection says that if the Minister gives a certificate that the unqualified person may do the qualified person's job, in giving his approval he may impose a condition that that person obtain his qualifications within a specified time, subject to extension.

What the honourable member is proposing is that the Minister may do this only if he obtains the concurrence of the local authority. That is a very different proposition from the provision under which the Minister can do this without the concurrence of the local authority and without consulting it.

At the moment the Minister is not required to consult the local authority before he grants a certificate of exemption. What we are proposing is that the Minister may be able to impose a condition when he grants approval for an unqualified person to take on a qualified job. As I have indicated, I agree with the part of the amendment which says the Minister shall consult the local authority, but not that he has to obtain

the concurrence of the local authority. If the Minister is required to do that, then the power which he now has to grant exemption will be taken away from him.

The Hon. S. J. DELLAR: I support the amendment. Mr Gayfer has left me with little to say because he has put forward all the arguments I intended to bring forward. I am pleased the amendment is in such strong terms. Members will recall that when the Bill was introduced there was no suggestion that the Minister should consult the council at any stage.

The Hon. I. G. Medcalf: I said an amendment would be placed on the notice paper to that effect.

The Hon. S. J. DELLAR: I am glad the amendment of Mr Gayfer is in such strong terms.

The Hon. I. G. Medcalf: I accept that part of the amendment.

The Hon. S. J. DELLAR: If the amendment is agreed to and the Bill is passed, what will be the position of unqualified officers who are currently holding positions in councils, and appointed under section 160 (2b) of the Act, bearing in mind the Minister has no power to direct such officers to obtain certain qualifications? Do I understand that the Minister has no power to compel such officers to obtain qualifications? Is he at this stage acting without authority and hounding officers to obtain qualifications?

In some cases there is no way in the world that such officers would be able to obtain the required qualifications. As Mr Gayfer pointed out, many of these officers grew up in the job. One such officer could be 50 or 60 years of age, and at that stage of life it would be unfair to expect him to sit for an examination and obtain the required qualification.

It is only right that local authorities should have the right to appoint whom they wish, and not those whom the Minister directs should be appointed. There is no way I can see by which officers currently employed in local government, without having the required qualification, can obtain that qualification. I interpret the provision to mean that there is no way at all that any officer currently appointed can be brought within the ambit of the legislation.

The Hon. I. G. MEDCALF: I can give Mr Dellar an assurance that this section applies only where a condition has been imposed. If he turns to proposed new section 160 (2a) in clause 5 he will see that it provides as follows—

> In giving his approval pursuant to paragraph (b) of subsection (2) of this section the Minister may impose on the approval a condition . . .

In previous cases there was no authority to impose any conditions, so the provision can apply only to officers subsequently granted exemption.

Amendment put and negatived.

The Hon. I. G. MEDCALF: I move an amendment—

> Page 3, line 20—Add after the word "may" the passage ", after consultation with the council,".

I think I have explained the amendment sufficiently, and I hope in the circumstances Mr Gayfer will vote for it.

The Hon. H. W. GAYFER: I assure the Minister I will vote for the amendment. I suppose if I can succeed in getting 50 per cent along the way I will be achieving something, but it is 50 per cent of the way in words only. The Minister's amendment has set aside what I intended to achieve by my amendment; that is to give back to the council some teeth in the application of this clause. It is apparent that my amendment will get nowhere.

On each occasion that the Minister decides to grant exemption he will have to consult the council concerned. At least by that means the council will have the opportunity to confer with him and perhaps tell him why an officer should not be required to undertake an examination.

Amendment put and passed.

The Hon. S. J. DELLAR: I move an amendment—

> Page 4, line 12—Insert after the word "may" the words "after consultation with the council".

My amendment is in line with the amendment that has just been agreed to. As Mr Gayfer has pointed out, we will succeed in getting halfway to our objective, and in future the Minister will have to consult the local authorities. Maybe he will take notice of the wishes of the local authorities.

The Hon. I. G. MEDCALF: I believe the amendment is logical, following the early amendments, and may I say that nothing but good can come from the Minister consulting with the council.

Amendment put and passed.

The Hon. R. F. CLAUGHTON: I move an amendment—

> Page 4—Delete new subsection (2d).

This refers to the appeal provisions in the Act. I have been approached by the Association of Professional Engineers the members of which are concerned that this provision should remain available to local government officers. When speaking to the earlier amendment, Mr Gayfer gave some instances under which a local government officer may not be in a position

to fulfil the requirement for his qualifications, and without the ability to appeal he would be treated unfairly.

The association members are well qualified and would appreciate the value of qualifications. They would not want to dilute the standing of the people working in their particular field and they would not make this proposal lightly. They believe that genuine injustices will occur if the amendment is not made. The amendment would not alter the intention of the Bill. Obviously a person who has not made any attempt to obtain his qualifications would realise he would have no chance of success in an appeal. Under the amendment already accepted the Minister will have to consult with the council about the particular officer concerned and the details would be investigated.

I can add nothing further because unfortunately I do not have any specific instances which I could cite. I do hope the Committee will accept the amendment.

The Hon. I. G. MEDCALF: I am afraid the amendment cannot be accepted for the very good reason that it is completely inappropriate and out of order. What the honourable member is forgetting is that we are dealing with the situation of unqualified people, not qualified people.

What the honourable member is proposing is that we give to an unqualified person who has been appointed to a qualified job and has not qualified after whatever extensions were given to him by the Minister, the right of an inquiry into why he has been removed from office. It would be quite apparent that he was removed from office because the Minister, after consulting with the council, had directed the council to remove him because he had not obtained the qualifications within the extended period allowed, which was the condition on which he was appointed. What the honourable member is proposing is that as a result of the person not obtaining the qualifications and therefore being removed from office, an inquiry be held and the person be paid compensation.

I am afraid that is completely out of line with the proposals concerning the obtaining of qualifications and therefore is unacceptable.

The Hon. R. F. CLAUGHTON: I am sorry the Minister misunderstood my earlier remarks. I said that it is the qualified people who are submitting this proposal on behalf of people they know are not qualified. They have studied the legislation.

The Hon. I. G. Medcalf: But they would not know who these people were yet because none has been appointed under the new provision.

The Hon. R. F. CLAUGHTON: They know what the result of the amendment would be. The members of the association are requesting that a person who has not obtained his qualifications for one reason or another within the extended period should still have recourse to the appeal provisions.

So the Minister's criticism of my remarks was quite off the target. I also said that members of the association would be concerned not to dilute the standing of the profession. They are obviously concerned to uphold their professional standards because their salaries and terms of employment hinge on them. Therefore they are raising this matter as a result of a genuine concern based on some experiences which have occurred in local government.

Unfortunately I did not have a great deal of time to discuss this matter with members of the association and obtain details of the situations which could arise. For example, this provision could affect an unqualified engineer in a growing shire who, because of the pressure of work involved and the requirements of his job, would not have the time to spare to obtain the qualifications.

In those circumstances the officer could get on very happily with the existing council, but with a change of personnel conflicts could arise. A future Minister might consider the only way to solve the situation would be to dismiss the engineer. He may not be qualified, and he could suffer substantially when setting out to find other employment. If he is getting on in years it could be very difficult for him to complete his qualifications or find other suitable employment in the field in which he has worked. For those reasons it is requested that those people should still have recourse to the appeal provisions. I hope the Committee will agree to my amendment. I do not believe the intent of the Bill would be lost.

A person who had not attempted to gain qualifications, and who is removed from office after consultation between the council and the Minister, is unlikely to seek an appeal because he would have a poor case. It is the other people who will suffer very greatly about whom we are concerned.

The Hon. I. G. MEDCALF: We must not lose sight of the fact that we are dealing with a person who has been appointed subject to a condition; the condition being to obtain his qualifications within a specified time, or with a further extended period. If the Minister recommends, after consultation with the council, that the person be removed from office, and the council removes him from office, what need will there be for an inquiry into the reason for his removal?

The case of that person differs from that of an ordinary employee who may be entitled to an inquiry because the circumstances are not known. Where a person has clearly failed to comply with a condition which he entered into before he was appointed, and that condition of his employment is not met, there is no need for an inquiry.

I cannot really see there is any occasion for an inquiry in such a situation. There are occasions for inquiries into the dismissal of council officers. Indeed, inquiries have been held and they are far reaching. The person holding the inquiry is appointed by the Minister, and he has the power of a Royal Commissioner. He is able to summon witnesses. Surely it is not necessary to have a situation such as that when a person fails to comply with a condition to obtain his qualifications. That is the reason for the inclusion of proposed new subsection (2d).

The Hon. S. J. DELLAR: The Minister has stated we are talking about people appointed to a position on condition that they do certain things. However, there could be personality clashes. Councils change from time to time and an officer could come into conflict with his local authority. Although the local authority might have other grounds for dismissing the officer, the condition of employment could be used as a lever to get rid of that officer. In that case the officer is not eligible for compensation. I think that is a dangerous provision to include in the Act.

The Hon. I. G. MEDCALF: I think the honourable member has overlooked the fact that the council cannot take that action at all. The council cannot remove a man from office.

The Hon. S. J. Dellar: But the Minister can, after consultation with the council.

The Hon. I. G. MEDCALF: That is right —after consultation. It will be the Minister who will direct the council to remove the officer on the ground that he has not complied with the condition of his employment. I think that makes all the difference.

The Hon. R. F. CLAUGHTON: Contrary to what the Minister said previously, I indicated we were dealing with the case of a person appointed under the terms of this Bill; a person who goes into the job knowing he is expected to obtain his qualifications. The example I gave related to the person who, because of the sheer burden of his job, finds it impossible to spare the time to gain his qualifications. With a change of council, there could be a clash of personalities. Although the council may have other grounds for wanting the man dismissed, it could simply contact the Minister and point out that the man had not fulfilled the conditions of his employment, and ask for him to be dismissed.

In that case the Minister might not be made aware of the other reasons for the dismissal of the officer. That is not an improbable situation; it could arise on a number of occasions in a developing shire. I think it indicates a need for the officers to have the protection of the appeal provisions. I have stated the case to the best of my ability and will leave the decision to the Committee.

The Hon. I. G. MEDCALF: I regret I cannot accept the reasoning of the honourable member. It does not seem to me this applies to the case of a person who takes on a job knowing he has to obtain a qualification. I do not think it is a fitting case to have an inquiry by a person appointed by the Minister with all the powers of a Royal Commissioner.

The Hon. H. W. GAYFER: I think there is an anomaly here in that we have already come part of the way in agreeing it is a two-way action. It is between the Minister and the council whether or not a person shall be removed from office. Certainly it is the Minister who makes the decision, but after consultation with the council. We could read it the other way —that the council may wish to consult with the Minister and the Minister may still remove the person from office.

When we come to deletion of the proposed new subsection (2d), it appears we are now looking for a provision that if the council is not happy with the officer so employed and the Minister has removed him from office, the officer then has the right of appeal under sections 5 to 12 of the Local Government Act. I believe it is a totally different set of circumstances from those I was arguing in the first place.

I am looking for the council to have the running of its own affairs and the employment of its own officers. I believe that, having consulted with the Minister and the Minister having exercised his right to remove the officer, we will be giving the person with whom the council is not happy the right to protest to a court of inquiry. Again, I believe we are taking it a little bit too far to remove this proposed new subsection. I can see another type of reasoning coming in here which is different from the situation I was thinking of.

The Hon. R. F. CLAUGHTON: The situation I posed was where an officer had spent a number of years working harmoniously with the councillors in an authority, but with a change of councillors there was a clash of personalities. I am disappointed that Mr Gayfer feels no sympathy for a person in those circumstances who has given so much to the local community, and that he does not feel inclined to give him at least the right to an avenue of redress.

Amendment put and a division taken with the following result—

Ayes—5

Hon. R. F. Claughton	Hon. R. Thompson
Hon. D. W. Cooley	Hon. Grace Vaughan
Hon. S. J. Dellar	*(Teller)*

Noes—15

Hon. C. R. Abbey	Hon. N. McNeill
Hon. N. E. Baxter	Hon. I. G. Medcalf
Hon. G. W. Berry	Hon. I. G. Pratt
Hon. H. W. Gayfer	Hon. J. C. Tozer
Hon. Clive Griffiths	Hon. R. J. L. Williams
Hon. T. Knight	Hon. D. J. Wordsworth
Hon. A. A. Lewis	Hon. V. J. Ferry
Hon. G. E. Masters	*(Teller)*

Pairs

Ayes	Noes
Hon. D. K. Dans	Hon. G. C. MacKinnon
Hon. R. T. Leeson	Hon. W. R. Withers

Amendment thus negatived.

Clause, as amended, put and passed.

Clause 6: Section 160A added—

The Hon. R. F. CLAUGHTON: An amendment in my name has been circulated. I do not intend to move it as I consider the Minister's amendment will cover the position more precisely and in broader terms. My amendment resulted from a request by the Association of Professional Engineers, which was concerned that there was scope for wide interpretation of the provisions in the Bill and was inclined to compare the scope in the later provisions relating to councillors, which gave them an opportunity to be exempted from declaring interests where matters were remote and trivial. The association thought its members should be accorded a similar opportunity.

Those were the reasons for my proposed amendment. As I say, I think the amendment of the Attorney-General covers this matter, and we will support it.

The Hon. I. G. MEDCALF: I appreciate the comments of the honourable member and in one minute I will move the amendment standing in my name. However, I would like briefly to explain its effect. It will mean that an officer of the council may engage in other duties provided they do not conflict with his work on the council. In other words, he will be able to obtain the permission of the council to engage in other duties, responsibilities, and employment, provided there is no conflict with his duties on the council. If the council makes a decision that is adverse to him, he may appeal to the Minister who may grant or restore permission for him to perform this extra work, or dismiss the appeal. Nothing in the provision shall prevent his being employed jointly with other municipalities or becoming a shareholder of any incorporated company or a society registered under any Statute. I move an amendment—

> Page 5—Delete subsection (2) and substitute the following subsections—
>
> (2) A council shall not withhold or withdraw its permission under subsection (1) of this section unless it is of the opinion that the affairs, duties or responsibilities of the officer in connection with the trade, business, profession or employment engaged in, undertaken, practised or accepted by him may conflict with the performance by him of the duties of his office or offices under the municipality.
>
> (3) An officer may appeal in writing to the Minister against the decision of a council to withhold or withdraw its permission under subsection (1) of this section and the Minister may—
>
> (a) grant or restore such permission in the name of the council; or
>
> (b) dismiss the appeal,
>
> and the Minister's decision is not subject to appeal.
>
> (4) Nothing in this section shall prevent an officer from being jointly engaged or jointly employed by several municipalities or from becoming a member or shareholder only of any incorporated company or of any company or society of persons registered under any statute.

The Hon. CLIVE GRIFFITHS: When I became aware of the provision in this clause I expressed some concern to the Minister because I felt the conditions of the requirements under which a local government employee must seek approval of the council were all-embracing. It seemed to me that the provision would have a very detrimental effect on the freedom of the individual to carry out certain activities which I felt were his right whether he were employed as a council shire clerk or in any of the other specific positions covered by the provision.

Obviously the Minister has conceded that there was some justification for my suggestion that this provision should be looked at again. His proposed amendment does not take away the all-embracing nature of the provision which will require such officers to seek council approval but at least it goes some of the way by suggesting that the council cannot withhold permission if the activities concerned will not interfere with the affairs, duties, and responsibilities of the officer.

The amendment goes a little further to say that where a local authority does not grant permission or withdraws permission, the person concerned can appeal to the Minister. Proposed subsection (4) goes even further as it permits an officer, if he desires, to become a member or shareholder in any incorporated company or in a society registered under any Statute. It was that area that particularly concerned me.

I want to say that I appreciate the actions of the Attorney-General and I support his amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 7: Section 171 amended—

The Hon. H. W. GAYFER: As members of the Committee will have observed, I have an amendment to this clause on the notice paper. Again I believe we have a situation where the rights and the autonomy of councils are being taken away from them. On this occasion we are dealing with the simple matter of holding an annual general meeting.

My proposal is to delete proposed new subsection (2a) with a view to inserting other words. I would like to draw the attention of the Committee to the fact that part VII of the parent Act deals with the proceedings of councils. Subsection (2) of section 171 states—

> Once at least in each financial year at a time appointed by the council, the council of a municipality shall hold a general meeting of the electors of the municipality.

Then subsection (7) says—

> At an annual general meeting of electors the order of business is—
>
> (a) the receiving of annual financial statements;
>
> (b) the reading of the report of the auditor or auditors;
>
> (c) the reading of the reports of the mayor or president;
>
> (d) dealing with special business notice of which has been given in the notice convening the meeting; and
>
> (e) dealing with such other general business as the mayor or president thinks fit, or as the majority of electors present may decide.

Only once in this section of the parent Act is the Minister given any power at all, and that is where the Minister's consent must be obtained if the council wishes to hold an electors' meeting in a building that may be licensed for the sale of intoxicating liquor.

At present that is the only provision in the Act which requires the Minister's consent to be given before a meeting of electors may be held. Proposed new section (2a) of section 171 takes away from the local authority the very right that is given to it under subsection (2) of the same section. The Act already says that the council shall hold a general meeting of electors at least once in each financial year at a time appointed by the council. I interpret that to mean a time convenient to the council.

Local authorities should have the right to continue that practice. On so many occasions the auditor's report is not available within 70 days of the end of the financial year. The position can become ludicrous if it is the fault of the department that the auditor's report is not available, and I believe that is mostly the case. Then the council must ask the Minister if it may hold its annual general meeting at the time it usually holds it, when the fault could lie with the Local Government Department. I cannot see why the local authority should not be able to make up its mind regarding when the annual meeting should be held.

The Bill goes on to say that if permission is given by the Minister to hold the annual general meeting, then when the auditor's report subsequently arrives the clerk shall give notice in a newspaper circulating in the district that the report has been received and is available for inspection by electors. I do not object to that. I believe there are sufficient safeguards to prevent councils rushing through annual general meetings because they are afraid of receiving an adverse auditor's report.

I cannot understand why the consent of the Minister must be obtained before the annual general meeting is held when the Act already gives local authorities permission to hold, at least once in every financial year, at a time appointed by the local authorities, a general meeting of electors.

If the Bill is intended to tidy up the order of business under subsection (7), the first order of business under that section is the receiving of annual financial statements, and the second is the reading of the report of the auditor or auditors. If the auditor's report is not available, then when it does become available notice of that fact must be given in a newspaper. If the Bill is designed to get over subsection (7) (b), which is the reading of the report of the auditor, I believe it is an unnecessarily large hammer to crack a nut that is not really definite, because paragraph (d) of the same subsection refers to dealing with special business, notice of which has been given in the notice convening the meeting. If there is no special business that does not mean to say the meeting cannot be held. Paragraph (e) refers to other general business; and if there is no other general business that does not mean the meeting cannot be held. The tenor of subsection (7) is that it is a guide to the order of business of the meeting.

I move an amendment—

> Page 5—Delete the passage commencing with the word "Except" in line 7 down to and including the word "completed" in line 12 and substitute the following—
>
> If the audit of the annual financial statements of the council has not been completed by the traditional date for the holding of the

annual general meeting of electors, the council may proceed with that annual general meeting.

The Hon. I. G. MEDCALF: I listened with interest to Mr Gayfer and I have also studied his second reading speech. I believe there is a problem under the existing section 171. Subsection (2) says that once at least in each financial year at a time appointed by the council, a general meeting shall be held. Subsection (7) sets out the order of business at an annual general meeting, and the first item is the receiving of annual financial statements, and the second is the reading of the report of the auditor or auditors.

How can an annual general meeting be held if the report of the auditor has not been received? That question must have occurred to many shire clerks from time to time. The Local Government Department must have been asked this question on a number of occasions, and I think Mr Gayfer has put his finger on the problem. I would think there would be grave difficulty about holding an annual general meeting when there is a specified order of business, and one item of business cannot be proceeded with.

As Mr Gayfer pointed out, the council has 70 days after the 30th June in which to prepare its financial statements, which are distinct from the report of the auditor. The statements are submitted to the auditor, who is required to do certain things and to make various statements. As Mr Dellar pointed out, sometimes the auditor takes some time to produce a report. Clearly there could be a delay, and there have been delays. This is the real crux of the problem.

If the auditor's report is not received within a reasonable time, the Bill will enable the council to ask the Minister to give his consent to the holding of a meeting without the auditor's report. The section clearly requires that the auditor's report be placed before the annual general meeting. So, I think the honourable member will agree there is an apparent ambiguity in the section in that the council is asked in effect to fix the date of its annual general meeting at which it must have certain things. If it does not have its auditor's report, it cannot really properly hold its annual general meeting.

The Hon. H. W. Gayfer: Therefore, it cannot fix the date of its annual general meeting.

The Hon. I. G. MEDCALF: That is what it amounts to. To get over the problem, it is suggested the Minister be empowered to allow the council to hold its annual general meeting without having its auditor's report, provided it obtains the consent of the Minister. Once it receives its auditor's report, it is required to publish it in the local newspaper and inform the ratepayers of its availability for inspection.

The Hon. H. W. Gayfer: Do you not believe the section requiring the council to publish the report in the newspaper would suffice?

The Hon. I. G. MEDCALF: No, because that is in the Bill.

The Hon. H. W. Gayfer: I am not opposing that part of it.

The Hon I. G. MEDCALF: I believe this is necessary to overcome the present problem, which the honourable member himself illustrated because, (a) the council is required to hold an annual general meeting and, (b) when it holds its meeting it must present the auditor's report. If it has not received the report, it has a problem. It virtually means the council is hamstrung. If it wants to do everything according to Hoyle, it is not in a position to do so.

The Hon. H. W. Gayfer: What about (c), (d), and (e)? What if the council does not have those reports?

The Hon. I. G. MEDCALF: If the report of the mayor or president has not been presented in time, they will be disciplined in other ways.

The Hon. H. W. Gayfer: What about (d) and (e)?

The Hon. I. G. MEDCALF: We do not have to worry about (d) and (e); we do not worry about special business or any other general business because there might not be any.

The Hon. H. W. Gayfer: Yes, and if there is no auditor's report, there is no auditor's report.

The Hon. I. G. MEDCALF: The council must have an auditor's report under other sections of the Act, but it is not required to have special business or other general business reports. I believe that answers the honourable member's questions.

The Hon. R. F. CLAUGHTON: I am rather surprised that the Minister wishes to burden himself with further trivial detail by having to provide permission to the council to hold its annual general meeting before the auditor's report has been presented. I would have thought it would have been sufficient to amend the Act to require the council to advise the Minister of the fact that the auditor's report had not been received prior to the holding of the annual general meeting. I accept some of Mr Gayfer's argument, but I cannot go along with his amendment. It should be sufficient to report to the ratepayers' meeting that the accounts were presented, subject to audit.

The Hon. I. G. MEDCALF: I think sometimes Ministers have a lot more detailed work to do than they should have, and if there were some other convenient way of doing this, it would have been done. I believe it comes back to the principle contained in the Local Government Act

that financial accounts should be audited. They have not always been audited in the past, but there is now a requirement that an audit take place. We have heard some discussion about the futility of some audit reports—in fact, I recall the comments of Mr Heitman during the second reading debate—and how the requirements imposed by auditors at times seemed to be rather trivial and silly. Nevertheless, when we are dealing with public moneys, as we are in this instance, we must settle for an auditor's report. It is desirable that there be some compulsion on the council, to avoid any excuses which may be made to get out of this requirement. We have adopted this fairly rigid method of insisting that the annual general meeting of a council cannot be held unless it has its auditor's report, and I believe the Minister's permission will be required merely as a safeguard to ensure there is an auditor's report.

The Hon. H. W. GAYFER: With the great lack of enthusiasm emanating from members of this Chamber for my amendment, and the obvious reluctance of Mr Claughton to support it, it will be futile for me to proceed. If I took the most unwelcome step at this late hour of calling for a division, I would probably find I was the only member on this side of the Chamber. However, I am disappointed. We who have been in local government for many years have at all times tried to protect the autonomy and power of local government to make its own decisions. With those words, I signify to the Committee that I do not intend to proceed with my amendment.

Amendment put and negatived.

Clause put and passed.

Clauses 8 to 15 put and passed.

Clause 16: Section 245A amended—

The Hon. I. G. MEDCALF: I have some amendments to this clause and, in order to explain the first two amendments which are of a formal nature, it is necessary for me to explain the third one.

The basis of the third one is to cater for matters which were raised by Mr Gayfer at the second reading stage concerning the powers that might be exercised by council officers when visiting swimming pools on private property in that such council officers might take action of their own volition and might exceed their authority. The honourable member made it clear that he was concerned in case officers might act without having a specific set of rules laid down by the council or local authority. For this reason clause 7 will give the council the authority to impose limits or conditions and lay down the measures which may be taken so that when a council officer inspects a swimming pool he cannot take arbitrary action but must act in accordance with the specifications laid down by the council. For that reason I move an amendment—

> Page 9, line 35—Delete the words "that subsection" and substitute the words "those subsections".

The Hon. H. W. GAYFER: We seem to have rather an awkward notice paper with a proposed amendment of mine appearing between other consequential amendments. So I wish to indicate to the Committee that I have no intention of pursuing the proposed amendments standing in my name on the notice paper. That might help the Minister expedite the business of the Committee.

Amendment put and passed.

The Hon. I. G. MEDCALF: I appreciate the comments of Mr Gayfer that he does not intend in the circumstances to proceed with his proposed amendments in view of the amendments which I have on the notice paper. Therefore, I move an amendment—

> Page 10, line 30—Insert after the word "and" the passage ", subject to subsection (7) of this section,".

Amendment put and passed.

The Hon. I. G. MEDCALF: I have explained briefly the purpose of the third amendment which is that the council may impose limitations and conditions on the measures that may be taken by authorised officers pursuant to paragraph (c) of subsection (5) of this proposed new section. I move an amendment—

> Page 11, line 4—Add the following subsection—
>
> (7) The council may impose limitations and conditions on the measures that may be taken by authorised officers pursuant to paragraph (c) of subsection (5) of this section and an authorised officer shall not take any measure that is not in accordance with the conditions and limitations so imposed unless the council, after receipt and consideration of a report by the authorised officer, directs that measure to be taken in the particular case.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 17 to 32 put and passed.

Title put and passed.

Bill reported with amendments.

House adjourned at 11.47 p.m.