

# Legislative Council

Tuesday, the 11th October, 1977

The PRESIDENT (The Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

## BILLS (8): ASSENT

Message from the Deputy Governor received and read notifying assent to the following Bills—

1. Coal Mine Workers (Pensions) Act Amendment Bill.
2. Country Areas Water Supply Act Amendment Bill.
3. Land Drainage Act Amendment Bill.
4. Country Towns Sewerage Act Amendment Bill.
5. Public Service Arbitration Act Amendment Bill.
6. Public Service Act Amendment Bill.
7. Public Service Appeal Board Act Repeal Bill.
8. Government Employees (Promotions Appeal Board) Act Amendment Bill.

## LEGAL REPRESENTATION OF INFANTS BILL

### Report

Report of Committee adopted.

## INDUSTRIAL ARBITRATION ACT AMENDMENT BILL

### Second Reading

Debate resumed from the 6th October.

**THE HON. D. K. DANS** (South Metropolitan—Leader of the Opposition) [4.37 p.m.]: The Opposition opposes this Bill, not because of the nature of the Bill itself, if I may put it that way, but because of a number of clauses included in it, particularly clause 4 which seems to extend certain powers of the Attorney-General.

I am quite aware, of course, that provisions similar to those contained in clause 4 appear in the Commonwealth Conciliation and Arbitration Act; however, this clause will insert into the parent Act provision for the Attorney-General to appear on behalf of the State because of economic trends. I think that would be a rather dangerous situation.

The purpose of the Industrial Arbitration Act is to prevent and to settle industrial disputes, and therefore, the Opposition rejects any amendment to the Act which would allow the Government, through the Attorney-General, to enter into court

proceedings before the Industrial Commission where the intervention of the Attorney-General could have the effect of widening industrial dispute within the State.

The Minister in another place was unable to answer queries raised about other clauses of the Bill, or perhaps I should say from my reading of the debates in another place it appears that the Minister was not prepared to answer these queries. I am fully cognisant of the fact that some of the provisions contained in the Bill will improve the Act. For instance, the Bill will bring within the ambit of the Public Service Board some employees who were not previously included. The Bill goes a little further than this in clause 2. In his second reading speech the Minister had this to say—

Paragraph (b) gives the Industrial Commission the power to amend its order so as to include or exclude persons employed in any public authority.

This does not seem to be very clear, because there are a whole number of people employed by the Government. Members of the Police Force are employed by the Government. I suppose it could be said that stevedores also are indirectly employed by the Government, in that they are employed by the Fremantle Port Authority. In addition, there are many other people who could be said to be employed by the Government but who at present are covered under awards of the State Industrial Commission and of the Commonwealth Industrial and Arbitration Commission.

I do not see that any interference is likely to occur in respect of those covered by Commonwealth awards. However, whilst this particular reference is made in the Minister's second reading speech, it would seem to me it would be possible under certain circumstances for the commissioners in Western Australia to include people who may not want to be included—I am not saying they would be included—or to exclude those people who may want to be included.

Perhaps the Government could remove some of the opposition to this Bill by giving certain assurances in that direction. For the life of me I could not see the Government wishing to include on its payroll, by virtue of putting people under the authority of the Public Service Act, whole numbers of people not already covered; however, the Bill does not say that, and whilst this reference is made we would have to continue our opposition.

This legislation will give the Industrial

Commission the power to amend its order so as to include or exclude persons employed in any public authority. Possibly, when the Minister replies he will put my doubts quickly to rest.

The rest of the Minister's second reading speech clearly outlines the intention of the legislation. However, these things occur in most amending Bills, sometimes because of faulty draftsmanship, sometimes by clear intention and sometimes because people just do not know. While those matters to which I refer, and which I intend to vote against during the Committee stage, remain in the Bill—namely, the granting of power to the Attorney-General to intervene on the basis of economic necessity or whatever other handle one may give it—the Opposition must continue to oppose the Bill, pending an adequate explanation of those matters.

Debate adjourned, on motion by the Hon. D. J. Wordsworth (Minister for Transport).

#### **PUBLIC SERVICE ARBITRATION ACT AMENDMENT BILL (No. 2)**

##### *Second Reading*

Debate resumed from the 6th October.

**THE HON. D. K. DANS** (South Metropolitan—Leader of the Opposition) [4.43 p.m.]: This is one of a number of Bills which are consequential to the Industrial Arbitration Act Amendment Bill to which I have just spoken; however, it is the only one which is before the House at this time. I am not too sure of what my attitude will be to the other Bills. We have no opposition to this Bill; we agree with it in principle and in detail, because it is simply consequential to the Industrial Arbitration Act Amendment Bill. Perhaps it may be more appropriate if the debate is adjourned so that we can hear the Minister's reply to the first Bill. Perhaps then, our support for this Bill will be more conclusive.

Debate adjourned, on motion by the Hon. D. J. Wordsworth (Minister for Transport).

#### **PHARMACY ACT AMENDMENT BILL**

##### *Second Reading*

Debate resumed from the 6th October.

**THE HON. LYLA ELLIOTT** (North-East Metropolitan) [4.44 p.m.]: This Bill involves two amendments to the Pharmacy Act, and the Opposition does not oppose either of them. The first amendment seeks to change the age at which a qualified person can be registered as a pharmacist from 21 to 18 years. This makes sense, because some years ago the age of majority

was reduced to 18 years, and, as the Minister has advised us, some pharmacists graduate at the age of 20. It makes one wonder whether any anomalies have been created in respect of pharmacy graduates due to the age limit contained in the Act. As I said the first amendment appears to be eminently sensible, and the Opposition supports it.

A new section is also to be included in the Act to enable the amalgamation of the Perth and Fremantle friendly societies. However, I have a few queries with regard to section 22 of the Act. When I was reading through the Act, I noticed section 22 also contains a reference to the age of 21 years. This section deals with the registration of pharmaceutical chemists by the Pharmaceutical Council, and reads as follows—

22. (1) When any person has applied to the Council to be registered as a pharmaceutical chemist under this Act, and has proved to the satisfaction of the Council that—

- (a) he has attained the age of twenty-one years;
- (b) he is entitled to apply for registration by virtue of compliance with the requirements of section twenty-one of this Act;

This Bill seeks to amend section 21 of the Act to change the age limit from 21 to 18 years, and I am wondering why the age of 21 years still appears in section 22. I hope the Minister will examine this matter before we dispose of the Bill.

Section 36 deals with persons who are entitled to carry on business as chemists, and it specifically refers to friendly societies which were already in existence at the commencement of the Act. As the Minister indicated, if this amendment is not approved by the House, it will mean that the newly amalgamated body—which is permissible under the Friendly Societies Act—would not be able to operate under the Pharmacy Act. Obviously, this is a sensible amendment.

In his second reading speech, the Minister stated that the Perth and Fremantle friendly societies desired the amalgamation. I assume all parties involved are agreeable to the amalgamation, and our support is based on that assumption. At the moment, there is one general manager for the two societies, but to comply with the Pharmacy Act they have been indulging in what has been described to me as "administrative humbug" by having two boards, one for each society, and having two sets of books, balance sheets and so on. The amalgamation provided for

in the Bill will enable the friendly societies to have only one board and one set of books, which will improve administrative procedures and eliminate this unnecessary duplication.

However, I do not think the Bill goes far enough. The Minister was at pains to make the following statement in his second reading speech—

There are further prohibitions against opening additional shops or changing the location of existing shops.

The effect of the change proposed by this Bill relates solely to the amalgamation of management. It will not remove the other restrictions which have been mentioned . . .

I think it is about time the restrictions were lifted. This Government ostensibly supports private enterprise, and competition between private business people; yet it refuses to allow the friendly societies to place shops in areas where obviously they are needed.

I represent an area containing 86 000 electors—not people, but electors. From that, it can be seen there are probably some 200 000 people in my area. However, there is not one friendly society chemist.

Therefore members of the societies—my constituents—who live in High Wycombe, Balga, Greenmount, or Midland, are forced to travel into Perth or to one of the other shops; I think that is quite ridiculous. I cannot understand why we do not allow the friendly societies to expand and establish shops in areas which will better service their members. They have something like 40 000 families on their books which would represent about 150 000 people. So, as I said, the time is overdue for these restrictions to be lifted. They were lifted in South Australia some years ago and I do not know of any evidence of any adverse effect on the private chemists in that State. In fact, the effects have been negligible because the population is able to carry both systems.

With the reservation that the Bill does not go far enough, those on this side of the House support the two amendments it contains.

**THE HON. R. H. C. STUBBS** (South-East) [4.52 p.m.]: I have not as yet spoken this session and therefore it is appropriate that I offer you, Sir, my congratulations on your election to the position you occupy. I am sure you will do justice to that high office.

I also wish to congratulate the Leader of the House (the Hon. Graham MacKinnon) on his obtaining that leadership; the Hon. David Wordsworth on his obtaining ministerial rank; the

Hon. R. Hetherington on being elected Deputy Leader of our party; the Hon. Vic Ferry on being elected Chairman of Committees; his deputies (the Hon. John Williams, the Hon. Don Cooley, and the Hon. Tom Knight); and the Government Whip (Gordon Masters). Of course our leader has retained his title as has our Whip, so I do not have to congratulate them.

History is being made in this 29th Parliament because we have 32 members in this House for the first time, and 55 in the Legislative Assembly. Therefore, whether we like it or not we are part of history in the making.

Of course, none of that has anything to do with the Pharmacy Act Amendment Bill with which I am sure you would like me to deal straightaway, Mr President. The Hon. Lyla Elliott has raised several points with which I agree. My few words on the Bill will concern my electorate in the country as well as many other country electorates. As far as I can understand the situation, pharmacists have a closed shop. It does not matter how many degrees a person has obtained in another country or how highly qualified he is; he must still pass an examination here before he can practise. That situation differs very much from the situation overseas and in other professions here.

For instance, I have been indirectly responsible for nine doctors coming to Western Australia in the past few years to serve in country areas. Their qualifications were recognised here. I have also been responsible for a couple of dentists coming here from overseas, and the situation was the same with them. However, it is not so with the pharmacists. For some time I have been trying to convince the various Ministers of the disabilities which affect country areas.

Let us consider Norseman, a mining town. It is a pretty large community, and as members are aware serious accidents can occur in mining towns. Although Norseman has a shop which used to be a chemist shop and it stocks many essential items people require, many residents must send their prescriptions to Esperance or Kalgoorlie. The Norseman District Hospital does help out to a degree I admit, but many people send their prescriptions away.

I have endeavoured to induce chemists to come to Norseman, but I have been told that even if I could guarantee a chemist \$500 a week no-one would come because chemists are just not available. I think this is wrong because if overseas qualifications are recognised for dentists, doctors, and veterinary surgeons, they should be recognised in respect of pharmacists.

The Bill makes provision for a person to be able to practise as a pharmacist at the age of 18 years instead of the present 21 years, and I think that is very good. After all, a few years ago we reduced the age of responsibility from 21 years to 18 years.

I do not think I can say very much else because the Hon. Lyla Elliott has already said it; but I did want to draw the attention of the Minister to the situation which exists in country areas in the hope that overseas chemists will be attracted to the State. Of course they must have the appropriate qualifications; I do not intend that the standards should be lowered. However, members of other professions are able to come from overseas and practise, so why should not the same apply to chemists?

With those few words I support the Bill.

**THE HON. N. E. BAXTER** (Central) [4.57 p.m.]: I support the Bill. I believe that today a qualified person of 18 years should be permitted to practise.

In respect of the friendly societies chemist shops, they were established with the idea of giving service to members of friendly societies, but many people, who are not members of friendly societies but are complete outsiders, go to these shops and obtain discounts.

The Hon. D. W. Cooley: They must produce a card before they can obtain a discount. They are very strict about that.

The Hon. N. E. BAXTER: This is where the system has fallen down. If the friendly societies wish to expand, why do they not open shops in the country?

The Hon. Lyla Elliott: You won't let them.

The Hon. N. E. BAXTER: Mr Stubbs spoke about the situation in country areas. It is not really a simple matter of persuading a chemist from overseas to establish a chemist shop. It is a matter of dollars and cents and of making a profit.

When I was in Beverley from 1951 to 1955 the chemist shop there was the best business in the town bar none—hotels and all thrown in. In those days in country areas the chemist shop could be the smallest premises, but do the best business. However, the situation has altered to a great degree today because the dispensing of medicine is not a paying proposition. To make a living the chemist must sell all sorts of goods, in competition with other shops.

The Hon. R. H. C. Stubbs: Even footballs.

The Hon. N. E. BAXTER: I agree. I remember that a year or two ago I introduced a Bill to

control the sale of goods in chemist shops. It was a pretty broad Bill and gave a chemist the right to sell anything he had sold before.

The prevailing situation is responsible for the lack of chemists in some country areas. Even if any pharmacist could be persuaded to study the potential in a town, he would realise the business situation and turn his back on the town because he would know he could not obtain a living.

In a town in my province a chemist, who is very old, has been trying to sell out for several years, but cannot get a taker.

The Hon. R. H. C. Stubbs: Why don't the shires subsidise the chemist the same as they do the doctor?

The Hon. N. E. BAXTER: A chemist would have to be subsidised to the tune of \$20 000 to \$30 000. It sounds all right; but I do not think the shires would be happy about this sort of thing.

The situation of a doctor is a different matter altogether. The proposition of subsidising a chemist who supplies a limited amount of medicines on a prescription basis in some of the smaller towns is simply not acceptable.

I just wish to make a few remarks in this regard, Mr President. The proposal of the friendly societies amalgamation and administration was suggested to me in the latter part of my term as Minister for Health. It has been considered and agreed to by the Government. I support the Bill.

**THE HON. D. W. COOLEY** (North-East Metropolitan) [5.01 p.m.]: I rise to support this Bill and to refute some of the suggestions that were made by the Hon. Norman Baxter. Two of the remarks he made in his address were completely erroneous. The first is that anyone can obtain medicine at a discount rate from a friendly societies dispensary. That is not correct. I have been a member of a friendly society for the greater part of my life. In fact, since I was eight years old I have had cause to have a very close association with the dispensaries, as they were previously called, and with which we are dealing.

When I am obliged to have medicine prescribed from time to time, I go to a friendly society chemist, the dispenser of which is a personal friend of mine. He has a female assistant who arranges the prescriptions and works alongside him. On every occasion I visit the shop he or his assistant asks me for my card. They will never prescribe medicine for me unless I produce my card, despite the fact that they both know of my association with the friendly society. He will never give me any goods in that shop until I produce my card to prove I am a member.

The Hon. W. R. Withers: We would trust you in this House, though.

The Hon. D. W. COOLEY: Therefore, it is completely wrong to say that anybody can obtain goods without producing identification.

The suggestion that the friendly societies should extend their franchise in the country is another matter on which I wish to comment, because I believe the Labor Party made very strenuous efforts to have the friendly societies extended.

The Hon. G. C. MacKinnon: What you are saying is total and absolute rubbish.

The Hon. D. W. COOLEY: The Minister always says that.

The Hon. G. C. MacKinnon: It is absolute rubbish, I am sorry, because we have one of those shops in Bunbury and anybody can walk in and buy anything.

The Hon. D. W. COOLEY: The Hon. Norman Baxter said the friendly societies should have their franchise extended to other country areas. I am saying that the Labor Party endeavoured to have the friendly societies' franchise extended so they could operate further in the country. The Government in this State refused to allow that; and the suggestion was blocked in this very House.

The Hon. G. C. MacKinnon: That is right; when I was Minister for Health.

The Hon. D. W. COOLEY: That suggestion was blocked, despite the fact that the friendly societies give considerable benefits to their members and many members who obtain those benefits have to travel many miles in order to do so. I do not believe that credence should be given to the remark made by the Hon. Norman Baxter. The honourable member should know better, because he has been Minister for Health and this matter has come under his jurisdiction.

It would please members on this side of the Chamber if this Bill provided for the extension of friendly societies' services into other areas. The Hon. G. C. MacKinnon says that is not correct. However, I know very well where the friendly societies are established. The State Government would not allow them to operate in the country areas. The point I wish to make is it is not a free and easy situation, and people cannot obtain medicines or other goods in a friendly societies chemist without showing proof of their membership.

**THE HON. D. J. WORDSWORTH** (South—Minister for Transport) [5.05 p.m.]: I thank members for their addresses. The Hon.

Lyla Elliott drew attention to the fact that section 22 should perhaps be amended and I shall attend to that in the Committee stage, because I think the honourable member is probably correct.

The honourable member said also that she presumed the friendly societies were agreeable to this. I believe she underestimates the political lobbying of those particular associations because they have never failed to get their message across. On page 5 of the Minister's second reading speech he says—

If at some future time another society expressed a wish to amalgamate, it could do so, but this would be a matter for the society concerned to decide.

Therefore, I think it can be assumed from that that this is an entirely voluntary situation.

I do not wish to extend the debate to how many friendly societies we should have, because that is not covered by the Bill. Neither the locations of the friendly societies pharmacies nor who should be allowed to trade in them are covered in the Bill.

The Hon. D. W. Cooley: Or how people obtain their goods.

The Hon. D. J. WORDSWORTH: I can only remark that my wife came home with one of the friendly societies chemist cards which she obtained very easily. However, that is not contained in the Bill and I will confine my remarks to it. I thank members for their support.

Question put and passed.

Bill read a second time.

### *In Committee*

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. D. J. Wordsworth (Minister for Transport) in charge of the Bill.

Clauses 1 to 3 put and passed.

New clause 3—

The Hon. D. J. WORDSWORTH: I move—

Page 2—Insert after clause 2 the following new clause to stand as clause 3—

Paragraph (a) of subsection (1) of section 22 of the principal Act is amended by deleting the words "twenty-one" and substituting the word "eighteen".

New clause put and passed.

Title put and passed.

Bill reported with an amendment.

# **MINE WORKERS' RELIEF ACT AMENDMENT BILL**

## *Second Reading*

Debate resumed from the 4th October.

**THE HON. R. T. LEESON** (South-East) [5.10 p.m.]: This Act was first enacted in 1932 to assist mineworkers who contracted silicosis, by entitling them to a small pension. Prior to 1932 there was a voluntary system whereby mineworkers could contribute, and subsequently if they contracted silicosis they would be entitled to some sort of small benefit.

In 1932 it was made law in Western Australia that mineworkers, employers, and the State Government contribute to a fund to supplement silicotic miners. At that time the sum of \$4 per week was laid down as the pension payable to these people, and in 1977 the sum of \$4 still remains.

It amounts to this: After a worker has contracted silicosis and has exhausted the payments made through workers' compensation, he becomes eligible for a Mine Workers' Relief Act payment of \$4 per week.

We, on this side of the House, believe that this particular Act is out of date. I understand that recently the board has been looking at the situation and has made recommendations to the Government that this particular Act be terminated. There is a problem as far as the people who are at present being paid benefits under this Act are concerned. We believe a new system should be introduced whereby they would come under a pension entitlement the amount of which should be far greater than the amount they are receiving today.

The cold hard facts are that prior to 1932 when the voluntary system of payment came into being, the workers were paid far less than \$4 per week and at the present time this situation still prevails. For instance, the cheques are mailed either to widows or miners who are still alive. I understand on one occasion a person received 18c per week in compensation and the cheque was sent out in an envelope with an 18c stamp on it. Some other workers are receiving \$1 per week in compensation at the present time. In this day and age I believe it is a ridiculous situation which is allowed to prevail.

I believe all parties, including the Government, realise that certain actions should be taken to remove these anomalies. I understand at the present time the fund is holding something like \$1.5 million. It is becoming embarrassed by this money, because the receipts far outweigh the

expenditure. As time goes by the number of people who receive these benefits is dwindling.

The Bill goes further, Mr President. It is complementary to a Bill which passed through this House last year. That was the Mines Regulation Act Amendment Bill. It categorises all mineworkers who must be examined on a compulsory basis—that is a compulsory chest X-ray—throughout their working lives.

At the present time anyone, who is working in a place which comes under the definition of a mine in the Act, has to undergo a compulsory chest X-ray every two years. Last year when the Mines Regulation Act was amended it was agreed that the need for a compulsory chest X-ray every two years for certain categories of workers could be relaxed.

I understand that the Australian Workers' Union, the principal union involved in this industry, agreed to go along with the idea. However, I do not think the union has had a good look at the position. Had that Bill been before the House at the present time, the union might have different ideas.

I understand that the Minister in another place made certain comments in the second reading debate, when queries were raised as to the various categories of mines. It was pointed out that "A"-class mines included all underground workings and certain other workings. The people engaged in these mines will have to be X-rayed every two years, as has been the past practice.

Then there is the "B" category of mine which I understand includes the iron ore industry. Although that is not spelt out in the Bill, I have been told that iron ore workers will be included under the "B"-class mines. The workers in mines of this category will have to undergo chest X-rays every five years.

In the case of "C"-class mines, the workers will not need to undergo chest X-ray examinations. No doubt, the workers are entitled to undergo private X-ray examinations if they so desire.

The Bill contains certain anomalies. Class "C" mines, in which the workers will not be required to undergo X-ray chest examinations, include pellet plants. I do not know a great deal about the iron ore industry, although I have been to the north of the State a couple of times. I understand there is one, and possibly there are two pellet plants operating in the iron ore industry, and that they are located in the middle of the iron ore complex. I have visited the one in the Robe River area. I cannot understand why the workers in that pellet plant should be excluded from the need to undergo compulsory chest X-ray examinations

every five years, when the people working outside in the industry have to undergo such X-ray examinations. In my view the pellet plants would have more dust in them than the places outside where the workers are required to undergo such examination.

Regarding smelters and refineries which are included in class "C" mines, I understand there is a refinery at Kwinana and a smelter at Kalgoorlie. I am not keen to see these operations included in class "C" mines, because they are dusty places in which to work, and far more dusty than some of the working areas outside.

I mentioned earlier that the Minister was having a look at the anomalies which exist. Had the Mines Regulation Act Amendment Bill not been dealt with last year I certainly would be opposing this provision in the Bill, but it seems to me that it would be a waste of time to raise such opposition now, because this legislation is complementary to legislation which has already been passed.

The Act provides that a worker who contracts silicosis or asbestosis will receive a letter from the Minister notifying him about his condition, and advising him that should he continue to work in the industry his health could be placed in jeopardy. I have seen some of these letters; I saw the one my father received not long before he died. I understand this matter was raised in another place when the Bill was being dealt with there. I do not think these letters of advice from the Minister are strong enough.

When a worker in the industry receives such a letter it does not mean that he has to get out of the industry; the letter merely advises him that he is suffering from the disease and it would be better if he left the industry. I think more emphasis should be placed on the condition of the worker, and that a far stronger letter should be sent out to these people so that they will understand the implications fully.

Referring again to the classification of mines, in this day and age we should be very careful about the mines we include in the various categories. I have a number of friends who formerly worked in the blue asbestos mine at Wittenoom. Only the other day I was talking to one of them. He told me it was back in 1963 that he was assured that all the fibres he used to inhale into his mouth in the course of his work were good for his health; that was only 14 years ago.

Today we know what asbestos fibres will do to the health of the people who inhale the fibres. The effects are just being discovered, because I

understand it takes several years before the disease becomes evident.

Under the Bill it is proposed to take out of "A" category mines all pellet plants and sinter plants, because it is contended that no harm will be caused to the workers engaged in these operations. It is proposed that the workers should not be required to undergo chest X-ray examinations to determine their state of health. As the workers in the mining industry have been required to undergo chest X-rays for many years, I do not think we should relax the requirement in this instance.

However, the Bill is complementary to the Mines Regulation Act Amendment Bill which has been passed, so there is not much we can do at this stage. I understand the Minister is looking at other ways to introduce a pension scheme. I hope it turns out to be a far better scheme than the one which prevails at the present time. When one takes into account the fact that cheques for 18c to a maximum of \$4 per week are sent out to people, one sees how ridiculous is the situation. I hope it will be possible for the Government to come up with a scheme to pay compensation to these people, and start off with the money which is in the kitty at the present time—a sum of about \$1.5 million. It is not an insignificant amount to start such a scheme.

In this respect we are looking to a scheme like that applying to the Collie coalminers. I think the workers in the goldmines and other categories of mines will welcome a scheme similar to the one which applies to the Collie mineworkers. I think they deserve such a scheme. I hope that in the not-too-distant future we will be able to introduce a scheme which is acceptable to everyone in the mining industry. With those comments, I support the Bill.

**THE HON. R. H. C. STUBBS (South-East)**  
[5.25 p.m.]: I wish to make a few comments on the Bill. As the Minister has pointed out, legislation was passed in 1974 to amend the Mines Regulation Act to bring the medical examination requirements for mineworkers under the one Act.

In the past it was the practice for a person who entered the mining industry to obtain an initial certificate from the Government Laboratory in Kalgoorlie or from a mobile X-ray unit to allow him to enter the mining industry. If a person was working in a remote area which the mobile X-ray unit would not be serving for some time, he could enter the industry on the production of a doctor's certificate, until such time as the mobile unit came to the area.

I am not particularly happy with this amending Bill. Mr Leeson has dealt with some aspects of the history behind this legislation. He told us it was a voluntary scheme that applied under the Act which was passed on the 15th February, 1915; it was a voluntary type of legislation. Unfortunately the contributions were paid mostly by the workers in Kalgoorlie, because in those days although there were mines all over the Murchison communications were not very good. There were several unions looking after the workers in the industry; there was the northern mining union, the Murchison mining union, and the Coolgardie mining union. It was not an amalgamated effort which would enable the unions to put their best foot forward to obtain the best possible pension payments for their workers.

The compulsory Act was passed in 1932, and it has been amended on many occasions. After 21 years of operation, the Act in 1953 embraced the workers in the State batteries, and these workers were admitted under the Mine Workers' Relief Act. The number of men so admitted in that year totalled 120.

Furthermore, the workers engaged at the private crushing mills, which crushed ore for the public, were also admitted; and they numbered 26. Similarly people working in the treatment of sands and slimes were also admitted, and they totalled 100. So, the Mine Workers' Relief Act was amended in 1953 to admit all those workers.

Initially it was necessary for these workers to undergo a chest X-ray examination once a year, but later the period was extended to two years. The present contribution of an employee is \$8.40 per year. The employer contributes a similar amount, and the Government also makes a contribution.

The fund is administered by a board the chairman of which is usually the magistrate in Kalgoorlie. The committee also comprises two representatives of the Chamber of Mines, and two representatives of the AWU who are elected from the nominations submitted.

As Mr Leeson has said, in the old days a worker used to receive a letter to indicate that he had contracted silicosis in the early stages, and that if he remained in the industry it could prove to be detrimental to his health. I think I received such a letter in 1950. I took heed of the warning, but I worked for many years after that. I studied for the position of health surveyor and in due course passed the examination. At the appropriate time I got out of the industry. However, it has not been necessary for me to have a medical examination since that time, because I reached

the stage where it was considered I had contracted advanced silicosis. People would not be aware of this except when I walk up a flight of stairs or do something strenuous. If I did that I would get out of breath and there would not be enough air around.

Today I read a book which is published each year by *Encyclopaedia Britannica*. It is stated in that book that the workers in the hematite mines in England—this is a type of iron ore—contracted cancer after working 30 years, if they were still alive. It has taken all that time for the disease to become evident. This is a characteristic of asbestosis; it comes out after many years.

I also read in the same book today that many girls who used to sort asbestos have contracted asbestosis after many years. So it can be seen that in many cases these complaints become evident after many years have passed. This has been shown in the case of asbestos and hematite mining; and, therefore, I am not very happy about some of the amendments contained in the Bill.

I am aware that there is the Mines Regulation Act; and under that Act it is laid down that class "C" miners are not required to have annual examinations. I am very concerned about these people. No monitoring at all by way of annual examination or any other examination is carried out in the case of class "C" workers, and this class involves all surface mining operations, including quarries, the mining of gypsum, limestone, salt, natural sand, and gravel. I am not so concerned about those operations; however, this class also includes workers in sintering plants, and these are the ones I am worried about.

Here again, evidence is available that people who have worked in sintering plants are contracting nasal and lung cancer after 20 or 30 years. I receive a Canadian publication called *The Searcher*, which is sent to me by the steel workers of America, and covers all types of mining. It is applicable particularly to people working in the nickel industry. I wish to quote from the April, 1977, copy of this publication as follows—

I am indeed happy that our resolution for extra benefits and advancement of pensions for those who were exposed to plants known to have produced industrial diseases causing death is finally receiving attention.

It goes on to say—

Much attention is always given to the preventive aspect of industrial diseases and we wholeheartedly agree, but some attention must be given to the victims of previous tragedies and our Committee will not rest until this has become a reality.



Then it goes on to say—

When the Sintering Plant was built, Inco—

That is, International Nickel. It continues—

—had or should have had knowledge of the potential hazard of nickel oxide dusts as experienced in Whales and Mond Nickel Company later purchased by Inco. Yet they built the Sintering Plant in 1947 and in a Russian roulette way exposed some 1 200 of us to these conditions.

Today, some thirty years later, we are investigating the exposure of men who had the misfortune of working there . . . .

I have before me a further copy of *The Searcher* dated May, 1977, which again concerns the sintering plant report. I quote as follows—

One new feature of our meetings is the fact that the wives and the victims widows are now cordially invited and I am only sorry we did not do this long ago.

Then it says—

One thing that gives your committee a lot of trouble is to prove the exposure of someone who worked in the Sintering Plant twenty-five or thirty years ago when the man has passed away and cannot help us himself.

They are trying to obtain compensation for the widows at the present time. The article continues—

This is especially important for miscellaneous fitters, electricians who had limited vacations relief jobs, riggers, samplers, etc.

Some of our investigations have lasted for close to two years and all that time the widows have gone without the necessary things, not to say the essentials in life and what about the anxiety they endured at the same time.

Much of this will be avoided if what we suggest is done.

In that country there is now a programme under which people who have previously worked in sintering plants have regular sputum tests and X-rays, and this programme is detecting quite a lot of lung cancer today. The article then goes on to describe a worker, whose name I will not divulge, as follows—

He had been coughing for some time and his doctor lately discovered he had a lung problem.

Most of you will remember that this man was for some time suffering from sinus

cancer and had his left eye removed in an operation and was recovering very well from this.

That man had been working in a sintering plant. The article then describes another worker who spent all his working life in the industry, and worked for 14 years in a sintering plant. Although he has never smoked in his life, he has now contracted a bad case of asthma.

On the opposite page there appears a photograph of Dr Joan McEwan of the Environmental Health Branch of the Department of Labour of Canada. The caption says that she spoke at a well-attended sintering plant meeting called to prepare X-ray and sputum citology tests for former sintering plant workers. So it can be seen that in Canada the authorities are doing something about this industry and are ensuring workers are examined.

The Hon. G. W. Berry: What is a sintering plant?

The Hon. R. H. C. STUBBS: It is a plant which pelletises iron ore or nickel. When these substances are smelted, they are fused into a mass; but when they go through a sintering plant they are subjected to heat which causes their elements to stick together, so that later the pellets can be put through a smelter plant for different uses, or else they can be taken to a refinery.

In a sintering plant the ore travels along an endless belt and is subjected to controlled heat, and this also has the effect of removing the sulphur content of the ore to a certain degree.

Let me now quote from the July, 1977, issue of *The Searcher*, which describes a meeting held in Toronto. It states—

It was an exploratory type meeting in which we exchanged ideas as to how we can best reach as many former Sintering Plant workers as possible.

We intend to place ads in all major circulation papers in North America appealing to all those who might have worked in the Sintering Plant to get in touch with us.

Likewise to those who know of someone who might have worked there and who has not yet contacted us, to do so as soon as possible.

If the law of averages applies here we can also expect that of the 700 or so we are seeking some 50 or so may have died of some kind of lung ailments. We are hoping we somehow will reach their next of kin so that

perhaps we can be of some assistance with compensation coverage.

The article goes on to talk about other things and it names people and hospitals, so it is obviously an authentic report. Therefore, I think this matter should be considered very closely. I know that we cannot do anything tonight, but I hope the Minister will give us an assurance that he will consider this matter deeply, because it is of such a serious nature.

Not only iron ore, but also nickel, is produced in pellet plants. Nickel is produced in various ways to suit the requirements of the customer, and one of those ways is the pellet plant. Therefore, nickel production can be regarded as being virtually in the same category as sintering.

In the case of the refining of nickel, there are different types of refining. One is what is called a vapour-metallurgy setup in which the nickel is circulated in a huge bath or atmosphere of carbon monoxide. It is circulated for months at a time, and it emerges as pure nickel. As the nickel circulates it adds to itself constantly; it can be described as obtaining an extra skin as it circulates, as an onion does, and as it increases in size it resembles a ball bearing. When each piece of nickel grows sufficiently, it is thrown out of circulation by its own weight. That is one of the methods of refining nickel, and I understand vapour-metallurgy is used here. I have never been to the refinery so I do not know from experience.

In this case if it does exist there is a dangerous situation because, after all, carbon monoxide is very deadly. If it escaped from the plant the workers would need to have only a sniff of it to endanger their lives; and over the years minute traces of carbon monoxide could affect their lungs. This is a matter of concern, and I think I have produced sufficient evidence to show this.

I intend to continue with my research into this subject and to bring the matter before Parliament at every available opportunity, because I think we are skating on very thin ice in this regard. I do not know who advises the Minister in this respect, but it seems to me his advisers have not done sufficient research, because if I can obtain the information surely they can. After all, I understand we have the best library in this field in Australia. I promise, Mr President, that I will bring this matter before the Parliament at every chance I get.

Many attempts have been made to do something for goldminers over the years, but all I can say about them is that they have been completely pathetic. In 1910 there was a miner's phthisis Royal Commission, but nothing was

done. Prior to that a special ward was added to the Coolgardie Hospital in 1905 for TB sufferers; and then later, in the 1920s, the Wooroloo Sanatorium was built to cater for sufferers of TB, including ex-miners. In fact, many of the patients of that sanatorium were miners from Kalgoorlie.

Miners suffering from tuberculosis were sent to a miners' settlement in the Moorine Rock area. The theory was that the fresh air would do them good. However, whoever conceived that theory did not realise that these turned-down miners did not have sufficient physical strength to carry out the work of farming in those days. After all, farming has never been easy, but in that era of the horse and buggy the work was exceptionally hard because everything was done physically without mechanical aids.

Since that time, Select Committees, Royal Commissions, and other inquiries have considered the matter, but all to no avail.

In 1922 the Miner's Phthisis Bill was introduced into the Parliament by the Hon. Jack Scaddan, then the Minister for Mines in the Mitchell Government. That Bill was designed to do many things, and one of its aims was to eradicate tuberculosis sufferers from the goldmines. In those days many goldminers suffered from tuberculosis. The Bill was intended to compensate them and also to get them out of the mines so that their tuberculosis could be alleviated.

The measure was nearly three years old before it was proclaimed for the simple reason that the mineowners objected to it when it was before the Parliament and also before it became an Act. They claimed that if the tuberculosis sufferers were taken out of the industry they would lose their most skilled men. These miners were highly skilled, but the fact remains they contracted tuberculosis as a result of the conditions underground. In those days it was common for miners to contract tuberculosis. Not too much was known about the disease at that time. The men were sent to Wooroloo, were fed and rested for months; and if they were lucky they came out alive.

After the Act was proclaimed, and in 1926 when it was about to come into force the Golden Horse Shoe Mine shut down rather than pay the money involved in insuring the men. The men received notice the night before the Act was to come into operation. Seven hundred men were put off at the Golden Horse Shoe Mine because the company would not pay the money and the insurance company would not take the risk. When this situation came to light it is to the credit of the

Collier Labor Government that it paid \$58 000 to establish the fund.

The Hon. Graham MacKinnon, the Hon. Norman Baxter, and the Hon. Ron Thompson will remember me speaking in this House for years and years about establishing a pension scheme for goldminers. I have asked questions about it, and I have talked about it. But I am sorry to say that nothing has been done. Yet we see such a wonderful pension scheme for coalminers.

I am also very critical of the officials of various unions who have allowed this matter to ride and have not stirred up a hornet's nest, because there was a time when such a scheme could have been afforded. From 1932 onwards, when the price of gold was rising and profits were very high, a pension scheme could have been inaugurated, but that did not happen.

I am also very critical of some of the previous Labor members representing goldfields constituencies. At various times we had 16 members in both Houses, 13 in the Legislative Assembly and three in the Legislative Council, which would have given them a fairly strong voice in the Labor Caucus. But I am sorry to say that not much happened for the miners.

I have with me a report of the superintendent of the Mine Workers' Relief Act and chairman of the Miner's Phthisis Board. I shall not read much of it but it is interesting to read the sections relating to the Miner's Phthisis Act. It is a fairly old Act now and when it was repealed many years ago the Mine Workers' Relief Act took over the responsibilities.

A few people are still receiving compensation. Last year \$6 201 was paid out in compensation and this year the figure is \$5 273. The figure will go down and down because people are growing old. The number of beneficiaries under the Act as at the 31st December, 1975, was 23 whereas the number used to be thousands. Only two ex-miners and 21 widows remain as beneficiaries.

When periodic examinations were introduced only 80 per cent of the men examined by the laboratory had normal health. Some had early silicosis, some had advanced silicosis, and some had silicosis and tuberculosis; and the tuberculosis figures were very high. Out of a total of 4 023 there were 131 with tuberculosis, 188 with advanced silicosis, and 450 with early silicosis. This trend continued for several years until conditions and ventilation in the mines improved. The position now is that the figures are very small. There is one blot, which is that when asbestosis was recognised in 1959 there was the

highest yearly recording of 33; and several recordings are still coming in every year.

I think I have said enough about this matter. I am not very happy about class "C". I hope that in future the Government will look at this problem because a reading of the trends throughout the world will surely show there is something wrong with sinter plants.

**THE HON. I. G. MEDCALF.**  
(Metropolitan—Attorney-General) [5.50 p.m.]: I think the House should be indebted to the Hon. Claude Stubbs for his contribution to this debate. I also thank Mr Leeson for his contribution.

One of the best things which can happen to a new member of the House is to have an opportunity of listening to somebody of the seniority of the Hon. Claude Stubbs who has had a great deal of experience of the subject on which he is talking. It is always a pleasure to hear somebody talk of something that he really knows about and we have heard tonight a member who really is an expert on this topic. I have also heard him talk previously on this kind of subject, so I knew that what he was going to say would be appropriate. It is indeed appropriate because the facts of history have proved him so right.

There was a time when little was known about tuberculosis, and it is only in recent years that anyone has become aware of the dangers of working in asbestos mines. I should not dream of trying to add anything to what Mr Stubbs has said, but I am trying to illustrate the truth of his remarks.

In the early days of mining at Wittenoom nobody knew that the miners would be facing risks in later life. This applies also to other asbestos mines. Not so long ago silicosis was an unknown disease.

I have also had the privilege, as have other members of my vintage, of hearing the late Dr Gordon Hislop talk about silicosis. He was a former member for the Metropolitan Province and was also a very distinguished physician. In fact he was one of those in the medical world who contributed more than anybody else to the discovery of the disease and obtained some compensation for those who suffered from it, who in previous years have been completely neglected, and whose disease had not been recognised—certainly not recognised as having been caused by their employment.

A question was raised with regard to the letter which is received by miners. This is simply a notification—a kind of early warning system—to the employee that he has contracted silicosis or asbestosis. This early warning notice entitles him

to register and to continue to pay into the fund although he might not continue to be employed in the industry. He can continue in the industry if he feels he wants to and he feels capable of it. It is only an early warning but it indicates that there is a shadow on the X-ray which shows that he has contracted this disease which in later life could be very damaging, could seriously impair his health, and could shorten his life expectancy. It is a very serious matter, but it is pleasing to note that with the increasing technology employed in medicine these things are now being recognised.

The Hon. Claude Stubbs and the Hon. R. T. Leeson raised the question of pellet plants or sinter plants being classified in class "C". Persons who work in class "C" mines, which include sinter plants and pellet plants, do not have to have any medical examination, unlike those employed in class "A" or class "B" mines. It could well be that the points which have been raised are very worthy of consideration. I am not in a position to comment and I do not believe the Minister in another place was in a position to comment when this question was raised there.

Members who have read the *Hansard* report of proceedings in another place will recall that a letter from the Australian Workers' Union dated the 8th September was read out. I have read that letter, and attached to it was a letter from Mr Ross Linton, a representative in Dampier, who outlined some of the problems in the pellet plants. I understand the Minister is having that letter investigated and is examining this question. I shall most certainly draw to his attention the comments which have been made by honourable members in this House, particularly the quotations made by the Hon. Claude Stubbs from experience in Canada and other places.

I shall most certainly see that those matters are drawn to the attention of the Minister so that a reply can be given but, more importantly, so that medical authorities can further examine the question of pellet plants and sinter plants in case they need to be reclassified. Of course, I do not have any idea whether they should be and am not in a position to comment, but I shall draw the comments to the attention of the Minister. I thank honourable members for their contributions.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. I. G. Medcalf (Attorney-General) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: Section 8 amended—

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

Page 3, lines 30 to 32 inclusive—Delete subparagraph (ii) of paragraph (a) and substitute the following—

(ii) by adding after the word "symptoms" in line four the words "or evidence";.

This amendment will fulfil an undertaking given by the Minister in another place when his attention was drawn to the fact that it was desirable to include both symptoms and evidence. The object of the exercise is to give maximum protection to anyone showing signs or symptoms of any of these diseases, in addition to simply producing evidence which was originally contained in the Bill.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 7 to 19 put and passed.

Title put and passed.

Bill reported with an amendment.

*Sitting suspended from 6.02 to 7.30 p.m.*

### CLOTHES AND FABRICS (LABELLING) ACT AMENDMENT BILL

#### *Second Reading*

Debate resumed from the 5th October.

THE HON. D. W. COOLEY (North-East Metropolitan) [7.30 p.m.]: Mr President, the Act which this Bill seeks to amend was introduced by the Tonkin Government in 1973. That Act requires articles of clothing to be labelled with details of various requirements including flammability, safety, protective purposes, and the suitability of the clothing for washing and ironing, etc.

The Bill amends the Act so that certain clothing which does not comply with those requirements and does not conform with the requirements of the Standards Association regarding flammability will be prohibited from sale after a certain date.

Of course, with the publicity which has been given to this particular piece of legislation and the public debate that has ensued in respect of the flammability of clothing, the Opposition would not have any hesitation in supporting the Bill in principle, because we understand a certain

number of people, including small children, have been severely burnt as a consequence of this inferior material. It has a burning time of 10 seconds, according to the Minister's second reading speech.

We understand from the Minister's second reading speech that the Ministers for Consumer Affairs throughout the nation have met and have agreed to the Standards Association recommendation with respect to this matter.

There is one part of the Bill which we do not support in full and it is that part of clause 5 which allows for the sale of material, which does not comply with these standards, for a period of six months after the Bill has been proclaimed. I see from the notice paper that the Minister intends to amend this part of the Bill. We believe that this will improve the situation a little and is better than the original proposal contained in the Bill.

If I may be permitted to venture a comment, the amendment provides for the cut-off date to be not later than six months from the date of proclamation, whereas the Bill provides that the cut-off date shall be not earlier than six months after the date of proclamation.

We are concerned that the Bill in its present form still allows for a grace period for the sale of this burning material to continue. Therefore, the flammable articles will be on sale during this grace period. It allows a period of time during which shopkeepers and retailers may clear their stocks. I should imagine that during the grace period until the time that the Government announces the date from which the sale of these materials will be prohibited retailers will clear their stocks regardless of cost. I should imagine there will be some sort of a sale in respect of this material. In any case, this type of material will be cleared even if it is sold at a loss. The retailers would find it more profitable to quit this material than to be left with it on their shelves after it has been prohibited. In that regard I believe it is a rather dangerous situation.

A short time ago a lady appeared in the television programme "This Day Tonight". The lady was Sister Rice who is the assistant matron of the Princess Margaret Hospital. For some considerable period of time she has been the sister in charge of the children's burns ward at that hospital. Last week she informed me that since the 1st January, 1975, there has been no fewer than 49 children admitted to the Princess Margaret Hospital with burns which resulted from clothing catching fire. Goodness knows how many children have been treated in a private capacity since that time.

Let us allow for the number which have been treated at the Princess Margaret Hospital.

The Hon. G. W. Berry: They were serious cases, were they?

The Hon. D. W. COOLEY: I assume they would be serious cases. It is immaterial whether or not they are serious. Any burn is a matter of some concern.

I have seen cases where children have received second degree burns and it is very distressing. A number of hospital authorities are concerned that if this situation is allowed to continue and the material is sold during this grace period there will be more children burnt as a result. If my statistics are correct, with 49 children having received burns since the 1st January, 1975, 1.44 cases per month are admitted to the Princess Margaret Hospital. Therefore, we can assume that some eight to nine children will be admitted to the Princess Margaret Hospital suffering from burns as a result of flammable clothing if this six months' grace period is allowed.

What do we have most regard for? Do we have most regard for the pain and suffering that is caused to these children, or do we have most regard for the profits or the stocks of the people who are merchandising this material?

It was our intention to move an amendment to this Bill. I was on the point of submitting an amendment on the last sitting day, but I was assured the Government would be bringing in an amendment which might meet the position. I am afraid that it does not meet the position at all. There is still this grace period during which the children of our State could suffer from burns.

When we come to clause 5 of the Bill during the Committee stage I intend to pose some questions to the Minister in regard to this matter and if he can satisfactorily answer those questions in reply to the second reading debate, perhaps we will be satisfied. If the Minister can say there is something in the mind of the Government which might alleviate the suffering that will be caused to these children during this grace period we, on this side of the House, may be satisfied.

Sister Rice has informed me that the sale of these products has been banned for a long period of time in other countries.

The Hon. D. J. Wordsworth: What products is she referring to?

The Hon. D. W. COOLEY: She is referring to these flammable materials which are on sale at the present time; the materials which the Minister referred to in his second reading speech; the materials which have a burning time of less than

10 seconds. That is what we are talking about; the flammable materials which have been prohibited as a result of the Ministers for Consumer Affairs conference. The Ministers prohibited these materials after they had considered recommendations made by the Australian Standards Association.

The Hon. D. J. Wordsworth: How many of those 49 accidents you referred to come from those sorts of materials?

The Hon. D. W. COOLEY: I would like to inform the Minister that I do not care if only one child had been burnt. If we were able to save one child from suffering a burn as a result of those materials it would certainly offset any advantages that might be gained from people being allowed to keep these products on their shelves.

This is a House of Review and perhaps this aspect was not brought to light in the other place. We must look at whether we should allow the sale of these products to continue during the time that the grace period is allowed.

As I indicated before the Minister interjected, these materials which the Standards Association referred to and which the Ministers for Consumer Affairs agreed should be prohibited, have been banned in other countries for a considerable period of time. I believe we should give this matter serious consideration. I know the hospital authorities are very concerned about it. Sister Rice, who is a lady of considerable experience in this field, has indicated she would like to see these materials banned forthwith.

The amendment that was moved in another place did ask that these materials be banned immediately. It would be quite simple to do this by deleting the following words from clause 5—

... being a date not earlier than six months after the publication of the proclamation in the *Government Gazette*...

The clause would then read—

Where a minimum surface burning time is prescribed in respect of any particular kind of article the Governor may, from time to time, by proclamation fix a date as the date on and after which the provisions of subsection (4) of this section shall have effect in relation to articles of that kind,

I believe we should remove the reference to "six months". It would be a humane act on the part of this Chamber if we amended clause 5 in the manner proposed in another place.

On those grounds, Mr President, we hope that some consideration will be given in the

Committee stages to allowing such an amendment.

**THE HON. M. McALEER** (Upper West) [7.45 p.m.]: Mr President, I support this Bill. It is a further real step though not a very big one, towards the prevention of burning accidents among children.

The standards which the legislation is seeking to incorporate deal with design and measurement as well as the combustibility of the fabrics used in clothing. It has to deal with the classification relating to the fire hazard of those nightclothes and the classifications apply to pyjamas, dressing gowns, and sleeping bags which are used by babies. These are, in the main, measures to prevent the sort of accidents that occur from open fires and radiators on the ground.

When I say this is a small step I am not reflecting on the detailed work which was done to establish these standards and to establish tests of flammability in fabrics and clothes. However, it is still a small step because from the statistics it seems the majority of burning accidents amongst children are due to scalds rather than to accidents from flammable clothes. The majority of accidents appear to occur in the daytime.

I know that Mr Cooley stated the statistics given to him by Sister Rice from the Royal Perth Hospital and the Princess Margaret Hospital for Children, and I will refer to those statistics also.

In 1976 there were 17 patients treated at Princess Margaret Hospital because of accidents caused by fire to clothing, and I think five or six of these involved nightwear. So these cases make up a rather small proportion of the total number involved in burning accidents. Burning accidents involving clothing were mainly caused by children playing with matches, and more particularly by children throwing flammable liquids such as kerosene. The trouble is that the statistics are not very comprehensive. The Princess Margaret Hospital keeps statistics for in-patients and these relate to the more seriously burnt children. Probably some children who are burnt are taken to other hospitals, but the majority would go to the Princess Margaret Hospital.

These statistics do not take into account children treated at the hospital as out-patients, or children treated by private practitioners. I realise, however, that the statistics refer to the most serious and acute cases and, as Mr Cooley said, these would be very painful injuries and important as far as the patients are concerned. It is very difficult to know what further measures we should take.

Mr Cooley referred to the length of time which

the retailers will be allowed before the legislation is enforced. One cannot really expect the retailers to bear the costs of this legislation without some sort of warning.

As I understand it, only two types of material are presently under fire; perhaps that is a rather bad pun in the circumstances! These materials are chenille and molleton, and these fabrics are used frequently for children's dressing gowns.

The Hon. D. J. Wordsworth: Could you describe that material for a male please?

The Hon. M. McALEER: The Minister is putting me in an awkward position. I understand that these materials have a high pile.

The Hon. D. J. Wordsworth: It is fluffed up?

The Hon. M. McALEER: Yes.

The Hon. D. K. Dans: It burns extremely well.

The Hon. M. McALEER: I believe because of the lack of sufficient statistics the Princess Margaret Hospital, in conjunction with the National Safety Council, is about to issue a questionnaire. These documents will be forwarded to parents of the patients treated at the Princess Margaret Hospital—mainly in-patients—and it will ask for details of the cause of the accident and the time at which it occurred, amongst other things.

It is also intended to place an advertisement in the Press to ask parents of children who have suffered from burns and who were treated privately to contact these organisations.

I believe this problem is well worth legislating for but we can see that we are dealing with only a very small segment of the whole matter when we deal with nightclothes. It seems rather strange that we should leave the gathering of statistics to amateurs, although perhaps that is not the right description of these bodies. It will be difficult to collect accurate statistics in this way, and if we are serious in our desires to overcome the problem, more thought should be given to the gathering of statistics on the whole question of burning accidents sustained by children. As it stands, I support the legislation.

**THE HON. R. H. C. STUBBS** (South-East) [7.51 p.m.]: I wish to say a few words on the Clothes and Fabrics (Labelling) Act Amendment Bill of 1977. When the Minister introduced this Bill he said that the legislation enacted in this State in 1973 provided for children's nightclothes made of artificial material to be marked or labelled according to flammability, suitability for methods of laundering, and as to size. Uniform legislation in this regard was adopted by all States

to incorporate the standards set down by the Standards Association of Australia.

The State Ministers for Labour met in July, 1973, and it was agreed that all States would introduce legislation to operate as from the 1st January, 1974, to control children's nightclothes in regard to flammability. That legislation was introduced by the Minister for Labour and Industry in another place, but in the Cabinet I certainly had my say about it.

The Hon. G. C. MacKinnon: It was always a special hobbyhorse of yours.

The Hon. R. H. C. STUBBS: It certainly was.

The Hon. R. Thompson: Hardly a hobbyhorse, this was a constructive piece of legislation.

The Hon. G. C. MacKinnon: Yes, but also a hobbyhorse.

The Hon. R. H. C. STUBBS: I have always had an interest in this matter. In 1975 I asked a question about the number of children burnt in this way, and the Minister replied to my question as follows—

There is no information available regarding the causes.

In his reply the Minister then set out the number of burns victims over the various years and these figures were as follows—

1960	19
1961	17
1962	17
1963	16
1964	16

I had a reason for taking a particular interest in this matter, and on the 10th August, 1966, amongst other things, I had this to say—

I am merely trying to show that I have an interest in the subject, I have done a lot of research into the matter and I came to take an interest in this subject because of a little girl who died as a result of being badly burned. She came from the town in which I lived. The Minister for Local Government will know to whom I refer. I got to thinking about the matter and I made inquiries about inflammable clothes, and so on. As I will show later, I have carried out a great deal of research into this matter.

At that particular time I produced all sorts of material to the Parliament. I had purchased this material in small pieces, and I demonstrated their flammability in my office.

This little girl who started the train of thought in my mind was approximately four or five years old at the time of her death. She came from my

home town, and the accident occurred when she was standing too close to a stove. She was wearing a nightdress at the time, and it caught fire. She was flown to the Royal Perth Hospital, where she died. As I was a friend of the family, I was asked to identify the child. It hit me very hard to see a little child burnt like that, and I then took a tremendous interest in this matter. I sent all over the world for information, and continually I brought the matter up in the Parliament.

We came to power in 1971, and I hounded my colleagues in Cabinet in 1973. The result of this hounding was the 1973 Act. It was not all we wanted, but I was very happy to see some legislation on the Statute book because once something is on the Statute book it can always be amended. If amendments are knocked back, one can always start again. I know I have a little bit of an "I-told-you-so" attitude, but this matter has been close to my heart for many years. Therefore, I support the amendment to the Act.

**THE HON. W. M. PIESSE** (Lower Central) [7.56 p.m.]: I do not have the statistics relating to this matter, but I have had the personal experience of nursing children who have been burnt. I support the Hon. Margaret McAleer in her remarks that this is but a very small piece of legislation in view of what is required if we are really earnest about preserving people from burns accidents—particularly children, but adults also.

I do not believe this legislation goes quite far enough. It is one thing to legislate against children's nightwear being of a flammable nature but, as the Hon. Margaret McAleer said, many burns accidents occur in the daytime and they are not always caused by children's clothing. Frequently accidents occur when children play with matches, and when they stand close to open fires and to many other things. In this State we have a great deal of flammable furnishings. Once these furnishings catch fire, it is very difficult to remove children from the danger area.

I have made some inquiries to find out about regulations relating to furnishings in this State and I find that no definite guidelines are laid down. It is my own belief that some of the tragedies in hotels and public places which have been reported in the Press over the past 12 to 18 months could have been prevented if the furnishings had been of a less flammable nature.

When one is examining legislation such as this, one must look to see how possible and probable it is that the laws we introduce can be upheld. Of course, there is no problem in this State because we have a fabric of our very own in the form of wool. If only more wool were used there would be

less danger of burnings. Wool being such a versatile fabric, it can be used for the finest baby clothes to the most hard-wearing floor coverings. It has a very low burning capacity, as members know, and it always gives a warning long before a fire gets out of hand.

I know the responsibility to prevent accidents lies to some extent with parents and with the owners of properties, but I believe also that we must consider legislation to cover all flammable fabrics in children's clothing, furnishings, and floor coverings.

I would like to congratulate the Australian Standards Association on this little pamphlet it has produced relative to garments which cling closely to a child's body. Such garments do not flap around and are more difficult to ignite. However, the crux of the whole matter lies in the fabric. I support the Bill, but I think we must consider more far-reaching legislation.

**THE HON. R. THOMPSON** (South Metropolitan) [8.00 p.m.]: Mr President, I support this Bill with some reservations. However, I do not believe it goes far enough. Before I proceed to discuss what I consider to be its major shortcoming, I should like to compliment the Hon. Claude Stubbs on his activity in this area. He was the person who first raised this issue which now has been adopted Australia-wide. In fact, other States have enacted more stringent legislation than the Bill which now is before us.

The Hon. Claude Stubbs first raised the matter in 1965, and I well remember him taking it to Cabinet in 1973. He became virtually an authority on flammable materials. We owe a debt of gratitude to the Hon. Claude Stubbs for his work in this area.

Clause 5 seeks to give merchants six months after the date of proclamation in which to remove from sale any prescribed clothing. I can well imagine what will happen to the surplus garments which cannot be sold over the counter; we will find they will appear in bazaars, trash and treasure sales, and swapmeets. I frequently attend such sales, and one often sees products which have lost their reputation on the market being openly sold at the various stalls. This is no reflection on the people running these sales, because the individual sellers buy up the various commodities cheaply and then flog them off to the public at a discount price. I believe this is where the surplus garments will gravitate, and we should prevent this from happening.

I should like to see the Hon. Claude Stubbs move an amendment during the Committee stage to reduce the period of six months to only one



month. I do not believe we owe a debt to the people selling these garments. The manufacturers, importers and retailers by now should know exactly the dangers these materials represent. If Mr Stubbs moves such an amendment, I will sincerely support him; if he does not choose to move an amendment, I will be prepared to move one myself. I believe the legislation is lacking in that these surplus garments should not be permitted to be offered for sale.

I go along with what the Hon. W. M. Piesse had to say. I have three or four suits which have no right-hand pockets in the trousers. This is caused by the cheap little cigarette lighter I have in my hand. It is battery-operated, and I have only to move it slightly, and it is alight. Many people fiddle with their loose change; others play with their handkerchiefs. However, I seem to grab my cigarette lighter, and it usually catches alight and the next thing I find is that I have no pocket in my trousers.

The Hon. M. McAleer: Is that not an example of where the design and not the fabric is at fault?

The Hon. R. THOMPSON: It might be the design of the person wearing the garments; I do not know. I readily admit such accidents happen to me. My tailor is having a wonderful time replacing pockets in my suit trousers. In fact, the suit I am wearing today has a new right-hand pocket. I purchased the suit from Walshs in Perth, and paid quite dearly for it. I understood it was an Australian product of pure wool. However, when I got home I happened to look in the hip pocket, and I found the suit was made in the Republic of China! So, members can see we cannot trust even the most reputable firms in Perth in regard to the articles they sell.

On a more serious note, I do not believe we should allow people a period of six months to sell these dangerous garments. The legislation should be more positive; the garments should be destroyed. I believe one month is a reasonable period for people to carry out this requirement. It is rather irresponsible of us to allow an additional six months during which dangerous goods can be sold. It is similar to allowing retailers an additional six months in which to sell their remaining stock of fireworks; such a provision has no regard for the damage it can cause. In fact, it was the Hon. Claude Stubbs, again, who was responsible for having fireworks banned in Western Australia. People used to suffer extensive burns to their face and other parts of their body, and we could not permit such a situation to continue. Similarly, we should not allow retailers to continue to sell dangerous garments. People will always buy cheap products.

I trust the Government will not proceed with this legislation tonight, but will consider introducing a total ban on the sale of these garments within one month after the legislation is proclaimed. That probably is counter-reactive to my argument. However, I feel that within one month all dangerous garments should be withdrawn from sale and destroyed.

**THE HON. D. J. WORDSWORTH** (South—Minister for Transport) [8.07 p.m.]: I thank members for their contributions to the debate; it is very encouraging to see such interest in this legislation. Like most members, I agree that perhaps we need to do more work in this area. However, the Government must be complimented on doing something to improve the legislation. The only criticism which suddenly has come forward is that the Government is not going fast enough in one particular field. I should point out that these articles were labelled in 1973, and those members who are making such a fuss now about the fact that the Government intends to allow retailers a little time to achieve the changeover have done nothing over the last four years to improve the situation. Now, however, they are jumping on the bandwagon, making great play about what the Government is doing.

As I say, the Government must be complimented for introducing this legislation. The disappointing thing is that it can be applied only to the articles which are contained in the schedule to the main Act; namely, children's nightclothes. I understand this is because that is the extent to which Australian standards have been laid down, and this is an area which requires more attention. We need quickly to lay down standards in all sorts of fields—not only clothing, but also furnishings and many other articles.

I attended the annual meeting of the Australian Standards Association held in Perth recently. In Western Australia, the organisation is entirely voluntary, with people working on various committees. One month ago, they established a permanent secretary in Perth, and I hope this will lead to many more standards being laid down quickly. I believe the association is working on something like 300 new standards this year. Of course, they cover all sorts of commodities, from nuts and bolts to frying pans and whatever.

When the association produced standards for the design and manufacture of nightclothes, a large number of the problems were eliminated because manufacturers moved from the flimsy, swirling type of design to clothes which look more like boiler suits, secured at the neck, wrists and ankles. As Miss McAleer pointed out, that in itself has changed the whole pattern of burns. The

standard was applied to children's nightwear in 1973, because it was that area in which most of the burns occurred.

Now, fortunately, the whole pattern has changed completely. I agree we should carry on and ban the sale of garments made from flammable materials. However, I believe the problem already is solved to a great degree, and there are other far more serious problems which must be tackled. Burns are occurring today in the field of day clothes, because we have changed from wearing wool garments to the cotton jean type of garment. I wear a jean suit which has a nap that is very liable to burn.

The Hon. D. K. Dans: I would hope you wear only woollen suits.

The Hon. D. J. WORDSWORTH: However, it is not the burning nap which inflicts the real wound, but the synthetic material which melts and sticks to the skin. This is what causes the majority of the very nasty burns we see today. I believe the real problem probably is not what we are legislating for today.

In my opinion, the provision to allow retailers a period of six months to clear existing stock is sufficient for our needs. As has been pointed out, summer is almost upon us, and the possibility of burns occurring consequently is reduced.

The problem is to get more articles onto the schedule as quickly as possible so that they are prevented from being sold. I must compliment the National Safety Council on its work in this area. The portfolio of Transport includes the field of road safety, and I visited the council only a month ago in my ministerial capacity. They had just obtained another reprint of their booklet on safety with fires in the home. This is an area which needs more attention; we should be giving more encouragement to these bodies so that education on safety matters can take place in schools and elsewhere.

The Hon. H. W. Gayfer: If they used wool we would have no worries.

The Hon. D. J. WORDSWORTH: I could not agree more with the honourable member. While this legislation might have been the Hon. Claude Stubbs' hobbyhorse, it became mine in 1973. I am a woolgrower, and the Australian Wool Commission has produced a really interesting film relating to this problem. I believe it was decided that the film was a little too frightening and graphic, and should not be shown; in fact, I believe it has almost gone into retirement. However, I hope the film will be taken down from the shelves and shown once more; certainly, it will

do no harm. I thank members for their support of the legislation.

Question put and passed.

Bill read a second time.

### *In Committee*

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. D. J. Wordsworth (Minister for Transport) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Long title amended—

The Hon. D. W. COOLEY: Under the clause the words "and sale" are to be included in the title. When we refer to "sale" we are dealing with a very wide subject. With great respect to the Minister, and to Mr Gayfer, I say they are very naive if they believe people will buy woollen clothing, because circumstances are such in the community that people—and particularly the parents of those who in the main suffer as a consequence of the burns about which we are speaking—are not financially equipped to buy all-wool clothing. Because they are in indigent circumstances they buy the cheapest materials available and these are the materials about which we are speaking.

The Minister asked why we had done nothing about the matter since the introduction of the legislation. The Labor Party was responsible for its introduction, and because of the present circumstances I know what would have happened had we tried to include the words "and sale" when the Bill was introduced in 1972. Because of the interest of industry and commerce, a great deal would have been said against it in the Chamber.

Mr Stubbs said the subject had been on the plate since 1964, and there have been more conservative Governments in office since then than there have been Labor Governments.

I believe it is a worth-while amendment, but a great deal of difficulty would have been experienced in having it passed had it been included in the original legislation.

The Hon. H. W. GAYFER: The connotation Mr Cooley put on my interjection was that the Bill might possibly be read as one assisting the wool industry. My interjection to the Minister was that if people wore wool none of these burns would occur. That is entirely different from Mr Cooley's interpretation of what I said.

I will explain why I made the interjection. Only a fortnight ago the stove in my kitchen blew up and my wife was burnt. Her skirt was completely alight as were her eyebrows, hair, and other parts

of her body. The upper portion was protected because she was wearing a long-sleeved woollen jumper. My interjection simply was that if wool was always worn no burning accidents would occur.

The Hon. D. W. COOLEY: I would like everyone to wear articles made of wool, but the facts of life are that people simply cannot afford to buy them.

The Hon. H. W. Gayfer: I do not know why, because we are not getting much for our wool.

The Hon. D. K. Dans: You are lucky to be selling it.

The Hon. D. W. COOLEY: People buy the cheaper articles which are, in the main, the subject of the measure before us.

Clause put and passed.

Clause 4 put and passed.

Clause 5: Section 5 amended—

The Hon. D. J. WORDSWORTH: I move an amendment—

Page 3, line 7—Delete the word “earlier” and substitute the word “later”.

The Hon. D. W. COOLEY: As the Bill stands unlimited time is allowed, after the Act is proclaimed, before the amendment is put into effect. Under the amendment a maximum of six months will be allowed.

During his second reading speech the Minister stated a sufficient period would be allowed to enable stores to quit old stock and reorder new stock. Of course, the retailers agreed to that, and they would be silly not to do so. The Minister has not told us why the six months' period is being allowed.

Recently a salmonella outbreak occurred and certain canned goods in Western Australia were immediately withdrawn from the shelves of stores and destroyed. That resulted in a loss of income to many people, but what is that compared with the sickness which would have occurred otherwise?

The same situation applies to the provision about which we are speaking. Some children will be burnt as a consequence of flammable clothing. Is the Minister giving more consideration to the traders than he is giving to the welfare of the children who might be affected by burns as a result of inferior clothing? I would like the Minister to comment on that aspect.

The Hon. D. J. WORDSWORTH: Apart from getting rid of the old articles, the stores must get in new articles to take their place. We could well envisage that it will be less than six months before the amendment is put into operation. That is why

the amendment is worded as it is. A specific figure was stipulated, but the Minister has gone into the matter in greater detail since then and he has had this amendment drafted. It could well be that there will be sufficient clothing available of a nature that complies with the amendment, and therefore it will be put into operation before the six months.

The Hon. D. W. COOLEY: I am not really interested in what the Minister in another place has done. I am interested in asking the Minister who is handling the Bill in this place why the period of six months is being allowed. The explanation has not been given as yet.

The Hon. D. J. Wordsworth: I just gave it.

The Hon. G. C. MacKinnon: A jolly good one, too.

The Hon. D. W. COOLEY: I might have missed the point, but I do not think it was a good explanation. I wonder whether the Minister would agree to report progress so that some consideration could be given to whether this clothing should be withdrawn from sale immediately the legislation is proclaimed.

The Hon. R. F. CLAUGHTON: I support the suggestion of Mr Cooley, and back his remarks concerning the explanation of the Minister. He has said that certain things may occur, not that they will. Mr Cooley said there was a lack of information about the reason the six months' period was chosen. Do the wholesalers and retailers hold such large stocks that it would be an embarrassment to them to have this provision apply immediately? The Minister has not said that is the case.

The Hon. G. C. MacKinnon: The Minister explained the amendment admirably. You just were not listening.

The Hon. R. F. CLAUGHTON: His explanation would suit the Minister very well.

The Hon. G. C. MacKinnon: No; it was a simple, clear explanation.

The Hon. R. F. CLAUGHTON: Of course the Leader of the House will say that because he is on the same side as the Minister. The Minister said certain things might occur, not would occur, which is a significant difference. That is the point I am making now. The Minister did not say the wholesalers and retailers held large stocks or that there were not sufficient stocks of replacement goods, thus making the amendment necessary.

The Hon. G. C. MacKinnon: He gave a jolly good explanation.

The Hon. R. F. CLAUGHTON: I think the Leader of the House has said enough about that.

The Hon. G. C. MacKinnon: In fact, I congratulate him.

The Hon. R. F. CLAUGHTON: Members can make their own assessment without the guidance of the Leader of the House.

The point is that we do not know the position in respect of stores and it is only fair that members should have more precise information from the Minister so they can make a judgment about the amendment. Mr Cooley referred to the salmonella infection.

The Hon. G. C. MacKinnon: I thought that was a pretty silly analogy.

The Hon. R. F. CLAUGHTON: I accept that because the Leader of the House supports the Government's case and he grabs whatever straw is readily available. For the sake of a more sensible debate the Leader of the House should withhold his remarks.

The Hon. G. C. MacKinnon: I have a contribution to make and I think I should make it.

The Hon. R. F. CLAUGHTON: In the case of the salmonella infection the change was made immediately because the health of the population was at risk. There would have been cases of sickness and perhaps death.

The matter we are discussing is not dissimilar because people may buy this material unaware of the consequences, and numbers of defenceless children will have their lives placed at risk. We know numbers are dying each year because of burns sustained from burning clothing. I think Miss McAleer referred to five cases in the last 12 months. Therefore we could say that over a period of six months we would save three lives.

The Hon. M. McAleer: They were not deaths; they were burning accidents, not fatalities.

The Hon. R. F. CLAUGHTON: I accept that explanation. The reference was to nightgowns but they are only one—

The Hon. M. McAleer: Night clothing, not just nightgowns. It included pyjamas, and so on.

The Hon. R. F. CLAUGHTON: Mr Gayfer gave us an example of the sort of accident which can occur. Obviously if we ensure that the provision is applied immediately, the population will benefit. Therefore progress should be reported in order that members might be given more precise information so that they can make the right decision on the amendment.

The Hon. M. McAleer: It seems to me that perhaps we are making a little more out of this than the facts warrant. In the first place, the word "deaths" was quoted, whereas the reference was to "accidents". Secondly, we know there are many

factors involved and it is not simply a case of the fabrics. There is also the question of behaviour and design, not only with regard to clothing but to radiators and stoves. If the control panel on a gas stove is at the back of the stove and a person has to reach across, if that person has a loose sleeve it is likely to catch alight. A safer stove is one with the control panel at the side.

We know that the Australian Standards Association considers a fabric to be dangerous when it burns in less than 10 seconds. We do not have a single statistic to show that the burns which have been suffered have been caused by the fabrics we are discussing. The Minister should push on to implement the legislation.

The Hon. G. C. MacKinnon: Very good.

The Hon. H. W. GAYFER: I challenge the figures used by Mr Cloughton. He said that if so many burning accidents occurred, then by getting rid of these fabrics it would be reasonable to assume that within a period of six months only X number of accidents would occur.

The Hon. R. F. Cloughton: The accidents would be halved.

The Hon. H. W. GAYFER: If we try to take out all the flammable fabrics immediately, we will have to introduce a law to ban the clothing which has already been bought and which is being worn.

The Hon. G. C. MacKinnon: I thought the member was going to suggest that we legislate to get rid of the parents, then there would be no children to suffer burns!

The Hon. H. W. GAYFER: This measure could create a great degree of alarm in certain circles. I hope the Government in its own right, through the appropriate department, will advertise what it has done in respect of this Bill, and what it is meant to do. The possible result of such an advertisement is that the material which is already in use will be phased out. I believe that during the period of six months, which has been suggested, a natural embargo will be placed on the material by the people.

The Hon. G. C. MacKinnon: Of course there will.

The Hon. D. W. Cooley: The people will not take any notice; they will still buy it. It will go out at bargain prices and the women will grab it up.

The Hon. H. W. GAYFER: The purpose of this legislation is to prevent burning accidents, but what about the flammable fabrics which people have already purchased, and which they are wearing?

The Hon. R. THOMPSON: I think we have drifted away from what we should be discussing:

whether the word should be "earlier" or "later". I hope the Committee will agree to the word "later", in preference to the word "earlier".

The Hon. D. W. COOLEY: I have no argument with that at all, but surely we are placed in a cleft stick in respect of this matter. It would not hurt to allow time for another look at the Bill.

The amendment foreshadowed by Mr Thompson will not help, and will provide a period of one month in which to get the stuff off the shelves. There is no question that it will not be sold, regardless of the time allowed. People will buy the material at bargain prices. One only has to observe what happens when there is a sale.

The Hon. G. C. MacKinnon: The quicker we get this Bill through the quicker those shelves will be cleared, and they will be stocked up with inflammable material. He who procrastinates is lost!

The Hon. D. W. COOLEY: What we are proposing will not cause very much delay at all. I do not know the result of the amendment foreshadowed by Mr Thompson.

The Hon. R. Thompson: I will point that out when I move my amendment.

The Hon. D. W. COOLEY: The proposed amendment will shorten the time. If the Government acted quickly enough the regulations could be proposed in one month. Surely we should look further at the position if there is a possibility of saving even one child. Miss McAleer said the figures quoted related to burning accidents, and not deaths. I know there is a difference, but should we not be doing something to alleviate human suffering? If we can get those flammable articles off the shelves immediately we will eliminate the risk associated with their sale. I again ask the Minister whether he would be prepared to consider reporting progress.

The Hon. D. J. WORDSWORTH: I have no intention whatsoever of reporting progress. I believe a period of six months will allow the changeover to take place even quicker than has been suggested by the proposed amendment. We heard Mr Claughton make one of his usual speeches about people not knowing what they were buying. It was a great speech, but we happen to be discussing the Clothes and Fabrics (Labelling) Act which was introduced by a former Labor Government so that everyone would know what they were buying. Mr Claughton is now saying that no-one will know what they are buying. I intend to push on with my amendment.

The Hon. R. F. CLAUGHTON: It is

unfortunate that the Minister did not listen to me. I did not mention the labelling of goods.

The Hon. D. J. WORDSWORTH: Of course you did not; you forgot that was the subject under discussion.

The Hon. R. F. CLAUGHTON: The Minister did not listen to me, quite obviously. The Minister does not intend to give the Committee reasonable information on which to base its judgment. This amendment will be forced through in the usual style of this Government. It is reasonable that the Minister should take the time to provide the information we have sought.

Amendment put and passed.

The Hon. R. THOMPSON: I move an amendment—

Page 3, line 7—Delete the words "six months" with a view to substituting the words "one month".

A Bill cannot be understood by reading it line for line. Members should read the whole of the Bill to understand what it means. The measure is specific in its intent. Proposed new subsection (3) states that where a minimum surface burning time is prescribed in respect of any particular kind of article the Governor may, from time to time, by proclamation fix a date, being a date not earlier than six months after the publication of the proclamation in the *Government Gazette*. A period of six months will be allowed after the proclamation in the *Government Gazette*. The proclamation could be within a period of one month, five months, or 18 months. However, after the proclamation a further period of six months is allowed during which the material, which has been declared to be unsuitable for sale, is still available to the public. Most materials are imported, and most of the agents are well aware of what stocks they have.

There is uncertainty as to when the proclamation will be made in the *Government Gazette*. If the proclamation was within a period of one month, then the period of six months as set out in the Bill would be reasonable. The deadline should be one month. If the Minister is able to convince me that the proclamation will be within a period of one month, I will not proceed with my amendment.

The Hon. D. J. WORDSWORTH: Needless to say, I cannot say when the various proclamations will be made. I can only emphasise that under the terms of the amendment we have already passed it will take place within a period of not later than six months. The date after the proclamation must be not later than six months, but it does not have to be for the full period of six months.

The Hon. R. Thompson: I support the Minister on that.

The Hon. R. F. CLAUGHTON: I support the proposal put forward by Mr Thompson, but I cannot see that it will really change the position. The Government need only delay the proclamation until the actual date it sought to impose it. Mr Cooley has foreshadowed a further amendment which we on this side intend to support.

Amendment put and negatived.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with an amendment.

## **PAY-ROLL TAX ASSESSMENT ACT AMENDMENT BILL**

### *Second Reading*

Debate resumed from the 6th October.

**THE HON. D. K. DANS** (South Metropolitan—Leader of the Opposition) [8.46 p.m.]: We agree to this Bill. Pay-roll tax at its very best is an iniquitous tax. I was reminded by the Hon. Robert Hetherington tonight that pay-roll tax was first introduced by the Chifley Government as a redistribution tax to finance child endowment. Since then it has moved from strength to strength, until it has been handed over to the States in the form of a growth tax to replace some stamp duty which duties had been taken away.

The continued imposition of this tax falls most heavily upon labour-intensive industries. In my opinion it is very counter-productive. One point about which we must always be very careful is that when dispensing with tax in one area we do not apply it in another area. I do not see anything in the Bill to suggest this tax will be applied in another area. I hope that when replying to the debate the Minister will say the Bill is a genuine effort to raise the ceiling on pay-roll tax.

I would prefer to be standing here supporting a Bill for the elimination of pay-roll tax, if we want to do something for industry—not only small industry but also large industry—because this tax which used to be a redistribution tax has now become a punitive tax and is probably a prime factor preventing the employment of more people in small and medium sized industry. Heaven knows, in these days anything which will engender employment, not only of young people but also of older people, will be welcome.

I am sure all members will welcome the Bill, not only for its principle but also for its detail. We

hope in the not-too-distant future more positive steps will be taken to remove further the burden on labour-intensive industries.

**THE HON. W. R. WITHERS** (North) [8.48 p.m.]: I rise to support the Bill, and I also make the comment that I consider pay-roll tax is an iniquitous tax, even more so in the area I represent than in other parts of the State. Although I have said it in this House previously, the media have not seen fit to report it so that other people throughout the State may be made aware of the fact that Governments do not wholly support their policies on decentralisation. It is rather unfortunate that politicians—and I include all of us—tend to talk about decentralisation—

The Hon. D. K. Dans: It is a myth.

The Hon. W. R. WITHERS: That may be so. Some Governments endeavour to improve the lot of people who participate in decentralisation. What I am about to say in relation to this Government I say in all sincerity and not because I am a member of the Liberal Party. It is a cold fact that this Government has done more to aid decentralisation than any other Government, either State or Federal, that I have been able to study since I became interested in politics. I am grateful for that.

However, when this State took over the responsibility of collecting pay-roll tax to assist the revenue of the State Treasury, it also abided by a decision of the High Court that pay-roll tax must be levied on the salaries of personnel within a certain payment range made by a company, and unfortunately the High Court said that salary included all district allowances. The district allowances in my province generally amount to \$6 or \$7 a week, and pay-roll tax is levied on it.

Let us have a look at the effect of this tax on industry. A district allowance is granted by award to an employee to enable him to cope with the extra cost of living in a high cost area.

The Hon. D. W. Cooley: You agreed to have that taken out of the Workers' Compensation Act last year.

The Hon. W. R. WITHERS: I have mentioned this once before but I point out that we cannot have the district allowance included for the payment of pay-roll tax while removing the district allowance from the Workers' Compensation Act. It would be an imbalance.

I want to see the district allowance excluded from the payment of pay-roll tax because, the way things stand at the moment, we cannot decentralise industry for many reasons, among which are the impositions placed by the Government on businesses which wish to

decentralise. Pay-roll tax is one small instance. Many industries in my province—which are mainly engaged in mining—structure their sale price on their overheads, and pay-roll tax is hidden in the many millions of dollars received for the iron ore or other minerals sold.

I agree to the Bill and thank the Government for its sensitivity in decreasing the burden of pay-roll tax on small businesses by increasing the ceiling, but we have a long way to go. Like Mr Dans, I would like to see the abolition of pay-roll tax, but I am also a realist and know we must have money to keep the State going, and I think pay-roll tax will be with us for a long time. However, I like to see fairness, and I do not like to see industries in the province which Mr Tozer and I represent paying more pay-roll tax than their city equivalents for the same productivity; and that is what it boils down to. Businesses in my province pay more pay-roll tax for the same productivity, and that is iniquitous. While that situation exists it will be another factor preventing decentralisation.

**THE HON. J. C. TOZER (North)** [8.55 p.m.]: I rise to support the Bill. This is at least the third time we have discussed pay-roll tax since I have been in this Chamber, and on each occasion I have had some small comment to offer.

Quite frankly, I am pleased the exemption has been lifted to \$60 000. Obviously that is better than \$48 000, just as last year the increase to \$48 000 was better than the ceiling of \$42 000 which existed previously. It is progressing slowly. The taper range is now \$60 000 to \$109 000, so again the situation is better than that which existed last year. We welcome the Bill and the benefits to be gained from it, particularly for the small businessman.

I remember that when this legislation was under discussion last year, the Hon. Ron Thompson had a problem with his algebra. I was wondering whether he would have the same trouble with his formulae tonight, and I was going to suggest the Hon. Norman Moore, who was a very good schoolteacher and is particularly good at maths, could perhaps put the Hon. Ron Thompson right.

There is a small benefit to be gained from the Bill, amounting to a saving of \$2 million in payments which would have been made by small businessmen. In addition, 980 businesses will be exempted from pay-roll tax in a full financial year. I hesitate to make any comment which may be construed as criticism of the Government.

**The Hon. R. Thompson:** You should, after this morning's statement in *The Western Australian*

in which the Minister for Labour and Industry accused you of abysmal ignorance.

**The Hon. J. C. TOZER:** On a *pro rata* basis, the concession provided for in the Bill will apparently exempt one small businessman in Port Hedland and one small businessman in Karratha from the payment of pay-roll tax. Obviously others will benefit in a small way from the tapering provisions, but it is not really a big concession.

**The Hon. D. K. Dans:** It will not be an avalanche; we are aware of that.

**The Hon. J. C. TOZER:** In the Estimates for this year, which were tabled recently, I notice that despite the fact that some concessions were given in pay-roll tax last year the income from pay-roll tax increased from the estimated \$124 million to close on \$128 million. This year, despite the fact that we have what is described as a concession in respect of pay-roll tax, the receipts will increase by \$14 million to a total of \$142 million.

**The Hon. Des Dans** referred to it as a growth tax, and that is what it was designed to be, but the fact that it brings \$142 million into the State coffers indicates clearly that it is not a tax the Treasury can afford to do without.

I introduced the matter of pay-roll tax when speaking to the Supply Bill earlier in the session, and in particular I referred to its potential use as an incentive to decentralise industry. I must congratulate the Leader of the House on the fact that he referred matters brought forward in that debate to the various Ministers, and I thank the Ministers for providing very good answers to the matters I raised. I mention particularly the Minister for Industrial Development, who gave me a very detailed reply on the matter I brought forward in respect of pay-roll tax. I will read the last paragraph of his reply—

... I advise that I and my officers are continually examining ways in which we can assist industry through this area.

He is not referring to a geographical area but to pay-roll tax. To continue—

However, if you consider that there are other methods which we have not utilised, I would be very pleased to receive and consider your suggestions.

That was a wonderful offer. The Minister has received my suggestions, one of which is the matter to which the Hon. Bill Withers referred a moment ago.

I welcome this Bill as yet another small, hesitant step forward, and I support its second reading.

**THE HON. V. J. FERRY** (South-West) [9.00 p.m.]: Mr President, this Bill has my support, and I wish to speak to it for two or three minutes. I will not repeat the statistical information which has already been contributed by some members who have spoken tonight. We all realise the inhibiting factor associated with pay-roll tax. However, I wish to express my pleasure at the further relief to small businesses which is proposed in the legislation contained in the Bill.

I wish to congratulate the Small Business Advisory Service which has been established in this State. The service, by its very nature, advises people engaged in small businesses in respect of any number of problems or issues. This service helps wherever it can; and one of the issues which it discusses with people engaged in smaller businesses is that of the impact of pay-roll tax. I wish to express my pleasure to the officers of the Small Business Advisory Service for visiting a number of towns in the south-west recently. I will not name all the towns, but the officers went from Mandurah through to Bridgetown, Busselton, Manjimup and other places.

The Small Business Advisory Service is doing a very good job in this State with a minimum of staff. I think the service was designed especially that way so that it does not become top heavy and bureaucratic. Therefore it is contributing more than a 100 per cent effort, and I am sure the impact of pay-roll tax will be foremost in the minds of the officers when they advise people engaged in small businesses.

The measure has my support, and I hope the Government sees fit progressively to continue this trend to raise the limit from time to time in order to allow more people to obtain the benefit of the concessions.

**THE HON. G. C. MacKINNON** (South-West—Leader of the House) [9.02 p.m.]: I wish to thank members for their support of the Bill and to assure the Leader of the Opposition this is a very genuine measure to reduce the impost of pay-roll tax. I would agree with the other members who have spoken. I know of nobody who regards pay-roll tax with any love or affection. Indeed, it is probably regarded as one of the least attractive forms of taxation. Nevertheless, as members who have been here any length of time will recall, pay-roll tax was passed to us by the Federal Government as a growth tax, and I well remember the speeches made in this place on the subject at the time.

I am sure any fair-minded member would agree that the Liberal-National Country Party Government of Western Australia under Sir

Charles Court has been courageous in the extreme in having set about the removal of a very successful money-raising tax in probate duty, in reducing the impost of taxation by lowering pay-roll tax applicable to smaller businesses, and also in adjusting the tapering system.

These are measures about which even the most biased of Opposition members can do nothing but offer praise, and I accept that from the Hon. Des Dans in the spirit in which it was offered.

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. G. C. MacKinnon (Leader of the House), and passed.

## **APPROPRIATION BILL (CONSOLIDATED REVENUE FUND) (No. 2)**

### *Consideration of Tabled Paper*

Debate resumed, from the 4th October, on the following motion by the Hon. G. C. MacKinnon (Leader of the House)—

That, pursuant to Standing Order No. 151, the Council take note of tabled paper No. 245 (Estimates of Revenue and Expenditure and related papers), laid upon the Table of the House on 21st September, 1977.

**THE HON. F. E. McKENZIE** (East Metropolitan) [9.07 p.m.]: Mr President, I rise to speak on the Estimates of Revenue and Expenditure, and in so doing the first matter I raise is one about which you know something, because it relates to the Swan Portland Cement works at Rivervale. As you well know, Sir, this problem has been evident since 1921 when the works were established. It was not long after the establishment of the plant that complaints came forward, and I am informed at one time you were very actively associated with the problems there.

I suppose if one sets up an electorate office in Rivervale, one has to accept that when there is a problem with dust the first place from which the people seek some redress is the office of the local member of Parliament. I set up an office in Rivervale, and it was not long before I started to gather complaints. I advised the people that I would endeavour to resurrect this matter in the



Parliament to see if I could overcome their problems. Having considered the history of the matter, I find I am faced with a tough task. Nevertheless, it is a matter which must be voiced at every opportunity. I do not really think the solution to the problem will be found until the Swan Portland Cement works are moved from Rivervale.

I believe the Government ought to provide some form of compensation to enable the company to do this, and that is the reason I am speaking on this occasion. It appears to me that the people in the area were reasonably satisfied for some time after the electrostatic precipitators were installed in 1970. I do not pretend that the situation now is anywhere near as bad as it was prior to 1970; nevertheless, it is starting to irritate the people in the near vicinity of the works.

On occasions what appears to be cement dust blows over the premises of the people concerned. I have looked at the homes concerned and they are coloured with what I believe is grey cement dust; although the clean air people have some doubts that it is cement dust, it certainly looks like it is. I understand from discussions with officers of the clean air section of the Public Health Department—Mr Powell and Mr Sykes—who visited me in my office at my request, that recently the factory has expanded its activities. Naturally, if a factory has expanded its activities the problem is likely to worsen, and I believe that is exactly what has happened.

Over the years that I will be in this Chamber I will raise this matter on many occasions, because it is one that is most difficult to control. Of course, it is very difficult to get the people in the area to accept the fact that the company is doing all it can to remove the problem. I have been assured by the clean air officers that the company is doing all it possibly can, but the people in the area believe that whatever the company is doing is just not sufficient. I believe eventually the company will have to move.

It is very close to the city centre, and in my opinion an industry such as this has no right to be so close to the city; particularly when it is in an area which could be upgraded for public use. The factory has a large river frontage, which could be utilised for the benefit of the people; but under the present circumstances that just is not possible.

I cannot understand why the company wishes to remain where it is. It does not seem to me to be a very economical proposition to remain at the present site because it must now be carting all its raw materials from some other place, and it would

be better if it were situated at the source of its raw materials.

The Hon. G. C. MacKinnon: Who will pay for it?

The Hon. F. E. McKENZIE: I said the Government should offer some assistance in this respect.

The Hon. G. C. MacKinnon: That exercise was done when I was the Minister for Health, and it really isn't on.

The Hon. F. E. McKENZIE: Well, the Swan Brewery has moved, so why cannot this factory be moved? I do not know of any other capital city in the world that has a cement works so close to the heart of the city centre. Does the Minister know of any?

The Hon. G. C. MacKinnon: I am not very well travelled.

The Hon. F. E. McKENZIE: The people are demanding that the factory be moved, and they have been demanding this for a long time.

The Hon. G. C. MacKinnon: Are you forgetting that the people originally demanded that the factory be situated there?

The Hon. F. E. McKENZIE: In 1921?

The Hon. G. C. MacKinnon: Yes, to create employment.

The Hon. F. E. McKENZIE: Well, it was not long before Mr Newman, who had a nursery in the area, took legal action against the company and obtained some redress.

The Hon. D. K. Dans: I must tell the market gardeners in my area about that, because they have to cope with the Cockburn Cement factory.

The Hon. F. E. McKENZIE: I am giving notice that this matter will be raised again and again, until the factory is moved.

The Hon. G. C. MacKinnon: It is a pity Mr President cannot speak on this subject, because he probably knows more about it than anybody else in this Chamber.

The Hon. F. E. McKENZIE: I said earlier I had been informed that the President knew all about the matter. Perhaps I will confer with him later; he may be able to offer a solution.

The Hon. D. K. Dans: He may give you the gelignite to blow it up!

The Hon. F. E. McKENZIE: I hope he would support any move to have the factory removed to another site, and I am sure he has a great deal of sympathy for me because he has experience of the problem, and he has had electors petitioning him in respect of it. In any case, if the factory cannot

be moved, something will have to be done about the situation under the Clean Air Act.

The Hon. G. C. MacKinnon: The company has been very good. It spent over \$400 000 in 1967 or thereabouts on clean air equipment at my request.

The Hon. F. E. McKENZIE: I am not arguing about that, but perhaps that was the time when it should have been shifted.

The Hon. G. C. MacKinnon: It wasn't on.

The Hon. F. E. McKENZIE: I will move on to another subject, but I give notice that every year on the Estimates of Revenue and Expenditure I will raise this matter, and I will do so in between times at every opportunity.

The Hon. G. C. MacKinnon: I think it is fair that you give credit to the company for having spent probably the largest amount of money on clean air equipment that any company in Western Australia had spent up to that time.

The Hon. F. E. McKENZIE: Well, I cannot give credit.

The Hon. G. C. MacKinnon: That was a good effort.

The Hon. F. E. McKENZIE: They should have moved. I am not saying they are not trying to do the right thing now; they probably are, but it is not very attractive when one has residents there who have to put up with the problem. In that situation one will always have a clamour for it to be moved out of the area.

The next matter on which I wish to comment in regard to my electorate is something which would not cost the Government a great deal of money. It would not cost the Main Roads Department very much to do this. I believe a crosswalk should be provided for the residents of Mertome Village, which is an aged persons' home in Bayswater.

Recently my colleague, Mr Bob Hetherington, and myself met a group of these people who desired to have a crosswalk placed across Beechboro Road from the village which is in Winifred Road. They wanted the crosswalk to enable them to cross Beechboro Road to the shopping centre. My colleague and I went out there to receive a petition from these people. We were surprised when we arrived to see that 100 people were gathered to see us. At that late stage we endeavoured to obtain the presence of the television people, because we were surprised that 100 people would be there. That demonstrates the concern which these people hold for their safety. They are people of advanced age. Not only were there well-aged people present, but a group of handicapped children from a special school in the vicinity and some of their teachers were also

present. We tried to get the television people to come out, but one cannot expect them to arrive at the last minute. It must be organised a few days earlier.

The PRESIDENT: Order! There is far too much audible conversation.

The Hon. F. E. McKENZIE: Because we did not anticipate so many people would be present, we did not notify the television people beforehand; therefore, we were not able to get them to come out. We thought there would be a dozen people there with a petition which my colleague and I were to present to the Bayswater Shire Council. We were told what the petition was about. Some of the people who were present were in wheel chairs and on crutches. There was a number of handicapped children present. They all had a real problem in endeavouring to cross the road. Visual observation is the best means of gauging the situation.

I understand the matter was reported once before and the Main Roads Department took a survey of vehicles versus pedestrians in the area. As a result of that survey it was decided there was not a sufficient number of people to warrant the provision of a crosswalk. But it does not matter how many people cross the road. The Main Roads Department probably has a ratio of pedestrians versus vehicle traffic; but what one has to consider is the fact that these people are well-aged and that they have to cross the road.

There is no other way for them to get to the shops. They must cross Beechboro Road to do their shopping, because on the opposite side of the road there are the superphosphate works. There are no shops on the other side of the road. These people are frightened, because trucks roar down the hill. I do not say the trucks exceed the speed limit, but they come down the hill very quickly. They are big heavy transport trucks, because there is a lot of industry within that area.

These people stand in the middle of the road and they get frightened of being knocked down. There is a very real threat to them. My colleague, Mr Bob Hetherington—

The Hon. G. E. Masters: The Hon. Robert Hetherington.

The Hon. F. E. McKENZIE: I understand he prefers to be called Mr Bob Hetherington, Sir, and that is why I called him Mr Bob Hetherington. He will be talking about this matter in his speech on the Estimates. I simply want to mention it in passing. I will not deal with it in very great depth. The petition has been submitted to the Bayswater Shire Council. I hope that council took it to the Main Roads

Department. I hope also that funds will be made available to provide a crosswalk, taking into account the type of people who live in the area. The provisions in respect of vehicle traffic versus pedestrian traffic which are laid down by the Main Roads Department should be disregarded in this case, because these people need a crosswalk in this area.

This subject has been the topic of articles in the newspapers, so the authorities should be aware of the situation. If they are not aware of the situation, I trust the Minister will bring it to their notice, because eventually it will go through to one of the Government departments with a request that something be done about it.

The third matter I wish to speak about is in respect of the State Housing Commission rents. There are a number of State Housing Commission homes in my electorate. The State Housing Commission rent increases since the Tonkin Government left office in 1974 have been as follows: On the 1st September, 1974, the rents increased by an average of 20.27 per cent; on the 6th October, 1975, they went up by a further 39 per cent; on the 1st November, 1976, they increased by an average of 15 per cent; and the recent increase on the 1st October, 1977, was approximately 37 per cent. On each occasion that is well in excess of the increases in the Consumer Price Index. It contrasts with the fact that the Tonkin Government did not increase rents during the whole of its period of office.

The Hon. G. C. MacKinnon: A very bad business.

The Hon. F. E. McKENZIE: The Minister says it is a very bad business.

The Hon. G. C. MacKinnon: It was.

The Hon. F. E. McKENZIE: The position is this: In 1974 the Government increased the rents by 20.27 per cent which should have caught up with the situation. That increase should have made up for what the Tonkin Government did not do; but since that time the Government has continued to increase State Housing Commission rents well in excess of the Consumer Price Index.

The Hon. G. C. MacKinnon: Rent is included in the Consumer Price Index and if people obtain the increase in incomes to compensate for that and do not pay it, it is just not right. It is dishonest.

The Hon. R. Hetherington: Why increase the rent faster than the CPI?

The Hon. F. E. McKENZIE: Do they isolate the CPI from the rent increases of the State

Housing Commission or do they take it in a broad spectrum over the whole community?

The Hon. G. C. MacKinnon: Of course it is taken over a broad spectrum. Incomes are increased, so prices and charges go up. Boans increase the cost of their goods.

The Hon. F. E. McKENZIE: The increases in rents which have been imposed by the Government have been well in excess of the increases in the CPI.

The Hon. G. C. MacKinnon: No; the increases have been reasonable.

Several members interjected.

The PRESIDENT: Order!

The Hon. G. C. MacKinnon: I cannot cope with three speakers. Just let Mr McKenzie speak. He was doing very well.

The Hon. F. E. McKENZIE: The increases have been well in excess of the CPI movement.

The Hon. G. C. MacKinnon: It has had to be because Mr Tonkin did not do his housekeeping properly.

The Hon. F. E. McKENZIE: The Government caught up by increasing the rents by 20.27 per cent in the first year it was in office. That would have been the movement that took place during the Tonkin Government.

The Hon. G. C. MacKinnon: You admit that Mr Tonkin should have done it then?

The Hon. F. E. McKENZIE: I did not admit it.

The Hon. R. Hetherington: That was your statement.

The Hon. F. E. McKENZIE: The philosophy of the members on this side of the House is a little different from the philosophy of the Government.

The Hon. G. C. MacKinnon: Your philosophy is a little different from practically everything.

The Hon. F. E. McKENZIE: Given the fact that rents did not increase during the period of office of the Tonkin Government, once the Government caught up with the increase over the previous three years—

The Hon. G. C. MacKinnon: So you admit that is what it should have been.

The Hon. R. Hetherington: He did not say it should have been. Why do you not listen?

The PRESIDENT: Order! I ask the member to direct his comments to the Chair.

The Hon. G. C. MacKinnon: Yes; so he should.

The Hon. F. E. McKENZIE: The massive increases in rents has meant a severe burden to people on low incomes. It might be all right for

the people on an income of \$38 500 per year. I think that was the figure mentioned by somebody.

The Hon. R. Hetherington: The Minister for Housing.

The Hon. F. E. McKENZIE: But for people on a tradesman's grade or lower an \$8 increase seriously affects their budget. This is precisely what has happened; it has seriously affected many people's budgets. It has seriously affected people on rates of pay below that of a tradesman.

The reason for the rent increases, of course, is that the increase in Federal loan funds has been only 3.6 per cent. Given the inflationary rate which runs at approximately 14.4 per cent, we find we are down by at least 10 per cent in the allocation. To maintain a building programme, of course, the State Housing Commission has to get the money somewhere. Therefore, it has to increase the rents payable by many people who can ill afford to pay them.

It amazes me that there has not been a great deal of protest from this Government about the Fraser Government's actions in respect of the shortfall in loan funds. It amazes me. Since I have been in this House I have heard about State rights; about centralism; and about what Whitlam did and that sort of thing. I have heard all about that since I have been a member of this House. However, it is a charade, because at least with the so-called centralism the States were getting the money for housing; but now they are not. Why is there not a protest about the shortfall in funds to the colleagues of the members opposite in Canberra? This is only one area.

The Hon. J. C. Tozer: You don't think there is any great protest?

The Hon. F. E. McKENZIE: I have not read much about it.

The Hon. G. C. MacKinnon: You do not read the newspapers then.

The Hon. F. E. McKENZIE: It seems clear to me that all this Government wants to do is to maintain the image of the Federal Government in Canberra.

The Hon. G. C. MacKinnon: Goodness me! You just cannot read. Cut it out; that is a ridiculous statement.

The Hon. F. E. McKENZIE: There is little protest. Members opposite should be kicking up a terrible ruckus over the shortfall in housing funds, because of the problem it is creating for people on low incomes.

The Hon. G. C. MacKinnon: We do everything we can to get the commission to build houses for the deserving people.

The Hon. F. E. McKENZIE: There is no allocation in the General Loan Fund. There had been an allocation in years gone by—I do not say in recent years—to cover the shortfall in loan funds; but there is no allocation this year.

The only avenue that the Government can follow now, and I certainly hope it does, is to take into account the struggle of the people on low incomes. The Government should see that the State Housing Commission does something about its rent eligibility rebate scheme. If the breadwinner earns more than \$133.10 gross per week he does not qualify for a rebate. There are other criteria that are involved in that amount. If one has a spouse who is working, two-thirds of her earnings are taken into account. If one has a child who is living at home and goes out to work, then 22½ per cent of the State's minimum wage is taken into account.

That would produce a figure of approximately \$25. Therefore, if one has a child who is out working \$25 is added to one's income; and if one has a wife who is working, two-thirds of her income is taken into account. If there is more than \$133.10 gross per week coming into that house one has to pay the full rent. I say that approximately \$5 ought to be able to come into the home, below the maximum eligibility rate for obtaining a State home. Currently I think it is about \$188. It has recently risen; it was about \$168. If one drops \$5 below that figure and then brings in the rent rebate eligibility scheme, the people who really require help, particularly those on low incomes, will benefit. An extra \$8 per week for people on low incomes of \$133.10 and above is just too much for them to meet. They are really having difficulty in meeting that increase.

I ask the Government on this occasion to have a look at the rent rebate eligibility scheme to see whether something can be done to increase the amount of \$133.10 at which level, at the present time, the rebate ceases. In the light of present circumstances, a man should be eligible for a rebate beyond that figure. Of course those people who are paid \$38 500—

The Hon. G. C. MacKinnon: Why do you have this thing about people who are paid \$38 000?

The Hon. F. E. McKENZIE: Because the Minister for Housing said that some people living in State homes were earning \$38 500 a year.

The Hon. G. C. MacKinnon: Is that right?

The Hon. F. E. McKENZIE: I have yet to meet them.

The Hon. R. Hetherington: The Minister for Housing said it.

Several members interjected.

The Hon. G. C. MacKinnon: Can't you explain things without their help? I asked you. I thought you were very clear.

The Hon. F. E. McKENZIE: I can.

The Hon. G. C. MacKinnon: I thought you had done very well.

The Hon. R. F. Claughton: He has.

The Hon. F. E. McKENZIE: I do not know of any parliamentarian living in a State house.

The Hon. G. C. MacKinnon: I do not either. However, it is an interesting point.

The Hon. F. E. McKENZIE: However, if there are those people earning a large amount, they ought to pay the full market value. I do not argue about that. However, I am concerned about people on low incomes who cannot afford to pay it.

The Hon. G. C. MacKinnon: That is why we put the rent up—to get more money to build more houses for those people.

The Hon. F. E. McKENZIE: The Government went about it the wrong way. It should have gone to Canberra for additional money.

The Hon. G. C. MacKinnon: I will send your suggestion on to the Minister for his serious consideration.

The Hon. F. E. McKENZIE: I thank the Leader of the House very much. I appreciate that.

I will leave State Housing Commission rents now and move on to another problem I have encountered since I have been in the electorate. These problems are now being brought to my attention.

A young fellow, not in a union, had been injured, so I sent him to the Department of Labour and Industry which is there to help people like him. I knew the Government would see to that. However, what happened was that according to the young fellow and his mother who was very concerned about the matter, someone took notes about the case, but nothing was done about it.

The point I am coming to is that there are insufficient staff and industrial inspectors in the department to deal with these problems, and the Government should take a hard look at this aspect. The Government has encouraged people not to belong to unions and therefore it ought to have a Government agency to cater for those involved.

Eventually I took up the case. The problem occurred in the interim period between my election and the time I officially took my seat. I took the matter up myself with the Department of

Labour and Industry and eventually I contacted the senior industrial inspector who did all he possibly could, I must admit. However, this was some time later, and I discovered that the matter had been investigated, but it was found it was too difficult to proceed with. It was too labour-intensive; too much work was required for the matter to be thoroughly ironed out. It is true that the senior industrial inspector did try to do something, but three or four months have elapsed since the matter was first raised.

Serious matters were involved. The employer had not paid the lad the correct wages, nor had he paid him compensation for visits to the doctor when he was injured on the job—probably because the employer did not have insurance coverage.

The employer went out of business and actually disappeared up Lancelin somewhere. The senior inspector could not go all the way to Lancelin, and if he did it was not certain that he would be able to locate the man. The point I am making is that if the department had sufficient staff the matter could have been attended to fairly rapidly and justice would have been done for this young fellow. As it was, the matter simply died and I agreed to let it lapse. After speaking to the industrial inspector I realised his problems. I must say to his credit that he went to the employer's premises which had been closed down and then went to his home where he was told that the employer was away and it was not known when he would return. So the matter lapsed. The fact of the matter is that more staff are required at the Department of Labour and Industry.

The Hon. G. C. MacKinnon: It is unusual to have a member of Parliament advocating bigger departmental staff. It is quite refreshing, but unusual.

The Hon. F. E. McKENZIE: The department has three inspectors to police 414 State awards. I do not think they have gone outside the metropolitan area because they simply cannot do so.

Questions asked in another place have revealed this information. The present senior industrial inspector has been in the position for four years. He has had one inspector to assist him for 10 months and, at the time the question was asked which was fairly recently, he had had another one assisting him for three weeks. This is not a suitable work force, and it makes the pressures too great.

The industrial inspector did not tell me all this. I obtained the information from *Hansard*. However, I understand his problem as a result,

and that is why I am raising the matter here. He did not tell me he was short of staff, but from the conversation I gathered he was throwing out signals of distress when I was insisting something be done about the young fellow.

Last but not least I must speak about the railways because that is a subject about which I know a great deal. The Minister for Transport will realise, as a result of a union deputation I accompanied to his office last week, the problems existing in the railways at present.

Firstly, let me speak about the Meekatharra-Mullewa line. At every opportunity we must reveal all the information we can in respect of this line. On the 3rd October an article appeared in *The West Australian* which stated "Time running out for old railway".

It would be a tragedy if this line ceased operating. The article reads—

Mr Lloyd said he believed that the cost of transporting some goods by road could be twice and possibly three times as much as rail costs.

I believe that to be a fact. In support of my statement, I wish to read a letter received by me from Walpole. It is as follows—

Since the cancellation of our previous West Rail Transport Service, which was replaced by a once weekly Utility, it has proved far from satisfactory.

On numerous occasions goods that were consigned to Walpole via Albany, in order to support the present service, have been redirected Walpole via Manjimup. (thus putting at risk the retention of any service to Walpole).

Manjimup, being the end of the Rail-Link, necessitates the goods coming the remainder of the journey on Cutts timber trucks at a cost of 40 cents a parcel, which has increased already from 30 cents since the new service commenced.

As an example of the added Freight cost, caused by re-directed goods through Manjimup, a consignment of 35 cartons ex Fremantle via Albany to Walpole, resulted in the total Freight charge being half the cost of an identical consignment coming via Manjimup.

What occurred was that the consignment went down to Albany and back to Walpole on the Westrail service. Because the Transport Commission issues permits, Westrail cannot send its goods to Walpole via Albany. It is not permitted to do so. Consequently it has to send

them to Manjimup, the nearest railhead. The timber trucks then take the consignments from Manjimup to Walpole. Because a private entrepreneur is taking the consignment part of the way the cost doubles. When the consignment was coming via Albany into Walpole it was half the cost.

I envisage the same thing occurring in respect of the Meekatharra-Mullewa line. The service might commence all right, but it will not be long before people will be paying through the nose for freight. That is not the only effect it will have. I believe it will virtually mean the end of the Murchison; and I think that view is shared by the member of that area in another place. It is made perfectly clear in the article in *The West Australian* which further states—

The Meekatharra shire clerk, Mr C. T. Cassidy, said that the Meekatharra rail head had developed into a focal point for the pastoral industry in the region.

The closure of the line would also end the jobs of about 90 men employed at various towns by Westrail.

If we take 90 people out of that particular area approximately \$1 million will be taken out of circulation there also.

The Hon. N. F. Moore: Is that gross income?

The Hon. F. E. McKENZIE: Yes. When I refer to \$1 million I am talking about the railway workers' wages, but the support services are also affected so the amount will be multiplied many times; there is no doubt about that. Every effort should be made to keep that line in operation. The people up there are certainly working very hard towards this end, according to the articles not only in the city editions of the newspapers, but also in the supplements.

Another aspect with which I wish to deal is the freezer traffic. The Minister is well aware of the situation because he has received a deputation on the matter from the joint railways union executive last week, and most of the problems have been put to him. However, I feel I ought to bring some of the points to the attention of members.

It was stated that because of health regulations, or something to that effect, the freezer traffic had been taken away from Westrail and given to the road transport people. As the Minister well knows, we have produced documentation which proves that the people handling the road transport traffic are in a worse situation in regard to frozen goods. A survey of freezer trucks was done by railway workers and it was proved that the freezer units on the trucks picking up the goods for the railways were not working.

The Hon. D. J. Wordsworth: When delivering to Westrail?

The Hon. F. E. McKENZIE: Yes.

The Hon. D. J. Wordsworth: They were not working.

The Hon. F. E. McKENZIE: They were transporting frozen goods which had to be kept at a certain temperature.

The Hon. D. J. Wordsworth: I am not disagreeing.

The Hon. F. E. McKENZIE: At least when Westrail was transporting the frozen goods, its freezer units worked properly.

The Hon. D. J. Wordsworth: Sure.

The Hon. F. E. McKENZIE: They seldom give trouble.

The Hon. D. J. Wordsworth: Unfortunately the goods have been damaged while getting to Westrail.

The Hon. F. E. McKENZIE: Agreed. However, once they are at Westrail they are transported properly under the correct temperatures.

The Hon. D. J. Wordsworth: Yes.

The Hon. F. E. McKENZIE: I hope the Government reconsiders this matter. Once the freezer traffic is taken away from the railways, the next move will be parcels, and so on. In the end Westrail will be handling only the heavy bulk commodities and the people will pay the higher freight. The consumer will pay in the long term—make no mistake about that. At least with a Government service, there is some redress.

There are some subsidies, particularly for people living in the country. I believe it is important to consider country people because in some areas the cost of living explodes out of all proportion through the freight component. After all, was not that the idea of Westrail to provide this sort of service? Westrail is getting out of this, getting out of the freezer business, and it is getting out of the Meekatharra-Mullewa line. However, is it putting in a service so people can get subsidised freight? No, it is not. The Government is getting out of this service entirely and handing it back to private enterprise.

The Government may be giving some subsidies. It may subsidise the service initially, but will it keep the service up? I say that the Government should be running its own road service.

When the Government took over the Midland Railway Company in 1964 I was working for that company. It operated a rail service and a road service. A road service operated to Dandaragan

and a road service supplemented the rail service right through to Geraldton. That system operated for many years after the Government took over, until a few years ago when the commissioner decided he would discontinue it although in some cases a door-to-door delivery service had been provided.

There was such strong feeling in Geraldton about the commissioner's attempts to whittle down that service that the business people of Geraldton chartered an aeroplane to come down to Perth and discuss the matter with him.

The Hon. D. J. Wordsworth: You complain it went off the road and off the rail.

The Hon. F. E. McKENZIE: Yes, both services were wanted in some areas and there is room for a duplication. The people complained about the closing down of the road service.

The Minister for Transport received this deputation. The union was active at the same time; the Minister agreed that if the service were taken from Durlacher Street the Government would then not have the capital cost of operating the Durlacher Street depot and the service could be kept going. So the service was retained, and the freezer traffic can be retained also.

I know it is the fear of many rail men that this is only the first move and the concern is about what follows. This ought also to be the concern of the public and it ought to be highlighted. If the Government is moving away from a rail service on economic grounds that is fair enough. However, it ought not to get out of the service completely; it ought to retain a road service into the area.

When the SWATS report is published we may see exactly what the Government intends to do. One must be suspicious, however, about it all, and one attempts to make predictions. I hope my predictions are wrong.

The Hon. D. J. Wordsworth: Your argument being that Westrail has a mortgage on the trade whether it be by road, rail, or air.

The Hon. F. E. McKENZIE: No, I am not saying that about Westrail, but I am saying a Government service ought to be retained because, with a Government service, the Government has some control over the charges.

The Hon. R. Hetherington: I thought Government infrastructure was Government policy.

The Hon. F. E. McKENZIE: I am concerned also about the future of the city parcels depot if we lose the freezer traffic. I think history was made last year when a group of business people joined union representatives in a deputation to the

Commissioner of Westrail. Originally the commissioner said he would not meet us and the business people, but when we told him we would go to the Press over the matter he met both parties together.

As a result of that deputation, the parcel depot which was due to close on the 1st August, 1976, is still open. However, every day we see the cultural centre taking another step forward and yet there is no sign of Westrail attempting to set up a parcels depot in the city, despite the fact that the business people of Perth want a city parcels depot retained. There is no question about it; the Chamber of Commerce made representations to the then Minister for Transport (Mr O'Connor) separately, and two businessmen—Mr Roland Smith and Mr John Saunders—accompanied us on this deputation.

I have written to the Minister, as he knows full well, about purchasing land near the city centre which would be ideal for the purpose. This land is bounded by the railway line, Lord Street, Nash Street, Short Street, and Moore Street, and it comprises about three acres which would be ideal for a city receiving depot for parcels. However, the commissioner says it is not suitable. If that is the case, I want to ask: Where will we put the parcels depot? I certainly hope that Westrail retains its parcels traffic because this is the cheapest form of parcels freight for the public of Western Australia.

Finally, I would like to mention our suburban rail service, and I will raise that matter in this House time and time again. I have not been convinced that this service ought to be curtailed in any way and I certainly hope the Government does not take that action.

In *The West Australian* of the 4th October I noticed that certain plans are afoot for the utilisation of railway land between Perth and Fremantle and more so, I suspect, on the railway verges between West Perth and Mosman Park. I certainly hope the Government is sincere in the statement it has made over a very long period that that suburban rail service will be retained. In fact, I believe this service should not only be retained, but that it should be extended into the more densely populated areas so that commuters from the north of Perth or from along the southern corridor could utilise the railway service.

Perhaps it is not strategically situated to encourage greater utilisation of the rail services, but the Government ought to be planning, as Governments are doing in other States, to upgrade its railway services and where necessary to extend them. I certainly hope this Government

does not accept any advice which might be given by the Director-General of Transport because I have known for a long time he does not favour the retention of the rail service, but rather, he favours busways.

The Hon. R. Hetherington: He is wrong.

The Hon. F. E. McKENZIE: I would like to refer to a number of statements which appear in the annual report of the Director-General of Transport for the year ended the 30th June, 1977. Statement 1 reads as follows—

The Perth Region is car orientated now and will remain so for the foreseeable future. There were 348 000 motor vehicles in the Perth region in 1976; that is 432 motor vehicles per 1 000 persons. We expect 716 000 vehicles to be in the region by 1993—

The Hon. R. Hetherington: What are they going to run on?

The Hon. F. E. McKENZIE: That is the interesting point. It will be very expensive, whatever is used. The ratio will then be 560 vehicles per 1 000 persons.

Of course that is a prediction, but it will be a correct prediction if something is not done about the railways, particularly if the Government allows the Fremantle line to close. I do not know how we would accommodate all these vehicles because we have utilised already all possible land in the Swan River area and the Government will utilise as much railway land as is available. That might be a very good thing, but there will be another problem. Where are the busways to go from Mosman Park onwards? A great deal of traffic will utilise that area if the railway service is discontinued. Cars would have to use Stirling Highway and the traffic bridges would soon become bottlenecks.

The railway line will still come in through Robb Jetty, so the railway bridge will still be necessary, but there will be an extra flow of traffic over the bridges into Fremantle. The Government might be able to solve the problem in that particular area, but where will the extra traffic go from Mosman Park onwards? The busways would have to be discontinued in this area.

I do not say that busways do not have their uses, but I am very much opposed to replacing railway lines with busways. If the Government wishes to try out a system of busways, it should utilise existing roads. The Government could then see how the system would operate. Once a busway is set aside, it is not very long before other priority vehicles such as fire brigade vehicles and



ambulances want to use it. Before we know where we are, we find that the buses cannot use the busways. The Government should leave the railway line where it is and the busways should be situated somewhere else where there is already a road.

The Director-General of Transport has made these predictions about extra vehicles. Of course his predictions will be right, because if that line is closed, more people will be forced to use motor vehicles. One of the reasons that people prefer to use their motor vehicles is that public transport is not convenient and insufficient services are operating to encourage people to utilise them.

The second statement made by the Director-General of Transport reads as follows—

Public transport patronage is declining now, despite continual improvement in quality and progressive increases in the areas served. Patronage has declined from 70.6 million in 1972/73 to 63.7 million in 1976/77. It may begin to rise in the 1980's and may not exceed 1972/73 levels until the 1990's. Some estimates suggest that patronage will reach a low plateau in the next couple of years and remain on that plateau for many years.

Of course patronage of public transport is declining. Does the Minister want to know why it is declining?

The Hon. G. C. MacKinnon: Because the motorcar is so darned efficient, and it is such a good country that everyone can afford a car.

The Hon. F. E. McKENZIE: At the present time maybe, but this is becoming more difficult day by day.

The Hon. G. C. MacKinnon: Is it really?

The Hon. F. E. McKENZIE: It is.

The Hon. G. C. MacKinnon: I doubt that you knew.

The Hon. F. E. McKENZIE: The Government has taken \$8 a week from people living in commission homes, so many of them will have to give up their cars.

The Hon. G. C. MacKinnon: Would you like to take a few shades of odds on that one?

The Hon. F. E. McKENZIE: There are insufficient public transport services to encourage people to utilise them. The Minister knows why patronage has declined. The Government has cut the services in the last 12 to 18 months—

The Hon. G. C. MacKinnon: It is a bit like the chicken and the egg, isn't it?

The Hon. F. E. McKENZIE: —so that after

8.00 p.m. and on Sundays passengers must wait an hour between trains. Much the same thing applies with the buses. If I do not leave this House by 11.20 p.m. I cannot get a bus, and I am going pretty well tonight, I must admit.

The Hon. D. J. Wordsworth: You will be pleased to know the House will supply you with a taxi if you do not have a car.

The Hon. F. E. McKENZIE: I will refer to the other States. I mentioned Queensland previously. The railway booklet *Network* has carried a few articles on this matter. Of course this is a rail publication, but no doubt the information is quite factual.

The Hon. R. F. Cloughton: Mr Wordsworth would be quite familiar with that.

The Hon. F. E. McKENZIE: Yes, I agree the Minister would know all about it. In the August issue of this booklet we see there is an intensive five-year public transport plan for New South Wales. The article deals with the transport policies of the Government in that State.

I want to contrast them with the public transport policies in this State. I believe the Government is being badly advised by the Director-General of Transport.

The Hon. D. J. Wordsworth: And a lot of other organisations, groups, studies, reports, and specialists.

The Hon. F. E. McKENZIE: I have said before, and I will say it again, that they all come under the influence of the director-general. He has brought down dozens of reports since he was installed in office, and very few have been acted upon because, to the credit of the Government, they were not acceptable. Likewise, I am hoping this recommendation will not be acceptable.

What happens is that if the Government cannot get its way in one direction, it will try another direction. So, it scales down services and starts losing patronage. Both the rail and bus services have been scaled down over the last 18 months, and the patronage has declined. Public transport becomes less attractive to the people, and they buy motorcars.

The Hon. D. J. Wordsworth: The service has been scaled down on some lines which were very badly patronised, anyway.

The Hon. F. E. McKENZIE: And they have become worse since.

The Hon. D. J. Wordsworth: They probably have, because no-one is using them. You would be amazed at the number of complaints I get about empty buses going down the roads.

The Hon. F. E. McKENZIE: Put these buses

back on the road, and people will begin to use them. It may take time; it will not happen overnight.

The Hon. G. C. MacKinnon: Do you think the Hon. Herbert Graham was ill advised to take trams out of service?

The Hon. F. E. McKENZIE: Yes, I believe in the light of the circumstances he was, just as I believe this Government would be ill advised to replace railways with buses, particularly in view of the looming fuel crisis.

The Hon. G. C. MacKinnon: I have news for you; trams use energy.

The Hon. F. E. McKENZIE: Yes, but they use electric power, which can be generated by coal.

The Hon. G. C. MacKinnon: Anyway, we could always generate it with uranium.

The Hon. F. E. McKENZIE: The Government would be crazy to consider using uranium with so many coal reserves in this State.

The Hon. A. A. Lewis: How long will those reserves last?

The Hon. F. E. McKENZIE: Virtually forever; that is how much coal there is available.

The Hon. D. W. Cooley: There is enough coal to last for hundreds and hundreds of years.

The Hon. A. A. Lewis: Both of you must be joking! You are completely and utterly ignorant of the situation regarding the supply of coal.

The PRESIDENT: Order!

The Hon. F. E. McKENZIE: The world supply of uranium will last only some 30 years, but coal will be there for hundreds of years.

The Hon. G. C. MacKinnon: I am glad you agree with me about Herbie Graham, because that has always been my sentiment.

The Hon. D. K. Dans: They are thinking of bringing trams back in Sydney.

The Hon. F. E. McKENZIE: Perhaps the Leader of the House will support the retention of the railways; I certainly hope so, which is why I am trying to impress upon him the importance of retaining and improving rail services. It is important that the Leader of the House knows what is happening in other States. For instance, in Brisbane they are extending and electrifying their railway system at a colossal cost. Similarly, the railway system in Adelaide is being upgraded. A lot of rubbish is spoken about the Perth metropolitan sprawl. I cannot accept this argument because both Brisbane and Adelaide can be compared in size to Perth, and both those cities are expanding their rail services.

I should like to quote now from the periodical

*Network* for August, 1977. It deals with the situation in New South Wales, where the Government is embarking on an intensive, five-year transport plan. The article states—

The basic planks of that transport policy are:

The modernisation and rationalisation of public transport services and resources.

The development of a viable transport system, within the economic, social, environmental and resource constraints, to provide reasonable and equitable mobility for both public transport and private vehicles.

A fresh look at freeway planning and construction, urban rail construction works and traffic management systems.

It goes on to state—

The Public Transport Programme

We are engaged in a programme costing some \$1 000 million. It ranges through buses, ferries, passenger and goods rollingstock, motive power, signalling and communications, electrification, . . .

The Hon. A. A. Lewis: Does it say what sort of annual loss it is expected will be sustained?

The Hon. F. E. McKENZIE: For the information of the honourable member, let me quote the following—

The 20 per cent fare reduction was introduced within six weeks of the Government taking office.

That is the Wran Government, of course. The article continues—

Already there are encouraging results from that fare reduction.

The really significant thing is that the long-term downward trend of patronage has not only been arrested, it has been reversed. The latest figures confirm that the favourable trend is continuing, with a very dramatic increase in country areas.

Yet we have been wiping out our country services. The article continues—

We are looking at other initiatives to win people back to public transport and I can foreshadow that there will be some major innovations introduced next year. The proposals will need to be discussed with the Public Transport Commission Joint Council, the Commuter Council, the Unions involved and others.

The Hon. D. J. Wordsworth: You did not quote

from the director-general's report about how much it costs each taxpayer every time a person gets on a train.

The Hon. F. E. McKENZIE: The Minister must be referring to the \$1.11?

The Hon. D. J. Wordsworth: That is right.

The Hon. F. E. McKENZIE: If the Minister would like to argue that point, I am quite prepared to oblige him.

The Hon. D. J. Wordsworth: If you reduced fares by 20 per cent, would that improve the situation?

The Hon. F. E. McKENZIE: Yes, I believe it would. Since the Metropolitan Transport Trust became a single body, the railways simply run the services for the MTT, and it seems to me there has been a fiddling of the books. There is no way we can obtain a complete breakdown of the figures, or how they are arrived at.

The Hon. D. J. Wordsworth: Who is doing the fiddling—Westrail?

The Hon. F. E. McKENZIE: I believe they are, and somebody should look into the matter. If the Minister can make the figures available to me, I could perhaps extract the components which make up the \$1.11. However, what happens today is that the MTT simply pays the commissioner to run his rail services.

The Hon. G. C. MacKinnon: You had better watch the clock; you are going to miss your bus.

The Hon. F. E. McKENZIE: I can go on discussing this matter for a long time.

The Hon. D. J. Wordsworth: Do you think Mr Shea should run the railways? He does not like paying extra money.

The Hon. F. E. McKENZIE: Frankly, I cannot understand why he has not questioned the accounting procedures adopted. It is almost impossible to gain any idea of what is happening from the report of the MTT. For instance, it cost Westrail over \$1 million in administrative expenses alone; but it is difficult to find any administrative expenses for the MTT.

The Hon. D. J. Wordsworth: What was the \$1 million for?

The Hon. F. E. McKENZIE: For administration expenses for Westrail. I have tried to fathom it out, but with no success. The MTT has a list of items on which expenditure was made, such as traffic operations, maintenance of rolling stock, maintenance of other equipment, fuel for traffic, operation and maintenance of ferries, administration and management, etc. However, the railways account is confined to only

four items; namely, traffic and motor power, mechanical and ways and works, general administration, and depreciation and interest. It is all very difficult to follow.

I should like to see a complete breakdown before I am convinced that it costs \$1.11 per train passenger. If I could see a complete breakdown of the figures, I might be able to suggest to the Minister areas where savings could be made. For instance, recently a railway bridge at Claremont was painted, and just after they finished painting it, they tore it down. What is worrying me is that they have just painted the Perth parcels office!

I now move to the September issue of *Network* where at page 12 there appears an article relating to the situation in Victoria. It is written by the Victorian Minister of Transport (the Hon. J. A. Rafferty).

The Hon. R. Hetherington: He makes his own rules!

The Hon. F. E. McKENZIE: He states as follows—

A wonderful thing happened to the Victorian Railways when the financial year closed on June 30....

The Government, at present implementing a \$500 million programme to upgrade all forms of public transport, called on VicRail to make a dramatic bid to cut losses and boost efficiency.

The results were revealed at the end of June.

Based on monthly estimates released by the State Treasury which did not take into account cash in transit, seasonal fluctuations in both revenue and expenditure, and fluctuations in revenue debtors, the press confidently forecast a loss of over \$200 million for the year.

The Minister might say that is a big deficit compared with the situation in Western Australia. However, he must take into account that Westrail enjoys the money-spinning activities of the bulk transport of iron ore, bauxite and other minerals—business which is not available to the Victorian railways. The article continues—

The operating cost for the year was a deficit of \$136.5 million—an increase of only five per cent on the previous year.

The Hon. D. J. Wordsworth: That is 10 times our deficit.

The Hon. F. E. McKENZIE: The increase of only 5 per cent was less than the rate of inflation. The Victorian Minister of Transport continued—

I think all railway administrators will agree that all this was quite an achievement and reflected great credit on all concerned.....

There is a lesson in this, not only for other State authorities but private industry bedevilled by spiralling costs.

I am not one of those doleful pessimists who periodically predict the collapse of public transport.

The Hon. D. J. Wordsworth: I have not said it was going to collapse, either.

The Hon. F. E. McKENZIE: The Director-General of Transport has made it clear on a number of occasions this is his view, and that is why I am asking the Minister to listen to me, and not to heed the bad advice coming from the director-general. The Victorian Minister continues—

A striking example of the absolute necessity not only to maintain our various public transport services, but to improve, modernise and strengthen them, was shown during the petrol crisis in April this year.

With the petrol crisis, there was an upsurge in the use of public transport; people were forced to leave their motor vehicles at home. The Victorian Minister continued—

Without public transport they would have been stranded at home with their petrol barren cars.

The petrol crisis was a nasty experience, which, I hope, forlornly perhaps, won't be repeated.

In Victoria, the Government is doing everything possible to lure people back to public transport.

We want not only to increase patronage in large numbers to boost revenue, but we want to get people out of their cars and off the roads on weekdays to reduce traffic congestion and all the ills that go with it.

I thought I should mention the situation in other States in the hope that Government members will take notice of it and thus prevent any attempt to abandon the service to Fremantle. In today's *The West Australian* Mr Hamer, a former chairman of the Metropolitan Region Planning Authority, said—

I was surprised, if not amazed, to read the report indicating the possible scrapping of the train service in favour of buses on the railway reserve land—at a cost of, say, \$20 million—between Perth and Leighton.

Studies of current Metropolitan Region

Scheme maps and those issued in 1963 reveal no dramatic change in land-use provisions in that area.

I shall not read any more.

The Hon. D. J. Wordsworth: That \$20 million includes building another railway line.

The Hon. F. E. McKENZIE: But it is not necessary because one is there already. I cannot understand why it should be necessary to build another one unless it is extended north of Perth. That would be a very good idea because it would facilitate some co-ordination between bus and rail. Why cannot the buses which feed in from the Kwinana and Rockingham areas be fed into the rail system as happens at Midland? There has been no attempt at Fremantle to feed passengers into the rail system. I suppose the reasoning is that there is not sufficient rolling stock. In peak periods the rail services are working to capacity; there has been no new equipment for 10 years or more and some of it is very old. It is not comfortable. The Government has done nothing to attract people to the rail system.

The Hon. D. J. Wordsworth: Do you agree that those passengers are carried to Perth better by bus?

The Hon. F. E. McKENZIE: I do not agree. People feed in from the hills area to Midland and catch an express service which leaves at 8.15 in the morning and takes 16 minutes to run into Perth. That could happen at Fremantle. People could be fed in from Rockingham, put on a train, and travel into Perth in 16 minutes, which is much quicker than travelling along the freeway. I do not know why that is not done.

If the Fremantle line is to be taken away what will happen at show time, for example? The Royal Agricultural Society does not agree the line should be taken away because it has told the commission that it will give the suburban railway its fullest support. The director-general has told us that these people could be moved by bus, but I have had people in my office complaining to me that at show time they were waiting on a railway station for 40 minutes. I do not know what went wrong but they were stranded for 40 minutes. The railway service was supplemented with buses which took people to the Royal Show and I can only assume that the railway services were working flat out to clear the crowds. The railway services can barely cope with the crowds at this time but they can move people quicker than buses can, and I do not know whether buses can be obtained to move them.

In addition to that, football crowds utilise the

rail services. That link to Fremantle is very important, and it is essential that it be retained.

I notice that money is allocated in the Budget for the upgrading of the Koolyanobbing-Kwinana line. It is to the Government's credit that this line is to be upgraded. I note also that the Estimates anticipate a railway operating surplus of \$1 million. Last year there was a deficit of \$1 million, so in spite of the fact that the Government is providing \$1.5 million for the upgrading of the Kwinana-Koolyanobbing section there will still be a \$1 million surplus in operating expenditure.

Why cannot that \$1 million, and more, be utilised? I am talking only about operating surplus because once we start to talk about interest we are talking about where railway deficits occur. That \$1 million ought to be used to upgrade the Meekatharra line. I know that the Meekatharra line is in a very bad condition but it has been neglected for a long time and there should be a programme for upgrading it. After all, it has been in existence for more than 70 years. I know that \$1 million has been spent on maintenance but as far as I am concerned it was money wasted. More money than that needs to be put into it. It needed gradual upgrading.

I used to work for the Midland Railway Company. That company was battling but each year it laid a certain mileage of heavier track. It stopped using the 45 lb. rails which are now used on the Meekatharra line, and started to use 60 lb. rails. Every year it did a little so that when the Government took over in 1964 very little was left to be done. This is what must be done. The line should not be left until the whole of it collapses and the Government has to spend \$23 million. Instead of putting in a little money each year successive Governments have allowed the Meekatharra line to run down. What will happen to the railway system in future? Will it run down in various areas until it is in such a condition that it can no longer be serviced or is it to be maintained regularly, as used to be the case, so that it does not all collapse at the one time?

The Hon. D. J. Wordsworth: Have you received your copy of the latest edition of the *MTT Quarterly*?

The Hon. F. E. McKENZIE: No.

The Hon. D. J. Wordsworth: You will be very pleased to know that Mr Shea has put a picture of a train in it.

The Hon. F. E. McKENZIE: I am very pleased about that. I think Mr Shea, the Chairman of the MTT, is doing an excellent job. As a railway man, I only wish—and my views are shared by

others—that he was the Commissioner of Railways and was concerned about rail passenger traffic. Regrettably a complex the size of Westrail looks only at those areas which are making a profit, and in my view is no longer interested in suburban services, because it does not run them any more. The services are run by the MTT which gets the revenue and reimburses Westrail.

I have had quite a lot to say about railways and I have supplemented my speech with other matters, which can only happen after one gains experience of an electorate. Nevertheless, everyone has his hobbyhorse and railways has certainly been my hobbyhorse. This has been a speech containing a certain amount of bias but I hope it has been interspersed with some common sense and logic of which members of the Government will take notice. I support the motion because I believe it needs to be supported. I hope I have been able to bring out some matters which I believe require attention and I hope the Government will look into these matters.

**THE HON. T. KNIGHT (South) [10.24 p.m.]:** I should like to raise a few matters this evening and, therefore, I shall start with the smaller ones and build up. The first matter I wish to raise in the House is Recreation Council funding during the last 12 months. An amount of \$1 million was allocated for use throughout Western Australia. I understand about 150 applications were made for this money, which meant that many people missed out.

I am not aware of any approval for funding for any project in South Province, which disturbs me greatly. The Albany Town Council, the Esperance Shire Council, the Mt. Barker Shire Council, and the Denmark Shire Council have approached me and complained about the fact that money was not available through Recreation Council grants to finance recreation in their areas. I believe this is a sorry state of affairs because recreation means so much to country people.

The Albany Town Council forwarded to me an idea it had regarding a build-up of funds which could be used during coming years. I forwarded this to the Minister and I am hoping that in the near future he will call a conference in the great southern for the purpose of discussing the idea with regard to the funding of recreation grants which I think will be of benefit to the whole of Western Australia.

I move now to my annual chestnut which is the Hopetoun water supply. I notice that once again there is no indication that Hopetoun will get a water supply in the coming 12 months. At the moment building blocks are selling in the area

and there is a slow build-up of population which I believe would be greatly improved if water were made available to this little town on the south coast.

The Hon. R. F. Claughton: Can they cart it by rail?

The Hon. T. KNIGHT: There is no railway. It was taken out when the port was closed and copper mining stopped. I am pleased to say that in the last 12 months the Government has been responsible for installing SEC power at Hopetoun, which is one move towards the type of facilities we have come to expect in major towns and the metropolitan area. I hope that the Government or the Minister and his department will look at this matter very closely, and I hope that finance will be made available to provide a water supply for Hopetoun. I realise that at this stage it would be a very costly project because extensive testing of bores throughout the area has shown there is no potable underground water. Such a project would involve building a large bituminised catchment area with holding dams, which is a very costly way of providing water although there is underground water which is too salty.

I move now to the Flinders Park primary school which is being built at the moment. This is a rapidly growing suburban area of Albany in which many children live, and at the moment they have to travel a long way to school. Unfortunately in the plans for the school there is no provision for a canteen. There are no shopping facilities within a four-mile radius of Flinders Park which means that people must shop at Emu Point or Spencer Park. I hope the Minister will see fit to include in the final building at Fletcher Park primary school a canteen for the use of school children to buy their lunches.

Within the province I represent are two ports—Esperance and Albany—and I believe they are not getting a fair deal with regard to freight in and out of those areas. It is my contention that the Government should legislate, if necessary, to ensure that goods produced in those regions are shipped out through a regional port and that goods used in those regions are brought in through the ports. I shall probably clash swords with Mr McKenzie here, but I believe that because the railways have been operating to the detriment of the regional ports over the years, by offering incentives we should use disincentives with regard to rail freights to ensure that goods go in and out of the region through the ports which serve the region.

Millions of dollars have been spent in Albany

and Esperance in providing modern port facilities which are a credit to the Government and to the area. If they are not utilised to a greater degree, I believe it will be money wasted.

I move now to something with which I have been associated very closely and which is of great concern to me: that is, the care of the frail aged in our community.

Last year the Albany Frail Aged Community Centre Group was formed, and the intention was to use the old Albany Regional Hospital. The situation in country centres at the moment is that when elderly people need medical treatment, and the "C"-class hospitals and the geriatric wing at the Albany hospital are full, those people are either sent to Perth or arrangements are made for them to be sent home to their families.

In Albany we have several establishments catering for old people and they include Lionsville, the Anglican Homes, the Silver Chain Homes, and the CWA cottages for retired pensioners. Two other retirement homes for aged people have been planned and are preparing to go ahead. It would appear Albany caters well for the care of the aged. However, there is a gap between the Silver Chain nursing type of accommodation and geriatric care. Pensioners in the Silver Chain type of nursing home, or a similar type of nursing home, under the conditions laid down can no longer stay in that accommodation once they are unable to attend at meals, bath themselves, keep their rooms clean, or do their laundry. People living in that type of accommodation have to be the able frail aged, and have to be mobile.

The geriatric wing of the Albany Regional Hospital is nearly always full. Albany and other regional centres are lacking in the intermediate type of care facilities, similar to those which exist in Perth through "C"-class hospitals, both private and Government. That means that when a pensioner or an elderly person reaches the stage where he cannot take care of himself, he is ineligible for the Silver Chain nursing type of accommodation and has to either go back to his family or be sent to Perth. Some people are able to go into the Albany geriatric wing, but that is really for the acutely disabled—those people unable to care for themselves in any way whatsoever. Patients are usually waited on hand and foot. It is embarrassing for a pensioner suffering from a short illness to have to share that type of accommodation.

The intermediate type of accommodation should be available in Albany and in all regional centres throughout the State. The State Government does not directly finance the

establishment of this type of home. The State Government has to wait for the Federal Government to make available the finance. Since the election of the Fraser Government, the allocations of finance have been over a three-year period. People who have planned the construction of homes have found that they can be funded at periodical stages over the next three years until the project is completed. That means anyone coming in wishing to construct this type of home during that period will not have finance available until the end of the present three-year period.

There has been no endeavour by the Government to accept the responsibility of paying interest on moneys spent until such time as Federal Government finance is available. That is an avenue which should be explored to ensure the continuity of the construction of homes for elderly people.

Some of the homes are run on a commercial basis, and I believe these are necessary to cater for particular needs. However, I am advocating the type of home where a pensioner will in most cases retain between \$5 and \$11 a week of his pension to enable him to buy cigarettes, sweets, or perhaps a Christmas present for his grandchild. The situation in the commercial type of home is that between \$20 and \$25 per week has to be paid additional to the pension of the person involved. A young couple who may be battling to raise a family and buy a home could be placed in the position of having to pay \$40 or \$50 a week in order to hospitalise their parents. I do not believe young people should be placed in that situation, when it is considered the parents usually have been pioneers and workers of this State.

The Government should be made more aware of what is going on and should be prepared to make available within its Estimates money to fund this type of nursing home.

As I mentioned earlier, we formed a group in Albany. We approached the Government—and I give the Government full credit for its interest—and we were told that if we could come up with a project which was viable we could have the old hospital building. At that time a commercial group was applying for the old hospital.

One Sunday we organised a "Ring and give" appeal. There were eight of us, and we had some assistance from the rangers, the guides, and some other people who went door knocking for us. We issued pledge cards, and people pledged themselves to pay so much when they were called upon to do so. The shire council promised financial support, as did the town council. Practically every service club in Albany pledged

itself for \$1 000. We raised \$60 000, and with the additional assistance I have just listed we were looking at something like \$100 000. That sum of money was raised in the regional centre of Albany as a result of one day's work, which demonstrates that the community was wholeheartedly behind the project and that it warranted Government support.

Because of the inability or the inexperience of the group which was formed, we sought assistance from the Anglican Homes for the Aged in Perth. A survey was conducted, and it was financed by money made available by the then Minister for Health. I believe the survey was the most comprehensive ever carried out and it highlighted the needs of the frail aged in the Albany region. During the survey we contacted builders, plumbers, bricklayers, and several other organisations.

The idea of the project was to provide a 60-bed nursing hospital. There was to be ward accommodation, accommodation on a single room basis, and in the area which previously was the nurses' quarters there was to be a section to cater for those needing care between the Silver Chain nursing type of accommodation and the intensive care accommodation.

The cost of the project was estimated at \$500 000, and on approaching the Federal Government it was found that that type of money was not available for possibly another two years. As a result, the whole project fell through. The State Government should be in the position either to raise money or to issue loans for this type of building programme, particularly in regional centres, and then be compensated by the Federal Government at the next loan allocation. At the moment we have a three-year stagnation period between the allocations of loans, and no new projects are getting off the ground. The State Government has to look into this aspect. We have to cater for our old people, and it must be remembered that each day each one of us grows a day older. I hope that when I need this type of treatment the facilities will be better than they are at the moment.

I will now move on to another matter which has interested me; that is, the unemployment situation in Australia. I have a proposal to which I expect a lot of opposition from different sectors of the community—mainly those who do not want to be helped. My recommendation is the reintroduction of compulsory blanket national service. During the 1950s all 18-year-old males were called up for a statutory period of training. If academic training or an apprenticeship was to be interfered with the period of training was deferred, but the

young men concerned were not completely excluded from national service training. At that time every person did his national service training; there was not a balloting system as existed during the Vietnam war and which was opposed by nearly everyone in Australia.

There is no arena of war in which Australia can be involved at the moment. We do not have a Korea or Vietnam situation. The reintroduction of national service would involve those young people who are on the streets at the moment looking for jobs. Many of them are wasting their time. It would also include those who at present spend their time lying on the beach and picking up the dole.

The money at present being spent on unemployment benefits could be used for training young people to accept responsibility. It could be used to teach them respect and discipline, two virtues which are sadly lacking today. The young people would become better citizens as a result of their training.

According to the 1975 statistics, we had in Australia 358 960 youths between the ages of 18 and 20. On the basis of the unemployment figure of 300 000, we would have a balance of 58 000 in favour of the scheme.

I believe national service training should also include girls. During the last war women were trained as truck drivers and for many other jobs. I think the girls would appreciate the chance to do something.

Another aspect is the clothing industry, which is down on its knees at the moment. We read in the Press that the clothing industry is at present being battered badly by imported clothing. The need to provide 400 000 uniforms, and the linen necessary to cater for the needs of those people, would certainly be a shot in the arm for the clothing industry. Another aspect embraces the engineering requirements, machinery requirements, and building construction. Recreation and training facilities would need to be constructed and machinery would have to be built. There would be a stimulus to the building industry and the machinery firms. The system could be used as a national service training scheme rather than a work training scheme. As I have said, there is no arena of war at the moment in which these young people could become involved.

The Hon. D. W. Cooley: Has the member estimated the cost?

The Hon. T. KNIGHT: It would probably work out dearer than the unemployment payout, but at least we would be getting something for the

expenditure. That is the whole intention of my proposal. At the moment the young people are receiving unemployment payments without doing anything for their country.

During the last war men were trained in building projects, roadmaking, engineering, carpentry, bricklaying, and surveying. I believe many of the young people would stay on in the services and make a career of that type of life. Others would serve out apprenticeships which would provide them with additional openings when they returned to the outside world. The young people would learn that they are part of a group, relying on each other. They would learn that if it was necessary to go into battle they could rely on each other. The young people would be brought together, would work together, and they would become better citizens. They would learn discipline, they would respect authority, and they would learn to have a sense of responsibility.

I have looked into this matter and I believe that a period of 12 months' training—without disrupting apprenticeship training or academic and career advancement—would help to make better citizens out of our young people. I agree that such a scheme could not be carried out at the same cost of the present unemployment payments, but even if it cost half as much again this country would be in front.

People would be called up, just as I was called up. I believe it did me a lot of good. I saw the smart alecks who came into the forces at that time and who were going to show the instructors what to do. They came out good citizens. It took them only a couple of weeks to learn to work as part of a team.

I appreciated the time I spent in national service. I am not pointing at any other person's children. I have three boys in the age group I am talking about, so I expect they would also be involved. I am not looking at it on the basis that my children would be exempt. I also have a 19-year-old daughter, two 17-year-old daughters, and a 15-year-old daughter. I have seven children who would be involved. I think many Australians will feel this would be for the benefit of the children because it would solve the unemployment problem and get us back to where we were a few years ago.

The other day there appeared in *The West Australian* the following letter from Air Marshal Sir Valston Hancock, RAAF retired, Chairman of the Australian Defence Association, Perth—

Your leader "Defence cuts" (September 24) is not only timely but discerning in highlighting the long lead times required to



acquire complex defence equipment and the need to keep pace with associated technology.

Democracies are chronically blind to accumulating evidence of impending aggression. The path of history is strewn with the wreckage of obsolete war equipment and the bodies of gallant men who failed to stem an aggressor's advance through inadequate preparation.

If we will not be warned by mounting evidence and can be convinced only by the hot breath of a predator on our necks, then our only hope of survival is to be adequately prepared at all times.

It is within our capacity to defend ourselves. We need to convince potential predators by our manifest resolution and preparedness that aggression is not worth the price. That premium for defence will be incomparably cheaper in the long run.

Our association extends its congratulations to you for taking a stand on an issue which today appears to have no electoral appeal and may well antagonise those readers dedicated to the easy life.

I did not look at that on the basis of being prepared for war. I believe if one is prepared for something one is less likely to be knocked off. The Air Vice Marshal mentioned "the need to keep pace with associated technology". The armed forces are way ahead on engineering, mechanical works, surveying, and the type of thing in which we need to have boys trained. They could get this training in the forces and be clothed, housed, and paid while learning. Perhaps they would even have travel benefits. When doing national service we received the cost of travelling backwards and forwards to our homes, or passes for the railways and buses.

We need to have a good hard look at the situation. Blanket national service as it was five or six years ago is not the type of thing the public would accept. However, we are not at war with any country at the moment. We have 300 000 people unemployed, and roughly 400 000 young males in this category and possibly an equal number of young females. Perhaps it would be impossible to bring all the females into the scheme but there would be some openings for them in nursing and in office staff. In addition, girls like driving trucks and doing mechanical work, as was proved during the last war. Girls are being trained as mechanics in Australia at the moment. There are many openings which would help this country to get back on its feet.

We should think about what would happen if

our sons went to war. If there were a war, I would prefer that my sons were prepared rather than that they were dragged off the street or out of a job, put into uniform, and sent to the front. A scheme such as I have outlined would kill two birds with one stone. It would create jobs and a better society, and a defence force which would be ready if needed. Mr Chifley found in the 1940s, when he had a lot of strife with the unions, that the defence force was his biggest backstop to ensure that the much needed supplies of perishables, foodstuffs, and clothing reached the people.

The Hon. Lyla Elliott: You have just spoilt a good story.

The Hon. T. KNIGHT: Mr Chifley thought it was a good story at the time.

These young people could be doing so many different things which would be beneficial to the Australian way of life. I watched a show on television last night in which young people were complaining that everywhere they went they were told, "You have no experience. We cannot give you a job. You are too young. Your kind are running around wearing long hair and jeans; you would not fit into this firm." They are being completely written off as far as job opportunities are concerned. If those young people went into national service they would leave job vacancies behind.

The Hon. D. W. Cooley: For how long would you put them away?

The Hon. T. KNIGHT: Twelve months. In that period other people will move into their jobs, but in my opinion the jobs should be kept open for the young men when they return after their national service. When one has done a good job an employer will give a reference. Very few young people can get references today. This is another bugbear—not having the opportunity to get a job and proving to be worthy of a reference.

To my way of thinking, what I have proposed opens up completely new horizons. We in this House and in another place do not have the right or prerogative to do anything about it, but it is a matter which must be spoken about. Everyone is looking for a solution to the unemployment problem with which we are faced. We are all looking for something which will give our young people some pride and a chance to get into the work force and earn an income. The public feel most of the young people are missing out on the opportunity to be involved and acquire respect for authority and discipline. They need an opportunity to do something for themselves which they can be proud of.

I have given this matter a lot of thought. I believe much more can be said about the avenues which are open. There is no other way in which we can find 300 000 jobs for people in this country at the moment. By bringing in national service we would create work and job opportunities; we would help these young people by giving them a chance to learn a trade; we would take them off the streets and put them into a situation where they are working for and with the community. The taxpayer's money will be used but I do not think the taxpayer will kick about it because it will obviate the payment of unemployment benefits about which everyone is up in the air.

I would not like Mr McKenzie to miss his train at 11.20 p.m. I support the motion.

Debate adjourned, on motion by the Hon. D. W. Cooley.

## CONSTITUTION ACTS AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

### *Second Reading*

**THE HON. G. C. MacKINNON** (South-West—Leader of the House) [10.55 p.m.]: I move—

That the Bill be now read a second time.

Section 46 of the Constitution Acts Amendment Act, 1899-1975, relates to the powers of the two Houses of Parliament in respect of Bills appropriating revenue or imposing taxation. Such Bills are required to originate in the Legislative Assembly and be accompanied by a message from the Governor, to that House, recommending the appropriation or taxing measure.

Other Bills containing provisions for the imposition or appropriation of fines or other pecuniary penalties or for the demand of payment or appropriation of fees for licences or fees for registration or other services can originate in

either House. A study of parliamentary debates associated with amendments to section 46 of the Act in 1921 and 1950 reveals the intention of legislators at the time that in such instances a message from the Governor is not required.

These previous amendments arose from interpretations of section 46 and resultant rulings given by different presiding officers. However, despite legislative action taken in those past years the situation still appears doubtful.

Over a period of a number of years, Crown Law officers have been concerned that notwithstanding that presiding officers have given rulings in relation to section 46, which would have been accepted by Parliament, the resulting legislation may be open to challenge in the courts for possible failure to comply strictly with the section.

Further, successive Governments have often been advised to take the prudent course and provide a message pursuant to subsection (8) even when on a strict interpretation it may not be necessary, such a course being intended to eliminate the possibility of the Bill in question being ruled out of order. It has been considered necessary to follow such advice because there is a body of opinion to the effect that there is a real risk that legislation is examinable in the courts and that it may be declared invalid.

This Bill therefore seeks to protect the validity of past and future legislation which, through the difficulties of interpretation, may give rise to a technical infringement of section 46. It is considered that the provisions of section 46 are designed to regulate the internal affairs of Parliament and the respective rights and privileges of the two Houses, and these are not matters that ought to affect the validity of an Act.

The amendment will also provide the added benefit of facilitating the business of both Houses, once the present inhibitions are removed, by enabling a greater number of Bills to originate in the Legislative Council.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. Hetherington.

*House adjourned at 10.58 p.m.*