

# Legislative Council

Wednesday, 11 August 1982

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

## QUESTIONS

Questions were taken at this stage.

## SETTLEMENT AGENTS AMENDMENT BILL

### *Second Reading*

**THE HON. R. G. PIKE** (North Metropolitan—Chief Secretary) [5.24 p.m.]: I move—

That the Bill be now read a second time.

When the Settlement Agents Bill 1981 was debated in Parliament during the autumn session of 1981, several members expressed concern that enactment of the legislation would prevent licensed real estate agents, particularly those in country areas, from conducting real estate settlements as a free service to their clients.

The Hon. N. E. Baxter: The copies haven't been distributed yet.

The Hon. Peter Dowding: That is disgraceful behaviour—absolutely disgraceful!

The Hon. G. E. Masters: I agree!

The Hon. Peter Dowding: It is an abuse of the processes of the House.

The Hon. G. E. Masters: Your behaviour is disgraceful.

The PRESIDENT: Order!

Several members interjected.

The Hon. Peter Dowding: You are trying to hide—

The PRESIDENT: Order! The Chief Secretary is endeavouring to make a second reading speech on a Bill and I ask him to proceed.

The Hon. R. G. PIKE: The Government's attention had been drawn to the practice adopted by some country real estate agents of conducting settlements for their clients, free of charge, as an adjunct to their main operation as real estate agents.

It was thought at the time, and stated in the House, that if a real estate agent did not charge for settlements he was not carrying on business as a settlement agent and, therefore, would not be required to be licensed as such under the Settlement Agents Act.

Following the enactment of the Settlement Agents Act, the Settlement Agents Supervisory

Board informed certain real estate agents that they must licence as settlement agents to carry out real estate settlements, irrespective of whether or not a charge is made for that service. Crown Law Department advice has confirmed the view adopted by the board.

Anyone who makes a practice of arranging or effecting settlements, whether for reward or otherwise, is required to be licensed under the Settlement Agents Act.

The Government has decided, therefore, to amend the Settlement Agents Act to keep faith with the views expressed by Government members in the House last year. The amendment will provide for an exemption from the Settlement Agents Act for those licensed real estate agents who wish to continue to conduct settlements as a free service.

Some licensed business agents do not presently charge for effecting settlements. The amendment also will cover those licensed business agents who wish to be exempted from the Settlement Agents Act.

Clause 3 of the Bill inserts new sections 26A and 26B to provide for the granting of exemptions to licensed real estate and business agents. A licensed real estate or business agent carrying on business under the Real Estate and Business Agents Act will be required to possess the same qualifications as if he were applying for a licence as a settlement agent.

This means that during a period of three years after the appointed day an applicant must satisfy the Settlement Agents Supervisory Board that he has had not less than two years' continuous practical experience immediately prior to the appointed day and passes in written and oral examinations set by the board; or satisfy the board that he has had not less than five years' continuous practical experience immediately prior to the appointed day.

Real estate and business agents applying for exemption more than three years after the appointed day must possess qualifications in accordance with schedule 1 of the Settlement Agents Act. The required qualifications are two years' practical experience and passes in examinations prescribed by regulation.

Schedule 1 of the Act will be amended to provide that exempted persons may in the future be granted a settlement agent's licence without having to fulfil the qualification requirements other than at the time of exemption.

An exemption will apply only to real estate or business settlements effected without reward and in respect of which the agent acted for the vendor

or purchaser in the course of his business as a real estate agent or business agent.

Where a licensed real estate or business agent is exempted from the provisions of the Act, clients for whom settlements are effected will not be afforded the protection of the Settlement Agents Act, which means that professional indemnity insurance will not apply. A prescribed notice is to be provided to clients advising them of these circumstances.

However, clients will be afforded protection against defalcation by an agent through a claim against the real estate and business agents fidelity guarantee fund because an exempted licensed real estate or business agent carrying out real estate or business settlements free of charge can be said to be acting in the course of his business as a real estate agent or business agent.

The Bill will enable a real estate agent or business agent to conduct real estate or business settlements free of charge without the necessity to be licensed under the Settlement Agents Act.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Peter Dowding.

## WESTERN AUSTRALIAN MARINE BILL

### *In Committee*

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. G. E. Masters (Minister for Labour and Industry) in charge of the Bill.

Clause 1: Short title—

The CHAIRMAN: In order to facilitate the passage of the Bill, would members indicate if they wish to speak to a clause.

The Hon. D. K. DANS: I would like to raise a couple of points now so that when the Minister goes through the Bill, he can give me answers as he goes along rather than have me stop him for a detailed report. Would he explain why the certification of marine surveyors was removed? I was trying to short circuit things, but as we are locked into some sort of doctrinaire approach—

The CHAIRMAN: Order! We are not locked into a situation at all. I asked members if they wished to address themselves to certain clauses in order to facilitate the passage of the Bill. If it is the wish of the Committee we will go through the Bill clause by clause. No-one is trying to do otherwise.

The Hon. D. K. DANS: I have queries on Clauses 28, 36, 42, 91 and 97.

Clause put and passed.

Clauses 2 to 27 put and passed.

Clause 28: Overloading—

The Hon. D. K. DANS: This clause refers to the carriage of a greater number of persons than the number specified in the certificate of survey, and the penalty on conviction is \$2 000 with a further penalty of \$20 for additional persons. That is a fairly light penalty. I agree that it would be very difficult for a ship committing that offence to slip out of port, given the other clauses in the Bill. Nevertheless, if it were possible it would be quite a lucrative business.

The Hon. G. E. MASTERS: I imagine that the penalties were considered appropriate after discussions were held and advice was received. I am not aware of the reason these penalties were agreed to, except that they were considered appropriate. There is also a penalty of \$3 000 for a subsequent offence. The \$20 a person does not seem a very high figure when a ship can carry quite a number of people. Nonetheless, the penalties were accepted after discussions within the industry and after viewing legislation in other States and in other parts of the world.

The Hon. G. C. MacKINNON: The Bill allows for a ship, for the purposes of saving life, to carry a greater number of people than it is registered to carry. Who determines whether picking up the additional people was to save life? It is possible that, for the purpose of making a profit, a ship registered in Australia could sail to Taiwan or Kampuchea or any country where there is a refugee problem and bring back a greater number of people than that for which it is registered. The captain could maintain that the extra people were being carried in order to save life, and there would need to be an authority to determine whether the claim was valid. Ships are doing this now. If an Australian vessel tried to engage in such a ghoulish trade, who would determine whether it was an offence?

The Hon. G. E. MASTERS: I think the penalties and the control are outlined in the Bill. The saving of life normally is not done for profit, although the honourable member is correct when he says there are people or groups who would carry additional persons in their ships and pretend they were saving lives. That involves a judgment which would have to be made.

Ships are bound by international law to aid a ship in distress, and should one vessel pick up survivors from another vessel it could find itself to be overloaded; but that is not the point the member is getting at. He is referring to people who operate a ship and allow people to climb on board for a fee and claim they are refugees, when

they are not. Under the provisions of the Bill the department will be able to impose a penalty in such cases. However, we are talking mainly about vessels that ply our coast. International agreements cover the other situation.

The Hon. G. C. MacKINNON: Recently we have seen many cases of refugees being picked up, and not all that far from home, so I think this is a worth-while point to persist with. If a ship goes to a country from which refugees wish to escape, this could be an extremely lucrative trade. I am prepared to accept that this situation is covered in the Bill, but I wonder whether the Minister could explain just where is the provision made, to ensure that we do not have to do the job again next session should the matter be found to have been overlooked.

The Hon. G. E. MASTERS: Quite clearly the Bill sets out that penalties will apply when people break the law. The Bill covers vessels, ships, ferries, and private craft. If any vessel enters one of our ports and is found to have too many people aboard, the port authority itself or the department would apply the penalty. Inspectors are available to inspect the ships. If additional people were aboard they would have to be there because their lives were in danger as their own vessel had been in distress. Should a vessel arrive from another country and, on being inspected by the port authority is found without excuse to have too many people aboard, the penalties would apply.

The Hon. G. C. MacKINNON: Many parts of our long coastline are plied by ships that have no authority to do so. I will not persist but I suggest that the Minister check to see that this matter has not been overlooked. I assure the Minister that I am not talking of mythical things but about things that could happen and do happen.

People could be picked up without the proper authorities being able to check, and these people could be delivered to destinations at which the proper authorities would not see them. They might just appear at some northern port, or for that matter, a port in another land. The ship would go back to its normal duties. I do not ask the Minister to rise again, but I ask him to check the matter for me.

Clause put and passed.

Clauses 29 to 35 put and passed.

Clause 36: Penalty for overloading—

The Hon. D. K. DANS: Again I must refer to the levels of penalties. A vessel exceeding 40 000 tonnes must pay a penalty of \$8 000 if it is overloaded, but that is the point at which the penalty stops. It could pay a 40 000-tonne vessel to overload in spite of the consequences. I accept

that as a result of the diligence and vigilance of our marine surveyors and the Lloyds' surveyors, overloaded vessels within the jurisdiction of this Bill would find it difficult to leave a port, but the penalty stops at \$8 000. A vessel of 1 000 tonnes could be penalised \$500, and that would make it not viable for such a vessel to overload; but a 40 000-tonne vessel could for one reason or another take on an extra 10 000 tonnes of cargo and not be concerned about the consequences. I am not saying this will occur, but I put it to the Minister that an anomaly exists.

The Hon. G. E. MASTERS: I must put the same argument and justification as I put when the member previously raised the matter of penalties. The Bill has been put together with the best advice, and the experience of legislation in other States and parts of the world. The legislation on that basis was considered appropriate. I acknowledge the member's expertise in this area, but the advice and experience to which I have referred were the bases on which the final decision was made.

Clause put and passed.

Clauses 37 to 41 put and passed.

Clause 42: Offences as to fire appliances—

The Hon. D. K. DANS: The penalties in this clause again seem to be relatively light. I have risen to note that point for the future. I do not think we can cure problems merely by imposing penalties; it is the diligence and vigilance of our marine surveyors upon which we rely to ensure that the regulations are followed; but if the proper procedures were not followed we would have situations leading to loss of life. Again I ask the Minister to give his reasons for the penalties being set as low as they have been.

The Hon. G. E. MASTERS: I understand the member's comments, but the reasons I gave previously will stand in this case. He made a good point when he said that the regulations are applied vigorously by our inspectors. The methods used to check fire appliances on vessels are quite strict and successful, although that does not mean something may get past the inspectors at some time or other. However, the penalties laid down are strict enough to lead people not to flaunt the regulations. I understand also the member's comment that the penalties might be a bit too light in some cases.

Clause put and passed.

Clauses 43 to 90 put and passed.

Clause 91: Restriction on carriage of dangerous goods—

The Hon. D. K. D'ANCS: Clause 97 deals with a similar matter, and again I inform the Minister that the penalties are comparatively light when one considers that the loss of life at sea in 1982 is far greater than it was 10 to 40 years ago, or even 50 years ago. Notwithstanding what I have said about our surveyors, the penalties should be increased.

Clause put and passed.

Clauses 92 to 103 put and passed.

Clause 104: Establishment of Courts of Marine Inquiry—

The Hon. G. E. MASTERS: I move an amendment—

Page 78, line 36—Delete the words “they are” and substitute the words “it is”.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 105 to 136 put and passed.

Schedules 1 to 6 put and passed.

Title put and passed.

Bill reported with an amendment.

## ADMINISTRATION AMENDMENT BILL

### *Second Reading*

Debate resumed from 4 August.

**THE HON. J. M. BERINSON** (North-East Metropolitan) [5.50 p.m.]: The Administration Act provides in part for the distribution of the assets of a person who dies without making a will. If the deceased is married the spouse has first claim on a specific lump sum and is also entitled to a proportion of the remainder of the assets. The present lump sum was set in 1976. Its real value has obviously declined in the meantime and this Bill updates the provision by a factor which reflects movements in the Consumer Price Index. That is eminently reasonable and the Opposition supports it.

We are still left, however, with a question of more general application, in relation to updating provisions generally. After all, how do we arrive at the conclusion that six years is an appropriate period for a review rather than, say, five years or seven years?

The matter might be looked at in another way. A widow of a deceased person who also left a child was entitled in 1976 to \$30 000. That now moves to \$50 000, which suggests that without adjustment that widow would receive \$20 000 less than the spirit of the Act requires. If that is correct, a widow in that position in 1981 did in

fact receive about \$15 000 too little, in 1980 about \$12 000 too little, and so on. The only way to avoid that result is by an inbuilt periodic indexing system such as applied for many years in the Workers' Compensation Act.

In earlier days when three per cent inflation was considered a bad year, these considerations were probably not all that important; today they are. In the last 10 years inflation has only occasionally and marginally been below 10 per cent and on average it has been much worse than 10 per cent. This really creates a new framework of operations and it is time to apply ourselves to adjusting better to that.

The Administration Act is not an isolated case. The Attorney General has already announced that in this session the Government proposes to double the maximum amount payable under the criminal injuries compensation scheme, for example, and the major part of that, I expect, would also reflect a wish to accommodate the inflationary process that has occurred. I am not dogmatic on this proposition and I do not pretend to come to the House with a ready-made formula which will solve the difficulty to which I am drawing attention.

Attention should be given to a more general solution of the type of problem which the Administration Act raises, rather than leaving it to a piece-by-piece process. In supporting the Bill, I commend that possibility to the House.

**THE HON. I. G. MEDCALF** (Metropolitan—Attorney General) [5.55 p.m.]: I thank the Opposition for its support of the Bill. In regard to the problem raised by the honourable member, as he has rightly said, it is not easy to find a solution; indeed, this is a matter that has exercised the Government's mind from time to time. We have put forward different solutions in different circumstances. It seemed that this was an Act in which we should have some certainty as to the share. Of course, the legacy is not the only share that the widow will receive. She will also get a half or a third of the balance, depending upon the number of issue or what other relatives there are. Therefore, she will not miss out completely.

I agreed that it is a problem and it is not easy to find a solution. It is appropriate to draw attention to it and I can only say that this is a matter to which we will continue to give consideration.

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. I. G. Medcalf (Attorney General), and transmitted to the Assembly.

**ADJOURNMENT OF THE HOUSE: SPECIAL**

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [5.58 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 17 August.

Question put and passed.

**ADJOURNMENT OF THE HOUSE:  
ORDINARY**

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [5.59 p.m.]: I move—

That the House do now adjourn.

*Mineral Sands: Capel*

**THE HON. V. J. FERRY** (South-West) [5.59 p.m.]: I want to claim the attention of the House for a few minutes. Members should be aware of the matter I am about to disclose. I wish to draw attention to the irresponsible reporting of a situation in Capel depicting background radiation, as indulged in by the *Daily News*.

Members will recall that on 31 March this year I had occasion to speak in this House about what I believed to be an unfair and exaggerated report on the issue of background radiation in the Capel townsite area. Subsequent to my comments, the following day the *Daily News* edition of Thursday, 1 April 1982, at page 2, ran a full-page spread in which my contribution to the debate was severely criticised in an editorial. The *Daily News* published a photograph, which I am holding in my hand, and the caption under the photograph read—

A Capel primary school pupil retrieves a ball from inside the roped-off area in the school playground.

I have a copy of the actual photograph taken on that occasion and I will make it available to members for their perusal. When this photograph is compared with the published photograph it is obvious that the published one has been fiddled with.

In addition to the faked photograph, the caption reported that the child was retrieving a ball from inside the roped-off area. The area in the school grounds which had landfill from the mineral sands mining site was roped off. The sands had been used as landfill many years earlier. It was realised that the area contained some background radiation and it was proper therefore that the area be roped off so students would not move into it.

For the *Daily News* to publish a photograph of this nature and state that the pupil retrieved a ball from inside the roped-off area was completely false. It was misrepresentation of the worst order.

The newspaper obviously used this photograph for its own designs. It does not need to make representations such as that at all; they are quite improper.

I shall refer to the next issue of the *Daily News* when, by its own admission, the newspaper said it was at fault. On page 2 of 2 April edition a small section at the bottom of the page stated, under the heading, "Pupil in safe area"—

Because of a misunderstanding, a pupil of Capel Primary School was shown in the *Daily News* yesterday to be inside a roped-off area of monazite radiation when in fact she was outside it.

The girl was pictured on Page 2 with stories of monazite radiation. Artwork was carried out on the picture incorrectly. The *Daily News* apologises for any concern caused to the pupil or the girl's parents.

So the *Daily News*, by its own admission, had misled the public. It is a shame this has happened. It does not do the district and the people of Capel any good at all to have misrepresentation of that sort. Further, I think it is scandalous that the principal of the school, and its staff, should be placed in a situation where it is suggested that they have been negligent by allowing students to play in a roped-off area. That was not the case at all.

I know the principal of the school was concerned about this, as was the Education Department, and action has been taken. An interesting point to note is that it has been said to me by people of authority—people who are responsible—that a photographer from the *Daily News* spent a few hours in the Capel School area and took some 21 photographs in the hope that a student might run across the prohibited area. This was done to suit a particular purpose in reporting.

The Hon. D. J. Wordsworth: They have done that before.

The Hon. V. J. FERRY: It may be so.

The Hon. D. K. Dans: Wicked people!

The Hon. V. J. FERRY: The editorial in the newspaper the next day apologised for the fact that this had been done. This was no credit to the *Daily News* at all.

The *Daily News* issue of 10 August made a front page comment about the radiation situation in Capel. It said—

Our report was mischievous and deplorable, Liberal MPs said in Parliament.

I say it again, it is deplorable. I think it should be put on record that I believe the reporting to be mischievous. Why cannot the newspaper report the facts as everyone wants it to do. For goodness sake, let us be truthful.

Question put and passed.

*House adjourned at 6.07 p.m.*

## QUESTIONS ON NOTICE

### EMPLOYMENT AND UNEMPLOYMENT: SKILLED TRADESMEN

#### *Immigration*

348. The Hon. D. K. Dans, to the Minister for Labour and Industry:

I draw the Minister's attention to a report in the *Australian Financial Review*, of 3 August 1982 referring to an inflow of 11 000 skilled tradesmen into Australia "in the 12 months to January 1982", and ask—

- (1) What proportion of the 11 000 tradesmen entered Western Australia?
- (2) For those entering Western Australia—
  - (a) from which countries, and in what numbers, did they arrive; and
  - (b) what were their occupations?

The Hon. G. E. Masters replied:

- (i) The period quoted in *The Australian Financial Review* of 3 August 1982 report is a 13-month period from 1 January 1981 to 31 January 1982 when 11 192 skilled tradesmen entered Australia. Of these, 1 737 entered Western Australia.

Source: Department of Immigration and Ethnic Affairs Settler Arrivals—Statistic Table 3.

- (2) (a) and (b) Details sought can be provided only by the Commonwealth Department of Immigration and Ethnic Affairs, which has undertaken to supply the details requested. This information will be made available as soon as it comes to hand.

## POLICE

### *Aircraft*

349. The Hon. P. H. LOCKYER, to the Minister representing the Minister for Police and Prisons:

- (1) Is it true that the WA Police Force has purchased a twin engined aircraft?
- (2) If so, what was the total cost?
- (3) Was a tender called for supply of an aircraft?
- (4) Does the Police Department intend to retain the single engined aircraft it already owns?
- (5) If a twin engined aircraft has been purchased, what will it be used for?
- (6) Will the pilots be members of the WA Police Force?

The Hon. G. E. Masters replied:

- (1) to (6) The Police Department has purchased a Partenavia P68 Observer model twin-engined aircraft at a cost of \$179 000.

The aircraft is a demonstration model, with less than 200 flying hours, and equipped with various items of equipment additional to the standard. A similar model would cost \$198 000 if one were available, and the price for an order placed now is expected to be in the vicinity of \$240 000 with delivery early next year.

The Partenavia Observer is designed especially for observation work, and is in use by Police Forces in other countries. A special feature is its perspex type nose which gives excellent air to ground visibility.

Because of the special features and the availability, approval was given by the Tender Board to buy direct from the Australian distributor, Interair Pty. Ltd. All proper procedures were carefully followed with this arrangement.

This aircraft will supplement the single engined aircraft already used for traffic work.

Whilst the plane will be used primarily to support traffic patrols on major roads such as the Eyre Highway, it is intended also to use the aircraft to bolster general police work in the more remote areas of the State. It will be used also to transport police personnel in emergency situations.

The aircraft will be piloted by serving members of the Police Force.

## APPRENTICES

### *Suspension*

350. The Hon. D. K. DANS, to the Minister for Labour and Industry:

In what trade areas are the 247 apprentices currently under suspension in Western Australia—question 332, 4 August 1982—and what are the respective numbers for each area?

The Hon. G. E. MASTERS replied:

The trade areas and number of apprentices are as follows—

| Trades  | Number Suspended | Number employed with view to transfer |
|---|------------------|---------------------------------------|
| Boilermaking  | 12               | 6                                     |
| Sheetmetal  | 1                | 1                                     |
| Fitting   | 3                | 3                                     |
| Fitting & turning                                       | 11               | —                                     |
| First class welding (engineering)                       | 3                | —                                     |
| Fitting and First-class machining                       | 11               | 1                                     |
| Motor mechanics   | 25               | 6                                     |
| Refrigeration fitting                                   | 6                | 2                                     |
| Plant mechanics (agriculture)                           | 1                | —                                     |
| First class welding (boilermaking)                      | 4                | —                                     |
| Steel construction (boilermaking)                       | 1                | —                                     |
| Boilermaking steel construction and first-class welding | 1                | —                                     |
| Boilermaking and first class welding                    | 13               | 3                                     |
| Electrical fitting                                      | 9                | 1                                     |
| Electrical installing                                   | 17               | 9                                     |
| Auto electrical fitting                                 | 2                | 1                                     |
| Radio and television servicing                          | 2                | —                                     |
| Bricklaying   | 4                | 3                                     |
| Carpentry and joinery                                   | 20               | 3                                     |
| Plumbing  | 10               | 4                                     |
| Wall and ceiling fixing                                 | 1                | —                                     |
| Painting  | 2                | —                                     |
| Tilelaying  | 1                | —                                     |
| Bodymaking  | 1                | —                                     |
| Trimming  | 1                | —                                     |
| Vehicle painting  | 5                | 2                                     |
| Panel beating   | 7                | 3                                     |
| Butchering  | 2                | 1                                     |
| Slaughtering  | 2                | —                                     |
| Small goods making                                      | 1                | 1                                     |
| Baking  | 1                | —                                     |
| Pastrycooking   | 2                | —                                     |
| Cooking   | 8                | 2                                     |
| Locksmithing  | 1                | —                                     |
| Watch and clock repairing                               | 2                | 1                                     |

|                     |     |    |
|---------------------|-----|----|
| Optical mechanics   | 2   | —  |
| Cabinetmaking       | 16  | 6  |
| Woodmachining       | 4   | —  |
| French polishing    | 1   | —  |
| Male hairdressing   | 2   | 1  |
| Ladies hairdressing | 22  | 7  |
| Jewellery           | 1   | —  |
| Shipwrighting       | 1   | —  |
| Boatbuilding        | 1   | —  |
| Horticulture        | 3   | —  |
| Floor Covering      | 1   | 1  |
| TOTALS              | 247 | 68 |

## FUEL AND ENERGY: GAS

### *North-West Shelf: Dampier-Perth Pipeline*

351. The Hon. TOM McNEIL, to the Minister representing the Minister for Resources Development:

- (1) Who is the prime contractor for the laying of the Dampier to Perth natural gas pipeline?
- (2) When is it anticipated work will commence on the excavation of the 14 water reservoirs along the pipeline?
- (3) Are local councils to be given the opportunity to carry out land clearing and earthworks where the line passes through their shires?
- (4) Are shire councils to have any other involvement in the pipeline work?

The Hon. I. G. MEDCALF replied:

- (1) As announced, discussions are taking place between Saipem Australia Pty. Ltd. and ICC Construction Co. Ltd. with a view to forming a joint venture to undertake construction. The Government will consider the possible construction arrangements when all discussions are complete.
- (2) Tenders were called in July 1982 and will be returned by 13 August 1982 for the construction of the water reservoirs required for the project. It is anticipated that a contract will be placed late September 1982 and construction should commence shortly after.
- (3) Arrangements are being made to contract all of the necessary upgrading of access roadworks and preparation of the pipe stockpile areas to all of the local shire councils on the pipeline route willing to undertake these works.
- (4) It is the Government's and the commission's intention that there will be maximum use of Western Australian subcontractors.

## RAILWAYS

### *Iron: Purchase*

352. The Hon. P. H. LOCKYER, to the Minister representing the Minister for Transport:

- (1) Has Westrail finalised with the Meekatharra Shire Council details of the purchase of railway iron?
- (2) Who was the successful tenderer?
- (3) What was the tender price?

The Hon. G. E. MASTERS replied:

- (1) Yes
- (2) Midalia Steel Pty. Ltd.
- (3) The tendered price, including delivery and stacking at the shire's delivery point, was \$90 per tonne.

## EMPLOYMENT AND UNEMPLOYMENT

### *Rural*

353. The Hon. D. K. DANS, to the Minister representing the Premier:

In the context of the Premier's reply to Legislative Assembly question 942 of 4 August 1982, where he refers to rural unemployment figures, was there any scientific basis for this feeling, attributed to his Government, that 3 000 jobs lost to rising costs would be a fair indication of a serious problem?

The Hon. I. G. MEDCALF replied:

I refer the member to the quite explicit answers to Legislative Assembly questions 891 and 942. The Government wishes the Opposition and the public to understand that when costs rise faster than prices, there is a critical problem for any industry. It is regrettable that the Opposition seems so ignorant of this problem in rural areas.

The Hon. D. K. Dans: What a lot of rot!

The Hon. Peter Dowding: Rubbish!

## EMPLOYMENT AND UNEMPLOYMENT

### *Job Displacement Statistics*

354. The Hon. D. K. DANS, to the Minister for Labour and Industry:

- (1) In the context of the Minister's reply to question 331 of 4 August 1982, on what grounds do companies request confidentiality in relation to redundancies which have already occurred?

- (2) In relation to his commitment to supply me with some information on this matter—question 331, 4 August 1982—will he ensure that some indication is given of precisely how the information is obtained?

The Hon. G. E. MASTERS replied:

- (1) Companies indicate that they are under no obligation to provide information on the possibility of redundancies or actual redundancies to anyone except possibly their own employees. Companies generally consider that any publicity about redundancies which have already occurred may have an adverse effect on the companies' trading operations, profitability and future business confidence.
- (2) Some indication will be given as to how the information is obtained.

## INDUSTRIAL DISPUTE: ROEBOURNE BAKERY

### *Consignment of Flour*

355. The Hon. D. K. DANS, to the Minister for Labour and Industry:

I refer the Minister to his reply to question 328, 4 August 1982, and ask—

What in fact were the incurred costs which the Government anticipates will be met by the consignee?

The Hon. G. E. MASTERS replied:

The costs relate to the purchase price of the commodities and transport to Roebourne. As these are to be paid by the consignee I am not in a position to supply details.

## TRAFFIC: MOTOR VEHICLES

### *Importation*

356. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Police and Prisons:

- (1) Does this State still impose a three-month ownership requirement on vehicles privately imported from overseas before registration can take place?
- (2) Is this restriction imposed in all other States of Australia?



- (3) If not, what are the requirements for privately imported vehicles in those States before registration can be effected?

The Hon. G. E. MASTERS replied:

- (1) No.  
 (2) No.  
 (3) It is understood the current requirements in other States are—

Queensland—3 months

Tasmania—1 month

South Australia—1 month

ACT—No qualifying period

New South Wales—No qualifying period—vehicle to be retained for 12 months

Victoria—3 months

Northern Territory—No requirement.

## EDUCATION

### *Wanneroo Shire: Report*

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

- (1) Has the Minister seen the report on education facilities in the Shire of Wanneroo dated June 1982 commissioned by the shire, which presents detailed statistics supporting the need for more technical and further education facilities in that part of the metropolitan area?  
 (2) If so, what plans, if any, does he or his department have for meeting this need?

The Hon. R. G. PIKE replied:

I am advised that the Minister for Education has—

- (1) seen the report;  
 (2) referred the report to the WA Post Secondary Education Commission for urgent advice and has indicated to the shire a willingness to meet with a deputation to discuss the matter.

## AGED PERSONS

### *Accommodation Requirements*

358. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Health:

- (1) (a) Is the growth in the numbers of aged persons in this State and the

needs for accommodation being monitored and projected; and

- (b) if so, by whom?

- (2) What steps are being taken to ensure needs for the future will be met?

- (3) (a) How many subsidised aged persons hostel beds are available in WA at this time; and

- (b) how many is it estimated will be required by the year 2000?

- (4) (a) How many nursing home beds are available in WA at this time; and

- (b) how many is it estimated will be required by the year 2000?

The Hon. R. G. PIKE replied:

- (1) (a) Yes;  
 (b) by the Unit of Clinical Epidemiology, Department of Medicine, University of Western Australia and the Department of Hospital and Allied Services.

- (2) There are State Government services with special responsibilities in this area. A review is currently in progress, and planned expansion is already taking place.

- (3) (a) 2 920—subsidised hostel places;  
 (b) 4 730—based on a figure of 30 per 1000 over the age of 65 years.

- (4) (a) 6 613—(not including “nursing-home type” places in country hospitals);

- (b) 8 100—based on current recommendation of 50 per 1 000 over the age of 65 years as defined by the standing advisory committee on nursing homes—joint Commonwealth-State.

## COMMUNITY WELFARE: DOMESTIC VIOLENCE

### *Crisis Care Unit*

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

- (1) Has the Government made any decision on the establishment of a crisis-care unit to provide an intervention and counselling service in cases of domestic violence?

- (2) If so—  
 (a) what are the details of the proposed service; and  
 (b) when is it intended to introduce it?

The Hon. R. G. PIKE replied:

- (1) Various options for the establishment of such a service are currently being considered.
- (2) (a) It is proposed that such a service would assist in the management of domestic disputes and violence and would work in close conjunction with the police. The service would respond to family crisis situations which require quick action to relieve a situation of extreme stress to children or parents.
- (b) Refer to (1).

#### COMMUNITY WELFARE: DOMESTIC VIOLENCE

##### *Advisory Committee*

360. The Hon. LYLA ELLIOTT, to the Attorney General:

With reference to the announcement of the Attorney General on 17 March 1982 that the Government was to establish a committee to consider legislation to protect victims of domestic violence—

- (1) What are the names and official positions of the members comprising the committee?
- (2) What are the guidelines or terms of reference governing the committee's work?
- (3) How many times has it met?
- (4) (a) Has it sought submissions or information from community groups providing services for victims of domestic violence such as the Women's Refuge Group of WA;  
 (b) if not, why not?
- (5) (a) Has the Government yet received any report and/or recommendations from the committee; and  
 (b) If not, when is it anticipated the committee will conclude its work?

The Hon. I. G. MEDCALF replied:

- (1) Names and official positions of the members comprising the committee—  
 Chairman: Judge Anderson, Family Court of WA.

Members: Mr R. M. Davis, Registrar of the Family Court of WA.

Dr A. Dickey, Family Law Practitioners' Association (W.A.)

Senior Inspector P. C. Ayling, Western Australian Police.

Mr P. Gorton, Deputy Director, Community Welfare Department.

Mrs M. A. Yeats, Legal Officer, Crown Law Department.

- (2) Terms of reference:

The committee is asked to consider—

- (i) The 1982 amendments to the Commonwealth Family Law Act and the need for consequential amendments to the Family Court Act.
- (ii) Proposals to increase police powers to deal with domestic violence, with particular attention to the question of the proper Western Australian court to deal with this matter.
- (iii) A number of proposals for minor amendments to the Family Court Act which have come to the attention of the Government during the past several years but, so that the committee is able to complete its work promptly, no consideration should be given to the general question of rights in *de facto* relationships.
- (3) The committee has met four times.
- (4) (a) Yes.  
 (b) Not applicable.
- (5) (a) No.  
 (b) The committee was requested to report by 31 August 1982.
- The delays in final consideration by the Commonwealth Parliament of the Family Law Amendment Bill 1982 have prevented the committee from completing its work to date.
- It is not known when the Commonwealth intends to proceed with its legislation. This will determine the date of completion of the committee's report.

#### WOMEN'S INTERESTS

##### *Women's Advisory Council: Women's Adviser*

361. The Hon. LYLA ELLIOTT, to the Minister representing the Premier:

With reference to the Premier's statement of 20 April 1982 that a

Cabinet subcommittee would give consideration to a proposal to establish a women's advisory council and a full time Women's Adviser—

- (1) Has the Government received a report from the subcommittee?
- (2) (a) If so, has a decision been made on the matter, and what is it;  
(b) if not, when is it anticipated a decision will be made?

The Hon. I. G. MEDCALF replied:

- (1) No.
- (2) (a) Answered by (1).  
(b) A decision will be made by the Government as soon as the subcommittee has completed its investigations.  
It is not known when this will be.

#### PUBLIC SERVANTS, GOVERNMENT EMPLOYEES, AND TEACHERS

##### *Early Retirement: Government Consideration*

362. The Hon. LYLA ELLIOTT, to the Minister representing the Premier:

- (1) Is the Government giving consideration to any schemes for early retirement for—
  - (a) civil servants;
  - (b) school teachers; and
  - (c) other Government workers?
- (2) If so—
  - (a) has the Government made any decisions on this matter; and
  - (b) will the Minister give details of what is planned, and when it is proposed to introduce such schemes?

The Hon. I. G. MEDCALF replied:

- (1) and (2) The member's attention is drawn to the report in *The West Australian* of 16 March 1982 where the Government announced plans to introduce voluntary retirement from age 55 for all its employees.  
Work is proceeding to implement the policy as soon as possible.

#### EDUCATION: TECHNICAL

##### *Art Classes*

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

- (1) What effort has been made by the Education Department to overcome the problems caused by the 25 per cent cut in technical education art classes in the 1981-1982 Budget?
- (2) Will the Government give an undertaking to restore the level of funding for this area of education to that which existed prior to the last Budget?

The Hon. R. G. PIKE replied:

- (1) The overall enrolment in art studies was maintained in 1982 at the 1981 level.  
This was achieved through a re-organisation of resources and facilities and rationalisation of class groupings including the redeployment of some students between technical institutes.
- (2) Due consideration will be given to the funding of this area of education in keeping with the current economic climate and the requirements of all other sectors of education.

#### WATER RESOURCES: COUNTRY AREAS

##### *Public Works Department: Administration*

364. The Hon. PETER DOWDING, to the Minister representing the Minister for Works:

- (1) Is the Minister aware of the widespread dissatisfaction in northern towns over the activities of the Public Works Department administering the country water supplies?
- (2) Is the Minister aware that the Public Works Department in Derby has delayed the issue of water bills so that people have been forced to pay a year's account within the space of three months?
- (3) Is the Minister also aware of allegations that the Public Works Department in Derby has miscalculated the amount owing on water by private users?
- (4) If not, will the Minister investigate these allegations?
- (5) If "Yes" to (3), will the Minister say what action, if any, he has taken to correct the inefficiencies of that section of his department?

The Hon. G. E. MASTERS replied:

- (1) No.
- (2) During 1981 a problem with staff and office machinery affected the rendition of Broome accounts. These problems were all overcome by January 1982. All consumers who were disadvantaged by the late readings had their accounts adjusted. Credits given were deducted from the next account. The member was advised of the facts by the Minister in February 1982. Recovery action was not closely pursued by the department in view of the large amounts of some of the accounts. No similar problems occurred in any other town controlled by the Derby office and there has been no repetition of the problem in Broome during 1982.
- (3) No, apart from the normal number of inquiries which occur in any manually operated office environment.
- (4) If any specific allegations are brought to the Minister's notice, he will investigate accordingly. The Minister is satisfied, however, that the Derby office is presently operating efficiently.
- (5) Not applicable.

### HOUSING

#### Broome

365. The Hon. PETER DOWDING, to the Minister representing the Minister for Housing:

- (1) What is the number of applicants for State Housing Commission homes by bedroom category for the town of Broome?
- (2) How many houses in each bedroom category will be built in the 1982-83 year in the town of Broome?
- (3) Is the Minister aware that in addition to the existing housing list, there are many other people in Broome without any or with inadequate housing?
- (4) Will the Minister give a commitment to an expanded housing project for the town of Broome in the next financial year, and if not, why not?

The Hon. R. G. PIKE replied:

(1)

|                           | Pensioners | 1BR | 2BR | 3BR | 4BR | Total |
|---------------------------|------------|-----|-----|-----|-----|-------|
| Commonwealth-State Rental | 16         | 10  | 34  | 16  | 3   | 79    |
| Aboriginal grant housing  | 4          | 4   | 29  | 13  | 4   | 54    |

(2)

|                           |   |   |    |    |   |    |
|---------------------------|---|---|----|----|---|----|
| Commonwealth-State Rental | — | — | 10 | 31 | — | 41 |
| Aboriginal grant housing  | 4 | — | 6  | 17 | 4 | 31 |

- (3) The State Housing Commission can take into account only those people who make application and are assessed as eligible for housing assistance.
- (4) The building programme for 1983-84 will be determined having regard to the demands on the commission on a State-wide basis and the funds available at this time.

### AUSTRALIA-UNITED KINGDOM CONSTITUTIONAL LINKS

#### Severance

366. The Hon. J. M. BERINSON, to the Attorney General:

Can the Attorney General indicate an approximate timetable for the severance of remaining constitutional links with the United Kingdom as recently agreed by the Standing Committee of Attorneys General?

The Hon. I. G. MEDCALF replied:

A time table has not been attempted, nor is one really feasible.

The task of implementing the agreement is of extreme complexity and requires a great deal of legal work. It is the sort of task in which the "t's" must be crossed and the "i's" dotted.

The view is generally held that the task should be completed as soon as it properly can be and a great deal of effort is already being expended.

One of the first public steps will be the introduction of legislation into the State Parliaments. It may prove possible to do that this session, but it is too early yet to be clear about it.

### ABORIGINES: ALCOHOLICS

#### Roebourne

367. The Hon. PETER DOWDING, to the Minister representing the Minister for Lands:

- (1) Has the Minister's department received an application for the excision of a small area of land on Millstream Station on behalf of Woodley King and the Ngurrawarna group?

- (2) Is the Minister aware that the application is for the setting up of an alcohol treatment centre in an area isolated from the main towns in the Pilbara for Aboriginal people from the Roebourne community?
- (3) Will the Minister approve the application, and if so, when?
- (4) If the Minister will not approve the application, why will he not approve it?
- (5) What tenure, if any, of the land sought to be excised will the Minister offer the applicant?

The Hon. G. E. MASTERS replied:

- (1) and (2) The department was recently invited to attend a meeting in Roebourne to discuss the possible excision of an area of land from Millstream Station for the purpose of an alcohol rehabilitation outpost, presumably related to the Aboriginal people mentioned by the member.
- (3) to (5) The matter is currently being researched and will be dealt with on its merits when full information is available.

### MONEY LENDERS ACT

#### *Maximum Rates of Interest*

368. The Hon. J. M. BERINSON, to the Attorney General:

- (1) As at 30 June of each of the years 1978-1982 inclusive, what were the prescribed maximum rates of interest for purposes of section 3 and section 11A of the Money Lenders Act?
- (2) What are the current rates in each case?

The Hon. I. G. MEDCALF replied:

- (1) Prescribed rates are as follows—

|         | Section 3     | Section 11A   |
|---------|---------------|---------------|
| 30-6-78 | 15 per cent   | 20 per cent   |
| 30-6-79 | 15 per cent   | 20 per cent   |
| 30-6-80 | 15 per cent   | 20 per cent   |
| 30-6-81 | 16.5 per cent | 22.5 per cent |
| 30-6-82 | 18.5 per cent | 27.5 per cent |

- (2) As for 30-6-82.

### MONEY LENDERS ACT

#### *Bodies Corporate*

369. The Hon. J. M. BERINSON, to the Attorney General:

What bodies corporate are now exempted from registration under the

Money Lenders Act pursuant to section 3(f) of the Act?

The Hon. I. G. MEDCALF replied:

All current exemptions under section 3 (f) of the Money Lenders Act appear in *Government Gazettes* of the last three years. The relevant information would need to be extracted from that source and is available to the member.

### MONEY LENDERS ACT

#### *Registrations and Prosecutions*

370. The Hon. J. M. BERINSON, to the Attorney General:

In each of the past five years—

- (a) how many money lenders were registered; and
- (b) how many prosecutions were instituted pursuant to the Money Lenders Act?

The Hon. I. G. MEDCALF replied:

- (a) and (b) The following information has been supplied by the Police Department.

| As at<br>June 30 | (a)<br>Regis-<br>tered<br>Money<br>Lenders | (b)<br>Prose-<br>cutions |
|------------------|--|--------------------------|
| 1982             | 81   | —                        |
| 1981             | 146  | —                        |
| 1980             | 200  | —                        |
| 1979             | 190  | —                        |
| 1978             | 134  | —                        |

### COURTS: LEGAL AID COMMISSION

#### *Costs Rules*

371. The Hon. J. M. BERINSON, to the Attorney General:

- (1) Referring to the Legal Aid Commission (Costs) Rules 1982, can the Minister advise whether clause 18 reproduces an earlier rule to the same effect?
- (2) If so, where can the earlier rule be found?
- (3) If "No" to (1), what has been the previous practice of the Legal Aid Commission in respect of the subject matter of the rule?

The Hon. I. G. MEDCALF replied:

- (1) Rule 18 does not reproduce an earlier rule to the same effect.
- (2) Not applicable.
- (3) The commission's practice prior to 1 August, 1982, was to require a private practitioner who recovered costs from another party on behalf of a legally-assisted client to remit to the commission so much of those costs as exceeded 90 per cent of the practitioner's own costs. Thus, if a legally-assisted client obtained an order for payment of 100 per cent of his costs, the assigned practitioner would retain 90 per cent and the remaining 10 per cent would have been remitted to the commission to cover its costs of administering that grant of aid.

#### COURT: SUPREME

##### *Costs Rules*

372. The Hon. J. M. BERINSON, to the Attorney General:

- (1) Did the Government make any recommendation or submission to the judges of the Supreme Court in respect of the review of costs implemented in the Supreme Court (Costs) Rules 1982?
- (2) If so, what was the nature of the Government's submission?

The Hon. I. G. MEDCALF replied:

- (1) No.
- (2) Not applicable.

#### QUESTIONS WITHOUT NOTICE

##### ELECTORAL: PROVINCES

##### *Area*

87. The Hon. P. H. LOCKYER, to the Chief Secretary:

Will the Minister advise me—

- (a) which is the largest electoral province in Western Australia;
- (b) which is the second largest;
- (c) what is the area of both of those provinces?

The Hon. R. G. PIKE replied:

- (a) Lower North Province;
- (b) North Province;
- (c) Lower North Province—1 200 170.14 square kilometres; North Province—918 641.55 square kilometres.

The Hon. Peter Dowding: What a lot of rubbish!

The PRESIDENT: Order!

#### EMPLOYMENT AND UNEMPLOYMENT

##### *State Manpower Planning Committee: Report*

88. The Hon. D. K. DANS, to the Minister for Labour and Industry:

I refer to the Minister's reply to a question without notice last night in which he stated he had not read the most recent State manpower planning study report, nor had he seen it, nor was it in his office. In view of the fact that—

- (a) the committee is under his jurisdiction;
- (b) it is chaired by the under secretary of his department;
- (c) the report in question was accepted by the committee on 6 July,

is his reply a measure of his incompetence or does it merely indicate that he has not the slightest idea of what his department does, or both?

The Hon. G. E. MASTERS replied:

The manpower committee certainly is under my jurisdiction, and it certainly is chaired by my under secretary. After hearing the Leader of the Opposition's remarks yesterday when he waved a piece of paper around, I went to my office this morning and inquired as to where was the report and why it was not before me. The answer is clear: The report at the moment is an interim report. On the front is a note marked "Confidential".

Whether that is on the Leader of the Opposition's document I am not sure. Having got that document from the committee, it was then and is now to be circulated to various sections of the department for their response and their further recommendations on what should come out of that report. Until those things are done that report and the recommendations will not come to me, nor should they. We would be going off half-cocked. Many of the figures the Leader of the Opposition used have not been checked thoroughly. It is an interim report and the Leader of the Opposition was quite wrong to use it in this case.

## EMPLOYMENT AND UNEMPLOYMENT

*State Manpower Planning Committee: Report*

89. The Hon. D. K. DANS, to the Minister for Labour and Industry:

Would the Minister accept from me a copy of the manpower report which came to me through quite legitimate channels?

The Hon. G. E. MASTERS replied:

Yes, I will. I will be very interested to have a look at it.

## CRIMINAL CODE

*Murray Report*

90. The Hon. PETER DOWDING, to the Attorney General:

- (1) Can the Attorney advise the House what progress has been made on the revamped Criminal Code which he has announced will be introduced at some stage in the future?
- (2) When will it be introduced in the House and what opportunity will there be for members, the public at large and special interest groups to consider the legislation before it is finally debated in the House?

The Hon. I. G. MEDCALF replied:

- (1) and (2) I answered this question yesterday. It was asked by the Hon. J. M. Berinson.

INDUSTRIAL DISPUTE:  
REDBANK POWER STATION*Cause*

91. The Hon. D. K. DANS, to the Minister for Labour and Industry:

- (1) When did the Minister first become aware of the circumstances that have led to the stoppage at the Redbank power station at Port Hedland?
- (2) If he is aware of the circumstances will he relate them to the House and advise what steps he has taken to resolve the matter?

The Hon. G. E. MASTERS replied:

- (1) and (2) I cannot give the exact date on which the strike and the problem were reported to me; it was some days ago, probably last week. The matter came within the management control of the SEC. It was certainly under its jurisdiction and not mine. My understanding of the situation is that a shop steward—perhaps “convenor” is the right word—did not follow a management direction. I understand the convenor gave a direction for the use of a vehicle which he had no right to do; he directed a person to use it and that person did so. The convenor was stood down and dismissed, and the person who used the vehicle was suspended for a time.

Having done that, the management quite correctly took the proper course, bearing in mind that reasonable discipline must be maintained at all times. Having taken those steps the management of the SEC proceeded about its business. A strike was called and the arbitration commissioner was involved. He made a judgment this week which said that the pickets on the gates at Redbank should be lifted and those people should go back to work. That order has been disobeyed, and the next step was to take strike action. We see the result today. It is scandalous that this should happen when it was a disciplinary matter in that someone wrongly and improperly used a vehicle.

INDUSTRIAL DISPUTE:  
REDBANK POWER STATION*Shop Steward: Sacking*

92. The Hon. PETER DOWDING, to the Minister for Labour and Industry:

Was the decision to sack the union convenor concerned conveyed to him or discussed with him before it was notified to the convenor himself?

The Hon. G. E. MASTERS replied:

The management is under the control of the State Energy Commission, and I would assume that the people concerned took the appropriate course of action required of them as managers. Therefore, I am not involved in that side of it. If the honourable member wants the exact detail of what happened, I can obtain it for him.

The Hon. Peter Dowding: Have they discussed it with you? That is the question.

The Hon. G. E. MASTERS: If the member would like to put the question on notice, I will find out for him. The industrial matters have evolved from that decision; so, it is an SEC management decision properly carried out.

The Hon. Peter Dowding: Well, did they discuss it with you?

# INDUSTRIAL DISPUTE: REDBANK POWER STATION

## *Cause*

93. The Hon. D. K. DANS, to the Minister for Labour and Industry:

Would he detail to this House the circumstances that led to the stoppage? There was some initial action—

The Hon. A. A. Lewis: Unlawful use of a vehicle, one would think.

The Hon. D. K. DANS: Let me rephrase the question, for Mr Lewis. Would the Minister detail the circumstances that led to the stoppage? The subsequent use of the vehicle was something that occurred because of the original action. I would like to know what caused the stoppage, if the Minister can tell me.

The Hon. G. E. MASTERS replied:

I say again, and I shall keep repeating, that it is an SEC management problem. The SEC carries out its management as it sees fit and proper. If there were early circumstances that led up to the decision for the sacking of a man, I can certainly find out for the Leader of the Opposition. I shall not go into every little detail. I know that, in the end, a person, quite wrongly and improperly, used a vehicle that he had been told not to use. If the Leader of the Opposition wishes to pursue the matter, I ask him to define clearly what he wants, put it on notice, and I will answer it.

# INDUSTRIAL DISPUTE: REDBANK POWER STATION

## *Shop Steward: Sacking*

94. The Hon. PETER DOWDING, to the Minister for Labour and Industry:

In view of the seriousness of the action of the SEC in giving a notice of

dismissal to a union convenor at Redbank, will he tell the House whether the SEC or anybody in authority discussed with him the intention to give such a notice before it was handed to the union convenor? In other words, was it discussed with the Minister or brought to his attention before the dismissal notice was given to the worker. That is my question—

The PRESIDENT: Order! The Minister for Labour and Industry.

The Hon. G. E. MASTERS replied:

The decision was made by the management of the SEC—

The Hon. Peter Dowding: I did not ask you that. Did they discuss it with you?

The Hon. G. E. MASTERS: It was an industrial matter. If the member and other members opposite want to challenge it, why do not they try looking at it from the point of view of the industrial arbitration commissioner? Why do they not understand that the independent arbitrator made a decision that the people should go back to work? He listened to all of the arguments. He is the independent person, and that is what our system is all about.

The Hon. Peter Dowding: Why don't you answer the question?

The Hon. Robert Hetherington: How disgraceful!

The PRESIDENT: Order!

The Hon. G. E. MASTERS: If members are really genuine in their concern, they would look at that decision and support the independent arbitrator's direction to go back to work. They would argue the details after that.

The Hon. Robert Hetherington: Why don't you answer what you are asked? This is disgraceful.

# INDUSTRIAL DISPUTE: REDBANK POWER STATION

## *SEC Vehicles: Policy*

95. The Hon. D. K. DANS, to the Minister for Labour and Industry:

It is quite obvious that the Minister will not answer the previous question. I want to ask him another question—

(1) Is he aware that in previous stoppages at the Redbank power



station the people who have been working at outlying areas have always been asked to return, and on many occasions they have left the SEC vehicles at the outlying areas? Because of the inconvenience caused to the SEC, it had been agreed tentatively that when this situation arose again, the vehicles would be returned to Port Hedland.

- (2) What were the different circumstances that prevailed on this occasion to allow the heavy-handed management techniques of the SEC to bring this dispute to the point that it has?

The Hon. G. E. MASTERS replied:

- (1) and (2) I am not aware of the internal operations and management of the SEC, and nor should I be. When a dispute reaches the stage that this one has, quite clearly I become involved. I say again that if the matter is of great concern to members, the matter should be referred to the Industrial Commission in the proper way. Then a commissioner will make a decision on the fairness of the case and listen to both sides of the argument. I do not know the internal management and workings of the SEC, and I do not think I need necessarily be involved in that area.

#### INDUSTRIAL DISPUTE: REDBANK POWER STATION

##### *Shop Steward: Sacking*

96. The Hon. PETER DOWDING, to the Minister for Labour and Industry:

- (1) Is he aware that the fitter concerned was at Marble Bar and had no way to return to Port Hedland except by using the vehicle in which he had driven to Marble Bar?
- (2) Is he aware that the shop steward concerned had been directed by the meeting of the workers at the power station to tell the fitter to return to Port Hedland, and was therefore acting in accordance with established industrial practices?

- (3) Is he aware that the sacking of the union shop steward occurred at a time when a conference had been called for 6 August to discuss the issue, including the propriety of the shop steward's action?

- (4) Was the Minister or his office informed of the intention of the SEC to sack the shop steward before he was sacked?

The PRESIDENT: Order! For the benefit of the Chair, if not for the benefit of other members in the House, I remind members that I have already ruled that questions without notice are out of order unless they deal with the responsibilities of the Minister's portfolio in this House.

If the Hon. Peter Dowding wishes to question my right to clarify a situation, I suggest that instead of hiding behind a whispered comment, he should stand and take the action with which the Standing Orders provide him. Otherwise I suggest that he behave himself in the way that other members are doing.

The Hon. Peter Dowding: I am not whispering anything, Mr President.

The PRESIDENT: Therefore I suggest—  
Government members interjected.

The Hon. G. E. Masters: Of course you were.

The Hon. P. H. Lockyer: Tell the truth!

The PRESIDENT: Order! I am suggesting that the honourable member did whisper, and I will not tolerate that type of action by him or anybody else.

In the meantime, I am endeavouring to establish whether the line of questioning comes within the responsibility of the Minister for Labour and Industry. For the life of me, I cannot establish that. For my benefit, will the Minister indicate, in answering the question, whether he believes it falls within his responsibility? If he says it does not, the question will be placed on notice. If he says that the question comes within his portfolio, the choice is his as to whether he answers it. I am becoming sick and tired—

The Hon. Peter Dowding: He does not have to be reminded of that.

The PRESIDENT: —of members asking questions and making second reading speeches; and I am sick and tired of Ministers, in answering the questions, doing likewise. If members want to have the facility of questions without notice, I

suggest that they use the facility for the purpose for which it was designed; namely, for seeking information, not for making speeches.

*Point of Order*

The Hon. PETER DOWDING: You have directed members to seek information and use questions without notice for that purpose. The Minister has thrice been asked for an answer on the matter under his express portfolio.

The PRESIDENT: Order! What is the point of order?

The Hon. PETER DOWDING: The point of order is that we have utilised question time exactly along the lines of your direction to seek information from the Minister on an issue within his portfolio.

The PRESIDENT: Order!

The Hon. P. H. Lockyer: Sit down!

The PRESIDENT: Order! I suggested that I wanted the Minister to indicate whether, in his view, the questions were within the responsibility of his portfolio. I now call upon the Minister either to answer the question or to indicate that.

*Questions (without notice) Resumed*

The Hon. G. E. MASTERS replied:

- (1) to (4) General management matters which have been brought to my attention are matters for the commission. They are management matters; they are not matters which are within my jurisdiction or control. The events which have occurred since that time concern me and, if the Opposition is genuine in its concern, it will support the independent arbitrator—

The Hon. Peter Dowding: Rubbish! You and your portfolio cover it!

The Hon. P. G. Pendal: Just listen for once.

The Hon. G. E. MASTERS: If the Opposition were genuine it would support the independent arbitrator's call for a return to work so that the matter may be dealt with in a cool and proper manner.

The Hon. Peter Dowding: The information is within your portfolio!

The PRESIDENT: Order! I do not intend to allow any further questions without notice in regard to that particular matter. Are there any questions without notice in regard to any other matter?

**QUESTION WITHOUT NOTICE**

*To the President*

97. The Hon. PETER DOWDING: I have a question without notice for you, Mr President.

The PRESIDENT: You have no authority to ask me a question without notice.

*Point of Order*

The Hon. PETER DOWDING: On a point of order then, under what circumstances is the Opposition to be permitted to obtain information from a Minister of the Crown?

The PRESIDENT: Order! The honourable member may ask for information in compliance with Standing Order No. 154.

The Hon. Peter Dowding: That is a good way of protecting the Minister, isn't it?

The Hon. G. E. Masters: There is no need for protection from you, loud mouth!

*Withdrawal of Remark*

The PRESIDENT: Order! I ask the Hon. Peter Dowding to withdraw that comment, because it suggests the Chair is being biased.

The Hon. PETER DOWDING: If the comment suggests that the Chair is being biased—

The PRESIDENT: Order! I ask the honourable member to withdraw the comment which I indicated suggested that the Chair was being biased. I ask the honourable member to withdraw the comment.

The Hon. PETER DOWDING: I withdraw.