Legislative Council

Wednesday, the 21st September, 1977

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

QUESTIONS

Questions were taken at this stage.

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

Consideration of Tabled Paper

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.48 p.m.]: I move, without notice—

> 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.

For a great number of years prior to the last couple of years it was the practice in this Parliament that the Budget was introduced by the Treasurer in the Legislative Assembly, and debate pursued. There was the general debate on both the Consolidated Revenue Budget and the General Loan Fund Budget. Of course, a number of Bills are introduced by the Treasurer at that time dealing with a number of matters which are the subject of the Budget itself.

Ultimately these Bills, which include the Budget papers, are passed by the Legislative Assembly. If they are not passed the Government must resign, as everybody is fully aware. But normally they are passed and they come to this House and debate can then ensue.

During the years that I have been a member of this place a number of members, notably the late Sir Keith Watson, have spoken at length about the unreasonableness of that arrangement in that the Legislative Council frequently finds itself comparatively short of work whilst the Legislative Assembly debates the Budget papers. Towards the end of a session various Bills, papers, and motions are passed by the Assembly and come to this House by way of messages. When they arrive here frequently members are concerned with a considerable backlog of legislation, and there is a need to end the session, because members have duties in their electorates and many other matters are pressing. Consequently, matters of importance are not debated in this Chamber as fully as they may be. That was the purport of the comments made year after year by the late Sir Keith Watson.

The arrangements were also discussed at great length by Mr Frank Wise who always had a considerable amount to say about Commonwealth-State financial relations. I think most of the comments made by current members of this place were probably made by the Hon. Norman Baxter.

A couple of years ago notice was taken of those comments and the motion which I have just moved is the result. Therefore, the papers are on the Table of the House. The opportunity is now given to this Chamber to discuss the various matters with regard to the Budget at greater length than has been the case heretofore. This situation has not happened only this year; it has happened previously. I suppose everyone has different ideas about it. I think it is an important opportunity for debate and I place on it perhaps a little more emphasis than has been the case in the past.

Budget time is a very important time of review; it is an occasion on which the Government gives to Parliament an account of its stewardship and on which it sets the course of its financial programme for the coming year. This Budget is the first introduced by the Government which was elected on the 19th February this year and, therefore, is the first Budget of the 29th Parliament. It sets the pattern of things which we expect to happen.

Therefore, in a way it commences the implementation of the Government's policies for the next three years. I stress the phrase "in a way" because a number of matters do not depend on the Budget, a number of things have been commenced already, and a number of things will not be commenced by this Budget but by a subsequent Budget.

In the framing of any Budget a great deal of difficulty must be experienced. Of course, I and other members of this Chamber really do not have a great deal to do with the framing of the Budget; and whilst it must be difficult at any time, I think it must be accepted that in this year, and similar years, it must have been a very worrying and time-consuming job.

The Government has been very conscious of the need to hold a tight rein on recurrent expenditure to help in the fight against inflation and to develop a capacity to reduce taxes. At the same time it has been conscious of the high level of unemployment and the need to direct funds into activities which would stimulate employment. But the Government has again been faced with restrictions in capital funds imposed by the Commonwealth Government. This is an economic

strategy of the Commonwealth to which this State, as members would be aware, has taken strong exception.

I suppose it is fair to say that there are as many theories about the road one should take to recovery as there are members of this Parliament—certainly more than the number of parties in the Parliament. Therefore, there is plenty of room for disagreement. Given all these seemingly contradictory matters and aims, the strategy of this Government in this year's Budget can be summed up in this way: There has been an effort to exert continuing tight control over the growth of recurrent expenditure of departments and authorities financed from Consolidated Revenue; there will be strong support for the capital works programme; and there will be greatly increased expenditure on maintenance and minor works with the aim of channeling more work to the private sector and stimulating business activity and employment. I should like to come back to that point subsequently because it is of very great interest to country members.

Point of Order

The Hon. R. THOMPSON: Mr President, I think the motion the Leader of the House has moved is that we take note of the Budget papers. It would appear that he is giving a type of second reading speech on the introduction of the Budget.

The PRESIDENT: Order! So far as I can see, there is no deviation from the relevant Standing Order. This is a facility provided for discussion on and around any matters relating to the Budget papers. I rule at this stage that the Minister is doing just that.

Debate Resumed

The Hon. G. C. MacKINNON: I was summing up the strategy of this year's Budget, and the final matter is the continuation of the programme of taxation relief to the extent our resources permit.

I deviate at this point to say that I should have explained that my clear understanding of the motion is that it opens up the subject for discussion; there was no other reason for the change in the Standing Order. I expect and hope that the Leader of the Opposition will see fit to move the adjournment of this debate and perhaps tomorrow or another day make a considered speech on the subject, which I know he is extremely capable of making. I hope also that in the fullness of time other members with good contributions to make will make them. I do not believe all the intelligence with regard to economic affairs is restricted to members of the Legislative Assembly.

I have mentioned a little earlier that there are some areas in which this Government has a degree of disagreement with the Commonwealth Government over its curtailment of funds, particularly capital funds. I should like to enlarge on that a little. We hold that what is needed at present is for more jobs to be created by the private sector. But these jobs are not being created because private firms are hesitant and are not spending anything on new investments. This absence of new investment expenditure means a drop in overall demand and in total incomes and hence a lack of employment opportunities.

State Governments—and this one in particular—say that this is, therefore, the time for Governments to increase their capital spending to take up the gap left by the private sector. This would put work into the hands of the private sector and create more jobs. A tremendous amount of private industry depends to some degree or other on Government contracts. One often hears that Governments ought to spend more in the public sector, the thinking being that that is the only way to create work; but many private firms depend on Government work to create jobs. For example, there are builders, contractors, structural steel shops, manufacturers, electrical contractors, architects, and engineers.

One of the advantages about expenditure of this type is that it does not build up a marked increase in the field of public servants. Any expenditure that does so and aims to do it on a temporary basis presents us with the problem of a cut-back of the public service sector when that period is passed. One gets these high fluctuations. The sort of expenditure about which I am speaking tends to maintain the private sector which is almost always more fluent and has that particular advantage. It gives the Government the opportunity to phase back and vary its outlays.

Public assets can be created which will add to the efficiency of the State. For example, money spent on the railways during this period would give a more efficient system with long-term benefits to its users in the future. That can be done by private contractors.

However, given that difficulty—and it is more relevant to the capital budget—the Government has produced a balanced, imaginative, and employment-stimulating Budget for 1977-78.

I would like to list some of the highlights which members will find included in the Budget. It contains no increases in taxes and charges; there are further pay-roll tax concessions; there is the abolition of death duties on estates passing to a surviving spouse and a firm timetable for the complete abolition of death duties; there is a $4

million special works and maintenance programme throughout the State for employment stimulation, in addition to a $3 million increase in the vote for the Public Works Department for maintenance and minor works. I will come back to those two in a moment.

There is a new scheme for travel assistance for State sporting teams and this, of course, is of very great interest to country teams which have dual travel problems in getting to the city and to the Eastern States. There is an increased grant for sporting and recreational facilities; and a new scheme of low interest loans for on-farm water supplies, which is a tremendously important item as demonstrated by the shortage of rain in the last couple of years.

There is a $44 million increase in funds for education. As always, far and away the bulk of education expenditure has been State expenditure, and I do not know of any year in which Federal expenditure has exceeded 10 per cent—that bit of cream on the top.

There is further assistance for country schools and extension of the interest subsidy scheme for independent schools; a new scheme of subsidies for the purchase of computer equipment for high schools; a new scheme of grants for private pre-school centres; increased payments for State wards, foster children, and child-care institutions; and a substantial increase in the establishment of the Police Force and a major re-equipment programme for the police and Road Traffic Authority.

There is a 50 per cent increase in State funds to buy land for national parks and wildlife reserves; an expanded programme of railway upgrading and maintenance to lift employment; provision of $250 000 for solar energy research; and provision of funds to meet the 25 per cent concession on pensioners' rates.

The Government clearly recognises the need to reduce taxation and has tried to do so.

I would like to pay some attention to two items I mentioned previously—a $4 million special programme of maintenance works and a $3 million increase in the vote for the Public Works Department for maintenance and minor works.

Any member here who has of necessity, or because of interest, paid close regard to schools and other public buildings, must be aware of the problems associated with the maintenance of those buildings. Indeed, they would be aware, especially if they have large provinces, that for a considerable number of years there has been a gradually lengthening period of backlog in general maintenance. There would be few members here who would be unaware of this. There would be several with whom I have discussed this problem at some length, and the Hon. Tom Knight happens to be one of them because of his interest as a registered builder, which he was before he entered Parliament. The difficulty would be known to members representing large provinces, such as the one extending across to Esperance.

The beauty of this proposal is that money can be spent locally by engaging local tradesmen and tradesmen who happen to be available in a particular town. I see the Hon. Tom Knight nodding, as he recalls my discussing with him a couple of years ago the very proposition that we ought to be able to introduce a system such as this. I am particularly pleased to see it has been included in the Budget. Most members will accept that it gives a wider perspective to the possibility of getting work done in this field.

We are aware that during the Whitlam era there was a tremendous explosion in Government expenditure which led to the inevitable consequence of increased taxation. Governments are no different from housekeepers in that they can spend only what they receive by way of income or what they borrow, and borrowing only delays the evil day when it has to be paid back. So taxpayers have to pay for any Government's spending splurge.

Taxation is clearly too high. It is no good begging that question. It is killing incentive and productivity and forcing people to look for ways to dodge paying it, and that is not a good thing in any community.

The Commonwealth Government's action of reducing taxation by indexation and reforming the tax scales is most welcome. However, it must be remembered that the State is entitled to some of the credit, in an indirect way, for the concessions because under the tax-sharing arrangements the States will eventually pay about 40 per cent of the cost of them.

The State has also taken its own initiatives in this direction, and I refer, of course, to the reduction in estate duty and payroll tax. The estate duty on "spouse to spouse" arrangements has been abolished as from the 1st July, 1977. Total abolition will apply from the 1st January, 1980. There has been a payroll tax lift of 25 per cent in maximum exemption to $60 000 and the minimum exemption has been lifted from $24 000 to $27 000, which benefits small businesses.

The State has been adversely affected also by unilateral decisions by the Commonwealth to vary the sharing arrangements under several

programmes. For example, the block grant provided for childhood education services this year will cover only 52 per cent of the salary costs of pre-school and pre-primary centres, although the arrangement was originally for 75 per cent funding.

It was virtually only yesterday that I was in my office speaking to the then Federal Labor Minister about this figure of 75 per cent. We argued about it to some extent because we were a little worried as to whether it would remain at 75 per cent. The assurances were that it would, but we have seen it gradually whittled away by two Federal Governments, not just the present Government. This has happened by one means or another until the figure is now 52 per cent which, of course, is a marked disappointment to the State authorities.

It represents also a great disappointment to the number of private organisations which run childhood education schemes, and it upsets the total long-term budgeting arrangements no end. When dealing with a Budget of several million dollars, the difference between 52 per cent and 75 per cent is quite an appreciable amount of money.

The school dental service was another which was changed quite arbitrarily, and the State simply has to take up the leeway. There is no way in which we can leave girls, who have been trained as dental therapists, unemployed; or leave buildings, which have been constructed, empty. The people's expectations cannot be ignored and so the State has to look after them. These matters cause the Treasurer and his staff a great deal of concern.

It has always been a great worry, *vis-a-vis* the State financial arrangements, that quite frequently money given by the Federal Government which looks good can bring about very unhappy consequences. Dental therapy can be one of these consequences.

Take for example the proposition that we receive capital funding to build dental clinics adjacent to the schools and to staff these clinics. They are built and then we find the funds for the staffing are reduced or cut out. There is virtually no way that the State can say it will close them down or use them for other purposes such as classrooms. The people's expectations have been raised to the point where they expect these clinics. There is a demand put on the State to meet the people's expectations and the State must pick up the tab.

The Government is most concerned about the technique of Commonwealth Governments in using specific purpose payments with strings attached to enter fields which are constitutionally the State's responsibilities. Not only are they entering these fields, but also by the power of their purse they are binding State funds into the initiatives. Indeed, the Attorney-General as the Minister for State and Federal Affairs spends a great deal of his time worrying about this matter, quite apart from the Treasury officers.

It seems this problem is common to all Federal Governments and I think every member can recall Keith Watson, Gordon Hislop, and Frank Wise speaking on this matter, which of course relates to section 96 dealing with grants. The position is compounded when the central Government subsequently changes the rules without consultation with the States. These are very serious problems which the States face in their Federal-State financial arrangements and which the Treasurer has to resolve.

We believe implicitly that section 96 of the Constitution covering tied grants should be eliminated if possible and the money granted to the State; the State itself should set its priorities. If any group of people believe that the State is not giving them a fair go or the right attention there is a temptation for that group to go to Canberra, to say that they have a proposition, and to request that they be funded direct. It was to Menzies' credit that he rejected that proposition for many years. He finally succumbed in the field of universities which was taken over by the Commonwealth.

Let us not argue whether or not that was good or bad; but there was item after item taken over by the Commonwealth until we reached the stage where a tremendous number of items were literally funded by fixed grants from the Commonwealth, whether or not it suited the State.

I believe under our system of government the responsibility ought to rest with the State. It ought to rest with those who are nearest to the community and who can be moved in or out of office at the will of the people. They are closer to the people in regard to fixing those priorities, and this is an important aspect we should not forget.

This whole problem currently is being investigated by the Bailey and Holmes Committee with a view to improving consultation machinery and returning more autonomy to the States. So, there is a very real feeling at the Federal level that a worry exists. For the first time in a long while it is, to my knowledge, doing something positive about the matter. It is an overdue move in the right direction, and hopefully the trend will continue with added momentum.

Despite these difficulties and the differences in points of view between the State and the Commonwealth Governments, nevertheless this year's Budget will prove to be a progressive one. It will help to get the State moving in the right direction.

I have mentioned the expenditure initiatives. To stimulate employment, a special amount of $4 million will be available for an acceleration of minor works and maintenance. In respect of drought relief, a sum of $2 million will be available to help in relieving the resultant unemployment, for water carting, and for other measures which may be necessary.

Regarding on-farm water supplies, a liberalised scheme to encourage farmers to build on-farm supplies for water security has been formulated. Travel assistance to sporting teams has been provided; and a subsidy will be available to State teams which compete in national championships. It is odd that one should have to talk about an item which people might regard as being in the luxury class, right next door to an item which might be regarded as being in the dire necessity class. Nevertheless, I believe that any Government has the responsibility to look at these matters over a wide range.

In the Budget a $44 million lift in expenditure on education has been included. This will provide for 640 new teachers and teaching aides, and 48 new staff for pre-school centres, in addition to the increased subsidies introduced after the last election.

In respect of the Police Force and the Road Traffic Authority, there will be 120 additional officers engaged; and an amount of $613 000 has been provided for a new communication system.

Of course, there is a considerable number of other increases in the Budget, and the emphasis placed on these increases by various members will be different. One would not expect a member representing an inner metropolitan seat to become as excited about the provision of on-farm water supplies as would a member, like Mr Leeson, representing a marginal area where water must be a tremendous problem. Indeed, in the State water is a tremendous problem this year. One could go on to mention similar proposals in the Budget.

The Budget, as is the case every year, is of great importance to each and every one of us—not just to legislators, but to all the people we represent. It is my hope that members will examine all aspects mentioned in the Budget which bear special relationship to their electorates or to their specific interests.

If members feel they can make some contribution, either in the form of constructive criticism or positive suggestion, they ought to take this opportunity to do so. I thank members for their patient hearing.

Debate adjourned, on motion by the Hon. D. K. Dans (Leader of the Opposition).

EDUCATION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Transport), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [5.20 p.m.]: I move—

That the Bill be now read a second time.

This Bill proposes to amend the Education Act, 1928-1976, to include provision for the regulation of care centres and pre-school centres and to repeal the Pre-School (Education and Child Care) Act, 1973-1975.

Members will no doubt appreciate that the provision of free and voluntary pre-school experience for all children in the year prior to compulsory school age has been a continuing process in recent years. Following an experimental period with a small number of pre-primary centres attached to primary schools, the Education Act and the Pre-School (Education and Child Care) Act were amended in 1975 to permit the more rapid expansion of this voluntary programme to many more centres.

At that time, the Minister for Education pointed out to members in this House that those amendments represented a further stage in the implementation of the Government's policy to expand and improve the provision of educational services to young children in Western Australia. This is again evidenced by this Bill before the House.

Without including the various child care, play group and similar facilities, during the last two years the following four categories of pre-school institutions have been in existence in this State—

Pre-school centres affiliated with the pre-school board.

Pre-school centres, formerly affiliated with the pre-school board, which elected to transfer, with the full concurrence of parents and local government authorities, to the supervision of the Education Department.

Pre-primary centres built on primary school sites.

Independent centres, which operated with the approval of the board, but without State Government financial assistance.

The total pre-school programme has considerably developed in size in the past two years. In 1975 there were 359 centres of all types, having an attendance of 17 459 children. In 1977 there are now some 490 centres with an attendance of nearly 22 000, of whom some 17 500 are five-year-olds.

The cost of pre-school operations now approaches $10 million per year to service, and some 70 per cent of all five-year-olds in Western Australia have access to a voluntary year of pre-schooling.

Although parent expectation in this area has been encouraged, it is important to remember that this area of children's activity is voluntary. The Government will continue to support this expanding area to the greatest extent possible, but its prime responsibility must remain with primary and secondary education.

During the last two years of transition and development, the Education Department has commenced the establishment of the administrative and supervisory resources necessary for an early childhood programme. In addition, the programme provided in the department's centres has generated considerable public approval and goodwill. Having regard to the importance of these activities, it is now appropriate to complete the transition and make a firm, full commitment to a programme of early childhood education co-ordinated by a single administration. The Bill before the House will bring this into effect.

A further need for action at this stage is the fact that the Commonwealth Government now makes a block grant of moneys to be spent on all aspects of sessional pre-school education, and in order to achieve maximum efficiency it is more advantageous to have it under a single administration.

In repealing the Pre-School (Education and Child Care) Act, 1973-1975, the Bill also provides for the transfer to the early childhood branch of the Education Department of all the functions currently carried out by the Pre-School Board. However, the direct responsibility of the Education Department for children younger than one year below school age is regarded as an interim arrangement, and an adivisory committee has been invited to consider the long-term programmes and facilities for younger children, and advise on the appropriate arrangements required to administer such programmes.

Foreshadowing future amendments in this regard, a distinction is made in the Bill between "care-centres" and "pre-school centres", the latter being for the education, guidance, and care of children in the year prior to compulsory school age.

A pre-school centre, under the amended Education Act, may either remain independent or be affiliated under the Education Act, or be fully transferred to the early childhood branch of the Education Department as a pre-primary centre.

The present opportunities for parents involved in the running of the centres will be fully retained, and the decision as to whether a centre transfers will be one for the local committees to make.

All the pre-primary and pre-school centres will be able to draw upon the advisory and support services of the early childhood branch. The extreme duplication of similar administrative services will be avoided; specialist branches such as Aboriginal education, guidance, research, planning, and others will be accessible to the centres; and teaching staff in centres and schools will mutually have a greater range of professional interaction. The cross-fertilisation of the various teaching traditions will enliven and strengthen the junior school years with hybrid vigour, from which will grow a strong, efficient, and competent pre-school programme.

Simultaneously, work will begin at once on the formulation of long-term plans for the under fives. The Government will pursue the best available programmes on the co-ordination of care and education, and will consider the need for and feasibility of assistance to parents in providing the first educational experiences of their children.

The proposed amendments represent a milestone in early childhood development and educational progress in Western Australia. A major policy commitment, namely, a year of voluntary pre-school experience for all children, is well on the way to being achieved in a progressive and meaningful way.

The appeal provisions in the Pre-School (Education and Child Care) Act effectively gives the Minister an unfettered discretion in the cancellation of permits. In line with the intention to make as few changes as possible from the previous provisions, the Bill empowers the Minister to cancel permits without assigning a reason. However, because the conditions under which centres will operate will be fully laid down in the permit, or in departmental regulations, it is my intention to move an amendment to the Bill in the Committee stage to provide for cancellation of

permits where the terms of the permit, or of the regulations, have been breached.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. F. Claughton.

BUILDING SOCIETIES ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Attorney-General), read a first time.

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [5.29 p.m.]: I move—

That the Bill be now read a second time.

The principal purpose of this Bill is to remove an uncertainty which has arisen as to whether building societies are empowered under the Building Societies Act, 1976, to draw and negotiate bills of exchange.

For some years, building societies have negotiated stand-by facilities with banks and other organisations by arranging to draw and negotiate bills of exchange should the need arise.

Doubts have now been expressed by the associated banks and permanent building societies as to whether the Act actually provides for funds to be raised in this manner.

This Bill proposes to remove that uncertainty by specifically empowering permanent building societies to draw, endorse, discount, or otherwise negotiate bills of exchange and to execute a legal or equitable charge as security for these borrowings. These provisions already exist in Victorian and New South Wales building society legislation.

This amendment has the full support of the building society industry and associated banks in this State.

The opportunity has been taken also to further align liquidity requirements in the Building Societies Act, 1976, with those in force in other States in two areas where statutory provisions will reinforce present accepted practice.

It is intended to provide that in future the amount of any borrowings by way of bank overdraft is to be deducted from the total liquid funds when ascertaining a society's holdings of liquid funds.

In addition, the value of any funds that are encumbered, except by way of a floating charge, are not to be taken into account when calculating the value of a society's holdings of liquid funds.

Permanent building societies presently are permitted to purchase bills of exchange payable within 200 days of acquisition. Some permanent building societies have indicated that this requirement is too restrictive. This matter was considered by the Building Societies Advisory Committee, which supports the proposed amendment, to extend the period for bills of exchange from 200 days to two years in line with the maximum term for other liquid investments.

In summary, the Bill will permit permanent building societies to continue to negotiate standby facilities with banks and other organisations on the basis of drawing bills when there is a need to use the facility. It also will provide increased protection to the investing public as well as giving building societies greater flexibility when purchasing bills of exchange.

I commend the Bill to the House.

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

INDUSTRIAL AND COMMERCIAL EMPLOYEES' HOUSING ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Attorney-General), read a first time.

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [5.32 p.m.]: I move—

That the Bill be now read a second time.

The Industrial and Commercial Employees' Housing Act, 1973-1976, currently provides for the establishment of an authority consisting of five members of which the chairman and three other members are each appointed for a term of three years.

Under this arrangement there is the possibility that at the expiration of a particular three year term, the nominating bodies of those members concerned could choose to put forward a panel excluding their names and the authority would then be constituted virtually of a totally new membership.

In any organisation of this nature, there are a number of on-going matters which are better served if at least some members of the organisation continue their membership and

ensure there is no immediate or substantial break in policies and practices.

The purpose of the Bill before the House is to obviate that situation of totally different membership by permitting terms of office other than a fixed three-year period for members, other than the *ex-officio* co-ordinator of development.

The amendment proposes that appointments may be made for a term not exceeding three years and that the particular terms for a particular member would be as set out in the instrument of appointment.

In this way it will be possible to stagger the retirement dates of members so that at no time would the authority be faced with the prospect of a total change of membership. It is felt the advantages of some continuity of membership are important, necessary to the effective operation of the authority, and of sufficient significance to warrant seeking the concurrence of Parliament to the proposed amendment.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

CHILD WELFARE ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Transport), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [5.34 p.m.]: I move—

That the Bill be now read a second time.

Following extensive amendments to the Child Welfare Act during the last session of Parliament, approval was given to proceed with a reprint of that Act.

Members who have had cause to refer to the Child Welfare Act since it was amended will no doubt appreciate the need for its reprint.

However, during the process of incorporating the amendments into the parent Act it has become apparent that certain minor adjustments should be effected at this stage rather than having to face the need for such action after the Act has been reprinted.

Five of the proposed amendments relate to minor errors or omissions.

The other two proposals involve, firstly, a point of clarification in respect of the children's panel and, secondly, the provision of similar powers to police officers as those available to field officers of the Department for Community Welfare in relation to entering premises where it is suspected a child in need of care and protection resides.

The amendments proposed in this Bill are within the intention of those amendments passed last year, and are commended to the House.

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

FERTILIZERS BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Transport), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [5.37 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to repeal the Fertilizers Act, 1928-1973, and to enact new legislation incorporating several major changes which have occurred over the years in respect of the production and handling of fertilizers in Western Australia.

The provisions of the Fertilizers Act, 1928-1973, which relate to the production, marketing, and sale of fertilizers in this State, have been administered by the Department of Agriculture for many years.

Land development in the 1950s and 1960s took place at a rapid rate. This was made possible by the policies adopted by the then Government of opening for selection extensive areas of Crown land, by the development of new equipment, and by the results of research conducted by Department of Agriculture officers establishing the essential role of trace elements in fertilizers where cereal and pasture production is concerned.

Pasture improvement based on the sowing of subterranean clovers first became popular in the 1930s, and was adopted widely throughout the agricultural areas in the years after the second World War.

These developments had the effect of causing a very large increase in demand for fertilizers as well as major change in types of fertilizers. The extensive tracts of light soil areas brought into development post-war resulted in a very large demand for trace element mixtures in prepared fertilizers—probably the largest in any part of the world.

More recently, increasing grain values have encouraged the use of nitrogenous fertilizer,

resulting in the manufacture of compound fertilizers.

The rising costs of labour and materials have led also to extensive mechanisation; and this in turn has led to the adoption of farming methods based on use of bulk supplies of fertilizers.

There also have been great changes in the methods of analyses developed by scientists throughout the world. However, since the methods of both sampling and analysis are specified under the Act and its regulations, many of these modern techniques have not been able to be put into use by analysts in this State. Further, the present Act does not provide for control over fertilizers sold in bulk, and since the major part of fertilizer sales is now made in bulk form, the inability to supervise the quality of this material has been a major problem.

The revised legislation presented in this Bill provides for adequate control over the sale of bulk fertilizers; and it recognises current international practice in that ingredients are now to be expressed as the element—for example, phosphorus, copper, or potassium—rather than as a compound, such as phosphate or potash. Additionally, any element or compound claimed to condition the soil so as to result in improved plant growth or production is now also included in this legislation.

The Bill increases the period of registration for fertilizers from one to three years; this will greatly simplify administration and the work required of companies in the registration of their products. The procedures relating to sampling and analysis are based also on international practices; these procedures are to be placed within the regulations rather than in the Act, thereby facilitating any changes which become necessary as a result of further improvements in techniques.

It is proposed also that the levels of allowable deficiency be as prescribed in the regulations rather than stated specifically in the Act. This change will readily permit the modification of standards in the light of newly-available knowledge or changes occurring in international standards.

It is intended to retain those regulations made under the Fertilizers Act, 1928-1973, until regulations are made under this proposed new Act.

Finally, the Bill standardises definitions and terminology in accord with interstate and international practice so as to eliminate anomalies encountered under the present Act.

The revision provides a much-needed updating of the present legislation. I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. T. Leeson.

PUBLIC SERVICE ARBITRATION ACT 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) [5.43 p.m.]: I move—

That the Bill be now read a second time.

Representations made to the Public Service Board by the Civil Service Association of Western Australia on behalf of approximately 5 000 of its members have resulted in the introduction of this Bill with the primary intention of providing appeal rights against dismissal for certain "Government officers".

This action stemmed from a decision of the Western Australian Industrial Appeal Court in 1975 when it was made clear that the Western Australian Industrial Commission had jurisdiction in the matter of reinstating dismissed workers. The effect of this decision was that some 51 000 State employees covered by agreements or awards of the Western Australian Industrial Commission had access to the commission on this matter.

This situation did not extend to "Government officers" as defined by section 11A of the Industrial Arbitration Act, as section 61 (2) (f) of the Act places these employees outside the commission's jurisdiction.

Up until 1975 only a minority of workers in Western Australia had appeal rights against dismissal. Those who did included police, school teachers, and permanent public servants.

More than two-thirds of "Government officers" are public servants employed under the provisions of the Public Service Act and these already had appeal rights under the provisions of the Public Service Appeal Board Act. However, the balance of some 5 000 staff who are not employed under the Public Service Act have no such rights and it was this section of its membership on whose behalf the Civil Service Association made representations.

In the light of the decision of the Western Australian Industrial Commission in respect of

workers within the jurisdiction of the commission, the Government agrees that similar rights should be extended to these 5 000 "Government officers". This Bill introduces these rights.

It was decided initially to enact the appeal provisions in the Public Service Appeal Board Act. However, when preparatory work was commenced on a draft Bill it was decided that the opportunity should be taken to revise the Public Service Appeal Board Act as it currently stands.

The Act dates back to 1920 and, as could be expected with an Act of that vintage, has been amended on a number of occasions over the years. The appeal board's jurisdiction was substantially reduced in 1966 when the function of hearing appeals against the classification of positions was passed to the Public Service Arbitrator.

A further function of hearing appeals on salary matters by officers in the "special division" of the Public Service still appears in the Act but this provision was made inoperative by the enactment of the Salaries and Allowances Tribunal Act in 1975.

As a result of the review undertaken it was concluded that there were advantages in repealing the Public Service Appeal Board Act and incorporating its essential features into the Public Service Arbitration Act. This would consolidate all appeal machinery relating to "Government officers" into the one Act.

The matter has been the subject of discussion with the Civil Service Association, which is the only union affected; and the association is in agreement with the proposal. Various suggestions to streamline procedures have also been discussed and investigated and are incorporated in the Bill.

The Bill also contains a schedule of minor amendments such as the substituting of the term "Public Service Board" for "Public Service Commissioner." Overall this Bill and the three complementary Bills to follow will result in more meaningful legislation in this area of Government employment.

I commend the Bill to the House.

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

PUBLIC SERVICE ACT 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) [5.48 p.m.]: I move—

That the Bill be now read a second time.

As outlined in my speech in respect of the Public Service Arbitration Act Amendment Bill it is intended to incorporate the existing appeal provisions of the Public Service Appeal Board Act into the Public Service Arbitration Act. This will enable all appeal machinery relating to "Government officers" to be consolidated.

Section 6A of the Public Service Appeal Board Act deals with the right of a temporary employee employed under section 31 of the Public Service Act, to apply to the Public Service Board for appointment to the permanent staff and for that board to determine the application. Such determination becomes subject to appeal to the Public Service Appeal Board.

This provision is unusual in that it grants the original right and the consequential appeal right and is thus out of character with the rest of the Act. The logical arrangement is that the originating right be contained in section 31 of the Public Service Act which deals with conditions relating to temporary employment in the Public Service. This is preferred to placing it in the Public Service Arbitration Act.

The Bill translates section 6A of the Public Service Appeal Board Act into proposed subsections (7) and (8) of section 31 of the Public Service Act and thereby results in more meaningful legislation.

With the Public Service Appeal Board now being established under the Public Service Arbitration Act in lieu of the Public Service Appeal Board Act it has become necessary to amend the reference to the board in section 45. This has been achieved by repealing and re-enacting the section.

I commend the Bill to the House.

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

PUBLIC SERVICE APPEAL BOARD ACT REPEAL 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) [5.50 p.m.]: I move—

That the Bill be now read a second time.

As a consequence to the proposals contained in current Bills to amend the Public Service Arbitration Act, the Public Service Act and the Government Employees (Promotions Appeal Board) Act, this Bill provides the ultimate action of repealing the Public Service Appeal Board Act.

I commend the final sequence of proposed legislation to the House.

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

GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT 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) [5.52 p.m.]: I move—

That the Bill be now read a second time.

This Bill is complementary to the Public Service Arbitration Act Amendment Bill and seeks to repeal subsection (3) of section 6 of the Government Employees (Promotions Appeal Board) Act.

This subsection provides that the employees' representative who sits on the Promotions Appeal Board in cases involving the Civil Service Association must be one of the association's representatives elected to sit on the Public Service Appeal Board.

The Civil Service Association has requested that this requirement be removed. In the case of all other unions, the union is free to exercise its discretion in the appointment of a representative under subsection (2) (c) of section 6.

In any case it is proposed in the Public Service Arbitration Act Amendment Bill, 1977, that in future the Civil Service Association will be free to exercise similar discretion in the appointment of a representative to sit on the Public Service Appeal Board.

The Government agrees with the Civil Service Association's request in this respect, and I commend the Bill to the House.

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

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE BOARD (VALIDATION) BILL

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [5.54 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to correct certain deficiencies in the Metropolitan Water Supply, Sewerage, and Drainage Act, 1909-1976, which have become apparent in respect of the authorisation applying to two categories of work under the Act.

It is evident that certain sections of the Act have been misinterpreted, at least since the board was reconstituted in 1964, leading to a number of administration deficiencies.

The sections concerned relate to the granting of approval by the Governor for the construction of works and apply to two categories.

The first is that of reticulation and minor works to which exemption has been granted, by order of the Governor, from the operation of the procedures, colloquially referred to as the "preliminaries to construction". These preliminaries include the deposit of plans, specifications and certain statements at the office of the board. Following advertisement the procedure provides for the information to be available for inspection by interested persons.

It is now appreciated that while the Act grants exemption from these proceedings, this exemption does not override the requirement for the Governor's approval. To this extent a great number of extensions to the board's system of water supply, sewerage, and mains drainage services lack authorisation.

For the most part these services have been provided in response to the request of the ratepayers served. Clearly, strict observance would call for an unreasonable application of time to minor matters at Executive Council and within the board. Furthermore, as the Act now stands, any attempt at such observances would be difficult because the Act does not make clear by what procedure the Governor's approval is to be obtained. The fact that this deficiency in the administration has passed unnoticed for all these years speaks for itself. It is unlikely that any persons or ratepayers have been disadvantaged, whereas benefits have accrued as a result of the more timely provision of services on request.

The second category relates to works which are usually major, and of benefit to the system as a whole, rather than to an identifiable group of

prospective ratepayers. Typical examples are storage dams, service reservoirs, sewerage treatment plants and, in particular, the Jandakot groundwater scheme which has occasioned a legal challenge to the board's action, following which the Crown Law Department has examined the Act on behalf of the board.

Such works are patently joined into the whole metropolitan system, and as such cannot be identified as servicing a particular group of people in isolation.

The Metropolitan Water Supply, Sewerage and Drainage Act, 1909, was derived from the Metropolitan Water and Sewerage Act, 1904, and the provisions relating to "preliminaries to construction" are identical.

The 1904 Act expressed philosophies derived from the following Acts repealed by it on its enactment—

(1) The Metropolitan Water Works Act, 1896.
(2) The Water Works Act, 1899.
(3) The Fremantle Water Supply Act, 1899.

In turn, the first of these related to the Water Works Act, 1889.

The emphasis in these Statutes relevant to the present problem has been a financial one. In fact, the Water Works Act, 1889, invokes the measures of the Municipal Institutions Act, 1876, which disallowed the entry of an undertaking in a contract until approved by the ratepayers. An antecedent procedure of "preliminaries to construction" also applied. In our instance, the financial aspect is not of personal interest to ratepayers for these works which benefit the whole system.

The nature of such works has made it virtually impossible to give effect to some of the preliminaries to construction presently stipulated in the Act. Those Preliminaries are a carry-over from an earlier era. They have, understandably, given rise to deficiencies in past administration which can be corrected only by legislation, and this is the purpose of this Bill.

It is relevant also to note that the 1904 Act contained provision for the construction of works under the Public Works Act. This applied normally to major works and, once constructed, the works were passed over to the board by the Minister. It is important to observe that the Public Works Act has not included any provision for a "preliminaries to construction" procedure.

There is no counterpart legislation requiring the authorities in Adelaide, Melbourne, Sydney or Brisbane to undertake a "preliminaries to construction" procedure, or to obtain the approval of the Governor for works prior to their construction.

Although it is considered this Bill would achieve its purpose of validating the deficiencies of past administration, Crown Law advice received since the introduction of the Bill is strongly in favour of rewording clause 2.

This is the only real substantive clause in the Bill and it is considered that in its present form it does not clearly reveal or make the intention of the Government abundantly clear.

In view of this I wish to inform members I will be moving an amendment to that clause during the Committee stage of the Bill.

I might add that the Metropolitan Water Supply, Sewerage, and Drainage Act currently is being examined with the intention of introducing further legislation to amend other areas which are clearly impractical of compliance and generally updating the Act.

I commend the Bill to the House.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. F. E. McKENZIE (East Metropolitan) [6.00 p.m.]: The Opposition is not opposed to the amendments in the Bill. However, it is concerned about the manner in which the Bill has been presented, and the fact that it contains retrospective application. It is always dangerous to include retrospectivity in any legislation.

We are not opposed to the amendments because they are necessary in view of what occurred following the disqualification of Councillor Michael and the resignation of another two councillors as a result of the inadequacies of section 37 of the Act. This section is outdated and the Government should have taken the opportunity to overhaul that section in particular, as well as other sections.

It is desirable that we establish a register of pecuniary interests of people. Had one existed the present situation with regard to Councillor Michael and others would not have arisen.

The Hon. J. C. Tozer: Surely such a register is essential now.

The Hon. F. E. McKENZIE: Yes. We believe such a register should be established. I foreshadow that at some later stage we will seek a

full examination by a Select Committee into all matters relating to pecuniary interests not only of local government members, but also parliamentary members. In fact, such a register should also be available in respect of senior nonelected officers. As members are aware, in many fields, particularly in local government, senior nonelected officers are in a position of influence.

When rumours circulate throughout the community about the pecuniary interests of anyone, they could be scotched had we a register disclosing the pecuniary interests of certain people.

Inquiries at a parliamentary level have been held on the subject of the disclosure of pecuniary interests in the United Kingdom, the USA, Canberra, New South Wales, and Victoria; so there have been parliamentary committees established to investigate this subject.

In respect of Councillor Michael, before he was disqualified he was Deputy Lord Mayor of Perth and it is unfortunate that as a result of the present controversy he lost that position. I do not know what the council intends in respect of the position of Deputy Lord Mayor of Perth once the Bill before us has been passed; nor do I know the attitude of the present Deputy Lord Mayor (Councillor Silbert). However, I do believe that the Perth City Council should consider the matter. It is through no fault of Councillor Michael that the situation arose.

When introducing the Bill the Minister stated that the integrity of Councillor Michael was not in question, and we agree with this. He was an unwilling victim of a technicality. Consequently I believe he should be reinstated as Deputy Lord Mayor of Perth. I realise we do not have the power to do this, but I hope the Perth City Council will take note of what I have said and, in view of the retrospectivity of the legislation before us, reinstate him as deputy lord mayor. I hope that the person who took his place will do the right thing and resign, and thus allow Councillor Michael to resume the office.

Sitting suspended from 6.06 to 7.30 p.m.

Hon. F. E. McKENZIE: I was saying before the tea suspension that it was rather unfair that Councillor Michael lost his position as Deputy Lord Mayor as a result of the inadequacies of the Act at that time. I am not sure what has transpired since, but in fairness I believe he ought to again take up his position as Deputy Lord Mayor. He has been reinstated on the council and elected unopposed.

I want to make it clear I am not a personal friend of Councillor Michael although I am an acquaintance. The same applies to Councillor Silbert. I had met neither prior to my election but have had the privilege to meet both since that time, so it is not a matter of prejudice on my part; it is a question of fair play.

The other point I want to raise in relation to section 37(1) is in respect to subsection (1) (e) which provides that if a person has a direct or indirect pecuniary interest to which the municipality is a party he is not qualified to be a member of the council. I think this works unfairly in regard to people such as the Secretary of the Municipal Employees' Union, Mr Adrian Bennett, who is an acquaintance of mine and who was at one time a shire councillor. Since his departure from the Australian Government who knows, he may have wanted to run for council again, but because he was elected as secretary of the union subsection (1) (e) in any case prevented him from standing.

Whilst this amendment is necessary it would have been much better if the whole question in relation to section 37 had been looked at. It would have been better if some of the anomalies had been cleared up to provide for situations such as I have described in the case of Mr Bennett.

Then again, there are the employees of councils. There may be someone who holds a small job—perhaps a pensioner supplementing his income. He is prevented from becoming involved in the council under section 37 (1) (b).

So section 37 appears to be outmoded and inadequate for today's situation. Whilst these amendments are necessary—there is no question about that because of what has taken place—the amendment in its present form is inadequate to provide for the situations I have described. The Opposition supports the amendment, but we feel that at a later date a parliamentary joint party Select Committee ought to be set up to investigate the whole of the Local Government Act.

THE HON. I. G. PRATT (Lower West) [7.34 p.m.]: I support this measure to amend the Local Government Act. This specific problem is one that needs to be set in order straightaway, because the thing that comes out very clearly is that the two gentlemen who brought this into the light of day were both quite honest; there is no question about their integrity. Their situation also brought into the light of day the fact that it was not generally realised the dragnet of the Act extended so far.

I can recall my days in local government and I know of several people who would have been disqualified if others had bothered to search for

reasons. I think it is an unfortunate fact that we have a situation today where we find people are searching fervently for reasons as to why people in councils should be disqualified. I agree that we need to have legislation such as this to cater for the situation where people would use their position on shire councils to further their own interests.

My experience of the sort of persons who generally become shire councillors is that, as a general rule, people interested in furthering their own interests are not the type who take on this work. It is very unfortunate that we find the situation where people, who have taken on these duties and who work very hard without any material reward, suddenly find that unbeknown to themselves they have broken the law and have disqualified themselves.

I think it is necessary for this to be remedied straightaway. I agree there is room for further investigation into the whole area of local government. I would not necessarily agree with Mr McKenzie that it is a subject for a Select Committee. It is a subject which the department should look at more closely because, as I have said, we have people who tend to look for reasons to harass councillors. I have had a few interesting propositions put to me in regard to certain councillors' interests. Most cases turn out quite honest and harmless.

There is always the question of pecuniary interests hanging over the heads of businessmen in any community. This applies not only to businessmen but others who hold an interest, and they constantly have to look at their involvements. I think this should be cleared up so that when we elect a councillor we can be quite sure that he knows his position and the public knows his position.

I hope in the months to follow we will have a closer look at this general sphere. To be specific, I think the matter is urgent and I am happy the Government has seen fit to correct this position so quickly.

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [7.37 p.m.]: I thank members who have spoken for their indication of support of the Bill. It is gratifying to know that in spite of having some reservations, the Opposition nevertheless supports the principle that this situation must be put in order to rectify the unfortunate development which has affected some innocent people, whose integrity is above question and who have found that they have fallen foul of the technical provisions of the Local Government Act.

The Government has been aware, for some time, that there were problems associated with section 37. Indeed, the Act was amended last year to cater for people who found they had pecuniary interests because of agreements with municipalities. Subsections (3) and (4) were put into the Act to allow people in that position to obtain the Minister's exemption by getting him to make a determination before their nomination. In doing so, their pecuniary interests would not then disqualify them from standing for election.

While Mr McKenzie was speaking I endeavoured to make a quick appraisal of the situation, and the amendments of last year might cover the situations he referred to. The employee who was debarred from standing for election might find that his decision was taken before the Act was changed. At any rate, the person Mr McKenzie referred to might be advised to take legal advice; if he did he might find the situation was not what he thought it to be.

With regard to the question raised by the honourable member that this is retrospective legislation, I will say that it is indeed. One reason for that decision is that these are fitting cases for retrospectivity to be included in the measure. Otherwise, the people concerned may be prosecuted by any private person. So we are doing it virtually for the protection of the very people who we are saying have innocently fallen foul of the Act. I believe retrospectivity is perfectly justified in this situation.

On the question of a register of pecuniary interests, I doubt whether, had there been a register, it would have cured the situation in which these two councillors found themselves. As I find the position, and I may be incorrect as I have only read newspaper reports and have not read any legal opinions, these councillors were not only directors of the companies concerned, but they were also shareholders of those companies. Mr Michael was associated with Farrell Engineering Pty. Ltd. and Mr Mallabone with another private company.

Had they disclosed their membership of those companies in a register I doubt that it would have made any difference. They still would have fallen foul of the technicalities of the section. If one examines section 37, subsection 2 (b) (i), it will be seen that it only exempts a shareholder in a company if that company has more than 20 members. As I understand the position, these companies had less than 20 members as they were proprietary companies. Even if the councillors had disclosed their holdings they would still have been liable.

The other part of the provision in the Bill is to amend subsection 2 (b) (ii) to provide that not only is an individual who in the ordinary course of business supplies services or sells goods to a council exempted, but also a director, manager, secretary, or shareholder of a proprietary company.

We are simply extending the same protection, which the Act already gives to the private individuals, to people even more indirectly affected.

We are not being revolutionary; nevertheless, we are attempting to patch up a difficult situation and at the same time, in the retrospective section of the amendment, to prevent action being taken under the Act by any person. I draw attention to section 646 of the Local Government Act which sets out who can take proceedings under the Act. One person is any member of the public.

So those two councillors and the Subiaco councillor who resigned could all have proceedings taken against them by any member of the public. It is a very dangerous situation.

If we are satisfied that the ordinary course of business of selling goods, providing services, or doing work for a council should be covered in the case of a private individual, surely we must be satisfied that we should throw in as well a proprietary company in which a private individual is perhaps only one of several shareholders or is a manager, director, or secretary—in other words, having a more indirect interest than a private person has.

I believe the legislation is well justified and I thank members for their support of it.

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 passed.

COAL MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. R. T. LEESON (South-East) [7.47 p.m.]: This Bill seeks to do two things. Firstly, it increases from $17 to $34.50 the amount of money a coalmine pensioner can earn without affecting his pension; and, secondly, it gives the tribunal some leeway in deciding whether it should grant the pension to people who have been admitted to mental homes.

The Coal Miners' Union in Collie has asked for the amendments, and we on this side support the Bill.

THE HON. R. G. PIKE (North Metropolitan) [7.48 p.m.]: I rise to support the Bill and associate myself with the comments made by the Hon. R. T. Leeson. It probably behoves me to support a proposition amending the Coal Mine Workers (Pensions) Act since the tribunal originates in Collie.

I would like to go on record as saying that the history of the coalmining industry over the last 20 years reveals an excellent record of industrial relations has existed in Collie, which hopefully will serve as an example for the rest of the State.

THE HON. W. M. PIESSE (Lower Central) [7.49 p.m.]: I support the remarks of the former speakers as regards Collie, and I also support the Bill. It is not often fully realised the hardship which can be caused if a pension is suddenly suspended, as could be the case when the recipient of a pension is admitted to a mental home. It takes time to sort these matters out, and I am very pleased this amendment has come forward.

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [7.50 p.m.]: I thank members for their support of the Bill and commend it to the House.

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 passed.

COUNTRY AREAS WATER SUPPLY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. R. HETHERINGTON (East Metropolitan) [7.53 p.m.]: I want to make a couple of general remarks which will cover not only this Bill but also the next two Bills to be considered.

The Opposition realises that inflation will make it necessary to increase charges which were laid down in legislation many years ago, and in times

of rapid inflation it is probably a good idea to make it possible for charges to be altered by Executive action. The only reservation the Opposition has is that it is hoped the Government is not tempted at any time in the future to use the power, which has been granted in this and other Bills, to impose these charges as a hidden form of taxation and ease them up beyond what is necessary. We will certainly watch the Government to ensure it does not do that. We would be strongly critical of any such attempt, but we hope it will not happen.

Apart from that, we support the Bill.

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 passed.

LAND DRAINAGE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. R. HETHERINGTON (East Metropolitan) [7.57 p.m.]: The Opposition supports this Bill in the terms referred to in connection with the previous Bill.

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 passed.

COUNTRY TOWNS SEWERAGE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. R. HETHERINGTON (East Metropolitan) [8.00 p.m.]: The Opposition supports this Bill also.

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [8.01 p.m.]: I thank the Opposition for its support of these Bills. They are of a comparatively minor nature, and members opposite can be assured they will not be used for punitive taxation purposes.

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 passed.

TOURIST ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [8.03 p.m.]: The purpose of this Bill is to delete from section 5 of the Act paragraph (i) of subsection (2), which provides for representation on the Tourist Advisory Council from the Northern Travel Council. I might point out that when the Tourist Bill was introduced in 1973 by the Tonkin Government, this provision was not included. It was inserted by way of an amendment moved by the member for Kimberley (Mr Ridge). We are now being asked to remove the provision because the Northern Travel Council is defunct, and to replace it with a provision which provides for representation from the tourist industry north of the 26th parallel.

We have no objection to this. We on this side believe it is reasonable that the tourist industry north of the 26th parallel should have representation on the Tourist Advisory Council, in the same way that tourist bureaus south of the 26th parallel are represented.

However, I would like to say that once again it appears we have been given a minimum of information by the Minister who presented the Bill. It seems we are receiving less and less information in Ministers' second reading speeches, and I believe this shows a lack of courtesy to members on this side of the House.

The provision to be included in the Act proposes that in place of the representative from the Northern Travel Council, one member shall now represent the tourist industry within that part of the State lying north of the 26th parallel, and shall be nominated for appointment by the Minister from amongst persons who in the opinion of the Minister have an interest in the tourist industry in that part of the State.

However, the Minister did not go on to tell us who will be able to nominate this representative,

how he will be appointed, from what sort of organisation he will come, and so on. I hope that "who in the opinion of the Minister have an interest in the tourist industry" does not mean the representative will come from vested interests such as the hotel trade, the airlines, or the bus companies. I wonder whether the persons from whom the appointment will be made will include, for example, members of sporting bodies and members of the Aboriginal community, because they certainly have an interest in the tourist industry, as do local community groups.

We on this side of the House support the Bill in principle, but we feel more information should be given in respect of the organisations or the areas from which it is intended to seek nominations for this representative.

THE HON. W. R. WITHERS (North) [8.07 p.m.]: I agree with this Bill; I think it is quite sensible. It will allow for representation of people above the 26th parallel on the Tourist Advisory Council.

Miss Elliott expressed fears concerning the new representative on the council. She suggested possibly the representative could come from a sporting body or Aboriginal group. Of course, this is always possible if there are people who are sufficiently involved and interested in tourism to get on one of the local committees, or who are committed in some way to the development of tourism.

We do have in parts of the Kimberley active tourist associations. We have the Kimberley Travel Association, and we also have the Pilbara Travel Association. I would imagine that if a person is associated with those bodies, the Minister could see he is eligible; or possibly the Minister could see anyone at all who is interested in tourism as being eligible. I think it would be most unwise if the Minister elected someone who had not shown a previous interest in, and commitment to, tourism.

Miss Elliott also mentioned that she was concerned that the representative might be someone who is interested in the hotel trade or who is associated with the airlines. It is natural that these sorts of people would be involved in and committed to the tourist industry, because their livelihood in the northern region is almost dependent on the tourist trade. In fact, some towns in the north would be in a very sorry state financially if there were not a tourist industry.

I should not imagine that the Minister—regardless of whether it is the present Minister or a Minister from another party in the future—would be foolish enough to select a representative who was not involved in the industry. I imagine the Minister would appoint somebody suitable to all parties, and I do not think Miss Elliott's fears are based on sound ground. I support the Bill.

THE HON. J. C. TOZER (North) [8.10 p.m.]: I think it is very important that it is not inferred from the fact that this Bill has been introduced that the tourist industry in the north is failing; because apparently the Northern Travel Council is not existing at this time.

It is important for people to recall that the distance from Carnarvon to Kununurra is something over 2 500 kilometres. It is not easy to tie together an organisation when there are people separated by such vast distances, and the cost of air travel between these places to attend meetings is very heavy.

Mr Withers has already referred to the Kimberley Travel Association. We have two very active organisations in Kununurra and Broome. Both these groups are very active and very successful. We also have an active tourist body in Derby and another in Halls Creek which is not quite as active. However, this group of bodies is effectively carrying out the function of the Kimberley Travel Association.

The concept in the early days was that the three travel associations of the Kimberley, the Pilbara, and the Gascoyne were to combine to form the Northern Travel Council. The Kimberley Travel Association has continued to function. Here again, it is over 1 000 kilometres by road between Derby and Kununurra. So it is not easy for the people concerned to function as a coherent body over a long period. However, they have achieved this and it is to their great credit.

The advantage to the area of the Ord Tourist Bureau has been tremendous, and really we have not yet touched the potential that will be there when Highway No. 1 is sealed, and especially those sections between Port Hedland and Broome, and Fitzroy Crossing and Halls Creek.

A couple of weeks ago the Shinju Matsuri, the pearl festival, was held in Broome. I am sure I am being conservative when I say there were over 500 tourist caravans in Broome at that time. This is the nature of the success of the Broome travel industry. Broome has three top-class hotels and two caravan parks which are outstanding by anyone's standards. The festival in itself involved 10 days of celebrations and festivities, which by far exceeds anything I have found in any other place.

This year we had some new tourist focal points. A lugger has been mounted in Carnarvon Street

in Chinatown, and in the 10 minutes during which I inspected this new exhibit I suppose something like 50 people stopped and took out their cameras to take photographs. The lugger is a great focal point of interest.

The Hon. H. W. Gayfer: They were taking photos of you, old man!

The Hon. J. C. TOZER: Similarly, one of the most interesting exhibits I have seen comprised the three cast bronze figures of pioneers of the cultured pearl industry which were unveiled in Carnarvon Street in Chinatown. Again, these make a focal point for the tourist industry in the Kimberley region.

The Pilbara Travel Association is not as well knit as it has been, but we have very strong tourist groups at Roebourne and Wittenoom and, of course, at Port Hedland. The Port Hedland Tourist Bureau is in fact conducting a viable business at the moment.

The Gascoyne, which is outside of my area, has a tourist industry at Carnarvon and Exmouth which has been most successful.

So, as my colleague Mr Bill Withers stated, Miss Elliott need have no fears whatsoever about the ability of the Minister to find people with a genuine interest in the welfare of the north who have been closely associated with the development of the tourist industry in that area over many years.

I support the second reading.

THE HON. G. C. MacKINNON (South-West—Minister for Tourism) [8.15 p.m.]: I am saddened to think that Miss Elliott believes I could be in any way discourteous, particularly to her; and honourable members will appreciate that it is the last thing I want to be. I did not give any more information for the simple reason that I could not think of any more information to give. I think this has been borne out by the speeches of my two colleagues, the Hon. Bill Withers and the Hon. John Tozer, who know that area so well.

We removed the name of the group concerned because it no longer exists. Groups are formed and dissolved from time and time and one would ask such groups to suggest a name. Members who represent the district and who also change from time to time would also be asked to suggest a name. Therefore, in order to leave as much latitude as possible the provisions of the Bill were left as open as possible.

I am sorry—indeed, I am saddened—that Miss Elliott mistook this hope of flexibility for rudeness on my part. It certainly was not meant. Nevertheless, I thank the three honourable members for their support of the measure.

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 (Minister for Tourism), and transmitted to the Assembly.

PERTH MEDICAL CENTRE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [8.19 p.m.]: I should like to commence my remarks on this Bill by referring to the terminology in the Minister's second reading speech. I agree that the head of the British Commonwealth deserves the respect and loyalty of us all, but I found the terminology in the Minister's speech to be rather sycophantic and I should like to explain what I mean. In a speech containing four very short paragraphs we see such terms as "Her Majesty's gracious approval" and "a lasting monument to a most gracious monarch". Instead of saying, as he would normally say, "I commend this Bill to the House," the Minister said, "It is a pleasure to commend this Bill." The head of the British Commonwealth deserves our loyalty and respect but I believe terminology such as that is quite out of keeping with a modern twentieth century Parliament.

We on this side of the House support the Bill because it is a *fait accompli*, but we wish to protest at the way the matter was handled by the Premier (Sir Charles Court). Prior to the recent State election and because of the possibility of a change of Government at that election, the Premier approached the Leader of the Opposition (Mr Jamieson), told him that the Government wished to change the name of the Perth Medical Centre, and asked whether the Opposition would agree to the name being the Queen Elizabeth II Medical Centre. He also said that he wished the Queen to be able to rename the centre during the Royal visit.

Mr Jamieson told me that he expressed doubts to the Premier because there is already a major hospital in Woodville, South Australia, called the

Queen Elizabeth Hospital. He expressed the opinion that it could be confusing, particularly to the international medical fraternity, if there were two major hospitals in Australia with the title of the Queen Elizabeth Hospital. If research is involved and the name is printed in international journals it will become confusing should there be two hospitals with a similar name.

However, the Leader of the Opposition told the Premier that although he expressed these reservations he would give his approval, but he thought the Premier should consult the medical fraternity in this State and get their approval. He told the Premier that if this approval was obtained he would go along with the idea. Once again the Premier did not have the courtesy to report back to Mr Jamieson, and it seems quite obvious that he went ahead without consulting the medical fraternity in this State with regard to what they thought about the name for such a major medical centre.

The Hon. R. G. Pike: Did Mr Jamieson make that point in the Assembly?

The Hon. LYLA ELLIOTT: In case the honourable member doubts what I am saying, I have this information from Mr Jamieson himself.

Shortly after the change of name took place letters concerning the matter appeared in *The West Australian*. On the 8th April there appeared a letter headed, "Medical Centre's New Name Annoys" from Dr Serge Bajada and 55 other medical staff of the Queen Elizabeth II Medical Centre. It stated—

> We wish to register our disapproval of the apparently sudden decision to change the name of the Perth Medical Centre.
>
> We do not necessarily imply any anti-royalist sentiment, but we feel that the name Perth Medical Centre is far more appropriate. It is shorter, more descriptive and unique, allowing the centre's present and future achievements in patient care and medical research to be linked directly with Perth and WA.
>
> By contrast, the name "Queen Elizabeth" already applies to another hospital in Australia and only encourages anonymity.
>
> We will continue to promulgate Perth Medical Centre as the original and more desirable name.

Following this, three other letters appeared in *The West Australian* on the 16th April. There is no indication that they were from medical people. One is from Mr Edwin White, who is a well known minister of religion. He said—

> I agree with Dr Bajada and his colleagues that naming buildings after well-known people is a mistake, especially when the name is long, cumbersome and unrelated to the building's purpose.

I shall not read the whole of the letter.

Then there was a letter from A. Thomson of Shenton Park who said—

> The name "Perth Medical Centre" should have been retained.
>
> Not only is the name Queen Elizabeth II Medical Centre cumbersome but, as all Scots and other thinking people know, it is historically wrong.

I shall not continue with that letter. The third letter was from Mr P. Summers of Dalkeith who said—

> Our doctors and research are up to world standard, and the name "Perth Medical Centre" is one all West Australians are proud of.
>
> If really necessary, a bed or ward could be named after the Queen, but let us keep to the original name of a great medical centre.

Consequently, I think the Minister in his reply should explain why the medical people involved were not consulted. Certainly Dr Serge Bajada and 55 medical staff at the centre were very much opposed to the change.

There is growing concern at the way in which hospital facilities are becoming centralised in the metropolitan area. All members would have received a letter from the Subiaco City Council dated the 11th August this year.

Point of Order

The Hon. R. G. PIKE: I rise on a point of order.

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

The Hon. R. G. PIKE: The point of order is that the geographical location of hospitals and their proximity to the city has nothing to do with the naming of a medical centre.

The PRESIDENT: There is no point of order.

Debate Resumed

The Hon. LYLA ELLIOTT: Thank you, Mr President. Concern has been expressed by a number of local authorities about the centralisation of hospital facilities in the metropolitan area, and all members would have received a letter from the Subiaco City Council dated the 11th August expressing concern about the expansion of Princess Margaret Hospital. I realise that consideration of Princess Margaret

Hospital is not before us but I am dealing with the general principle of the centralisation of hospital facilities.

The Hon. R. G. Pike: Rubbish! It is not what we are talking about at all.

The Hon. LYLA ELLIOTT: We are dealing with the Perth Medical Centre which has become the Queen Elizabeth II Medical Centre. It seems that this is a fast-growing complex and I think this is very relevant to the debate, Mr President. The Subiaco City Council convened a meeting of local authorities in the metropolitan area and at that meeting 18 metropolitan local authorities were represented. Subsequently I received a letter from the Shire of Bayswater—

Point of Order

The Hon. G. C. MacKINNON: If you will pardon me, Mr President, I feel this is taking undue advantage of us. We have not done any research to answer this question. I find it has no relevance to the Bill and I am wondering whether you, Mr President, could ask the honourable member to point out to us where this has application, because we have done no research to enable us to answer questions in regard to the Subiaco City Council and Princess Margaret Hospital.

The PRESIDENT: The honourable member is tending to stray from the purpose of the Bill. When the previous point of order was raised and I ruled that there was no point of order I thought she might take that as at least an indication from me that she ought to stick to the terms of the Bill. I suggest that if the honourable member wishes to continue her comments she direct them to the Bill we are discussing.

The Hon. LYLA ELLIOTT: The comments I have to make would be along the same lines as those I was making before I resumed my seat. Therefore, it appears that you, Mr President, will not allow me to continue. I had wished to present a letter I received from a local authority in my area.

The PRESIDENT: If it has anything to do with the Bill the honourable member can read it.

The Hon. LYLA ELLIOTT: I felt it had, because we are dealing with a large medical complex and I felt the subject matter I wished to present to the Chamber was relevant to the Bill.

The PRESIDENT: Order! You are straying from the contents of the Bill and the comments you are making now are not helping the situation. If you can indicate that the letter has something to do with the Perth Medical Centre Act Amendment Bill then I will permit you to proceed; otherwise I do not wish to hear what you are now saying. Until you indicate that the letter has not anything to do with the Bill, I will assume it has; but I will stop you reading it if it comes to my attention that it has nothing to do with the Bill. If the honourable member wishes to proceed with her discussion on the Bill, she may do so.

The Hon. LYLA ELLIOTT: Thank you, Mr President. As you obviously feel that it is not relevant at this stage, I will deal with it on the adjournment motion of the House tonight.

The Hon. G. C. MacKinnon: A good idea.

The Hon. LYLA ELLIOTT: I felt it was relevant because we are dealing with this particular medical centre. However, as you have ruled that I should not deal with it at this stage, I will—

The PRESIDENT: Order! I did not rule that you should not proceed with it. I ruled that if it has nothing to do with the Bill, then you should not proceed with it.

The Hon. LYLA ELLIOTT: I am accepting your ruling, Mr President, by saying that I will not proceed with it at this stage. I will continue my remarks later this evening.

Debate Resumed

The Hon. LYLA ELLIOTT: I conclude my remarks on the Bill by saying that the Opposition supports the main principle it contains, mainly because it is a *fait accompli*. There is very little we can do at this stage about changing the name of the centre.

THE HON. R. J. L. WILLIAMS (Metropolitan) [8.33 p.m.]: I feel I must rise to support the Bill. As members would be well aware, the previous Perth Medical Centre, now the Queen Elizabeth II Medical Centre is in my electorate. Unlike the Hon. Lyla Elliott, I have no confusion about these things. I am sure that had she done a little research she would not be too sure about whether the Queen Elizabeth Hospital at Woodville in South Australia was not named after the present Queen, but after her mother.

There is a Queen Elizabeth Hospital in Birmingham and one in Sheffield, and the medical fraternity is well aware of the location of the hospitals and the expertise they have. I have no objection to the King Edward Memorial Hospital or the Princess Margaret Hospital. Indeed they are readily identifiable in the minds of people, one dealing with gynaecology and the other with children.

Perhaps one point the honourable member may have overlooked is that the Queen Elizabeth II Medical Centre is probably the first hospital in

Australia named after the Queen when she became not only Queen of the Commonwealth, but also Queen of Australia. That is a significant point.

The Hon. Lyla Elliott: It is still confusing to have two Queen Elizabeth Hospitals in Australia.

The Hon. R. J. L. WILLIAMS: I remember reading a document relating to another place. The honourable member has indicated that she will speak about her grievance on the adjournment motion. Perhaps she is pre-empting an issue which may well come forward in another piece of legislation in this session. The establishment of the Perth Medical Centre has led to certain difficulties in a portion of my electorate, and I will be speaking at length on them when the Government introduces legislation to cover those aspects. Perhaps the honourable member could do likewise.

I support the Bill. In the passage of time the identity of the centre will be no more confusing to people than is the case with Princess Margaret Hospital, of which I believe there are about 102 around the world.

THE HON. R. HETHERINGTON (East Metropolitan) [8.35 p.m.]: I rise to support briefly the Bill and also the remarks made by the Hon. Lyla Elliott. It seems to me it is unfortunate that a name which had the elegant simplicity of Perth Medical Centre was changed, and that there is now confusion between two major hospitals. When people are naming hospitals they should consider what will happen to the name. In South Australia the Queen Elizabeth Hospital is known as "the Liz". I do not know whether the Queen Mother would object. Over here we have the King Edward Memorial Hospital and the Princess Margaret Hospital, and the Perth Medical Centre is already known as "the QE II Medical Centre". I am not sure that it does Her Majesty the honour intended. We should avoid the use of long names for public buildings or, if we must use them, we should take care to ensure that the abbreviation will be acceptable.

After all, what was there was once known as the Charlie Gairdner, which had a friendly ring about it, and I am sorry to see this name lost. Although I do not intend to object to the Bill, I believe the Government did make a mistake, and in future such matters should be carefully considered before any building is named.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [8.37 p.m.]: I am aware that the Minister who introduced the Bill has just returned, but as he did not hear the speech made by the Hon. Lyla Elliott, he has asked me to reply to the debate, although he did hear the last speaker.

I thank members for their comments. Indeed, I am grateful that they consider the name "Perth Medical Centre"—which I had the honour to present to Cabinet—to be such a good one.

I must admit I have a fellow feeling for Dr. Bajada. I doubt whether we share an ethnical background, but members will understand that, in view of my background and my name—Graham Charles MacKinnon—I would not be supposed to be as enthusiastic about honouring Queen Elizabeth as many of my confreres. However, I consider it an honour properly bestowed on a very gracious monarch, and I quickly gave my agreement to the change of name from the Perth Medical Centre, which I had originally suggested, to the Queen Elizabeth II Medical Centre.

May I also correct some faulty research? The Sir Charles Gairdner Hospital, affectionately known as "Charlie's Place", "Charlie's", or "Charlie's Joint" among the medical profession—all hospitals get their affectionate names—remains extant as a hospital. What we are talking about is the medical centre which is a complex of hospitals, and it was not ever meant to be anything else. The Queen Elizabeth II Medical Centre applies to the total grouping, one of which is the Sir Charles Gairdner Hospital.

Again, I agree with Mr Hetherington that that hospital has a lovely name to honour a lovely man, an erstwhile Governor of this State. That hospital remains just the same. We are talking about a medical centre which is quite unique. There are very few others in the world. Indeed, at the time it was commenced, there was no other in the British Commonwealth of nations. There was one in Texas. I do not like correcting such faulty research, but felt constrained to do so.

The Hon. Lyla Elliott: What faulty research?

The Hon. G. C. MacKINNON: The honourable member kept calling it a hospital. The hospital is the Sir Charles Gairdner Hospital, but the whole complex is the Perth Medical Centre.

On behalf of my confrere, the Hon. D. J. Wordsworth, I thank members for their support of the Bill. I think the words and simplicity of language used by the Minister when introducing the Bill should have been commended instead of being growled about. I commend the Bill to the House.

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

THE HON. G. C. MacKINNON (South-West—Leader of the House) [8.43 p.m.]: I move—

That the Bill be now read a third time.

Might I suggest that the interesting comments the Hon. Lyla Elliott was about to make earlier would make an excellent subject for a speech on the papers tabled this afternoon dealing with the Budget?

Question put and passed.

Bill read a third time and passed.

CONSTRUCTION SAFETY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [8.44 p.m.]: We agree with the Bill. In his second reading speech the Minister outlined the reasons for its introduction. Its contents and intention will help to resolve those differences which arise. We agree with the Bill in principle and detail and wish it a speedy passage through the House.

THE HON. T. KNIGHT (South) [8.45 p.m.]: I rise to support the Bill which I have examined over the last few days. I believe we should look closely at the provisions of section 10 of the principal Act which states—

> The principal function of an inspector under this Act is to promote the safety and welfare of workmen engaged on work to which this Act applies, to advise employers and workmen as to safe practices recommended in respect of such work, to ensure that the provisions of this Act are complied with, to investigate accidents occurring in respect of such work and generally to take all such steps as may be desirable to prevent or limit the occurrence or repetition of accidents in such work.

It is pointless to have an Act which cannot be enforced for the reason mentioned by the Minister during his second reading speech. The lives of workmen are involved in the safety precautions which have to be taken by employers, particularly those constructing multi-storied buildings.

Having been a building contractor before I entered Parliament, I am very much aware of the importance of safety factors with regard to multi-storied buildings and, in fact, with regard to all buildings. It is the responsibility of the inspectors to ensure that safety measures are enforced at all times, and the builders must be prepared to work in conjunction with the inspectors in the enforcement of the Act.

During my time as a building contractor I had occasion—particularly while on cottage work—to observe that some of the rules enforced by the inspectors were ludicrous. However, we were compelled to comply with them. Section 18 of the Act does provide for appeal.

The Hon. D. K. Dans: The member will become known as, "Stonewall Tom".

The Hon. T. KNIGHT: It seems that we sometimes give too much power to inspectors, which can be dangerous. Some inspectors, given a little extra power, do become dictators. I believe it will be the responsibility of the Minister and his department to ensure that does not happen, and that the provisions of section 18 of the Act are enforced when the occasion arises.

The Hon. D. K. Dans: That occurs in every walk of life.

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [8.47 p.m.]: I thank honourable members for their support of the Bill. One of the great advantages of our democratic system has been demonstrated tonight when we received support from experts in two directions. When the industrial expert and the building expert both agree, what more could we wish for? I commend the second reading.

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. D. J. Wordsworth (Minister for Transport), and passed.

PHYSIOTHERAPISTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [8.50 p.m.]: I am sure the Minister will be pleased to know I have no complaints with regard to this Bill. The Opposition supports it. The first amendment will enable the Public Health Commissioner to appoint a deputy to take his place when the commissioner is not able to

attend meetings.That is a reasonable proposition, because the Commissioner of Public Health obviously is a busy person and on many occasions he would not be able to attend meetings. For that reason it is desirable that he should be represented by a deputy, and we support that part of the Bill.

A second amendment will provide for a representative to be nominated by the council of the Western Australian Institute of Technology instead of by the Senate of the University of Western Australia. It is desirable, obviously, that as the physiotherapists are now trained at the Western Australian Institute of Technology, the representative on the board representing tertiary education should come from that institution. With those few words I support the Bill.

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [8.52 p.m.]: I thank the honourable member and the Opposition for their support of the measure, and I commend the second reading.

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. D. J. Wordsworth (Mininister for Transport), and passed.

ADJOURNMENT OF THE HOUSE

THE HON. G. C. MacKINNON (South-West—Leader of the House) [8.54 p.m.]: I move—

That the House do now adjourn.

Metropolitan Hospitals: Siting

THE HON. LYLA ELLIOTT (North-East Metropolitan) [8.55 p.m.]: I do not wish to delay the House unduly but I want to deal with a matter briefly which I consider to be of great importance to the constituents in my electorate. The matter has been raised with me by the Shire of Bayswater, and it concerns a question with which I had hoped to deal in debate on a Bill earlier this evening.

There is growing concern throughout the outer metropolitan area, because of the fact that hospital facilities seem to be too centralised within the city area while, at the same time, the population is decreasing.

I imagine all members recently received a letter from the Subiaco City Council concerning the extensions to Princess Margaret Hospital. The Subiaco City Council expressed concern that the hospital in its suburb was growing, and the question should be examined as to whether the facilities should be decentralised in areas where the child population is increasing.

The Subiaco City Council convened a meeting on the 9th May of this year, at which 18 metropolitan local authorities were represented. Following that meeting I received a letter from the Shire of Bayswater, which reads as follows—

> Dear Miss Elliott,
>
> I wish to refer to the matter of massive expenditure on existing hospitals within the inner Metropolitan area. This aspect of Government spending is of considerable concern to a vast number of local authorities, so much so that a joint meeting was held in an endeavour to ascertain the feelings of individual authorities.
>
> The outcome of the meeting was to pursue every possible avenue in an endeavour to have these expenditures directed towards hospitals in the outer Metropolitan municipalities. The principal reason behind this decision is that the outer municipalities have incurred large increases in population, but still have inadequate hospital facilities, particularly in relation to children and the reverse applies to the inner Metropolitan areas where the expenditure is actually occurring.
>
> It would be greatly appreciated if you would take whatever action you can to bring about a change in Government policy.

There is a need to rationalise hospital facilities, in particular emergency and casualty facilities. That rationalisation should take place along the lines of the Labor Party policy, and should follow an examination by an authoritative body suitably equipped to look at the whole question.

The policy of the Labor Party, in this regard, is as follow—

> Labor will establish a Hospitals and Health Commission to be responsible for the overall planning within this State, of hospital and other health facilities. This will be a statutory body directly responsibile to the Minister for Health, and consisting of at least seven members who should be as follows—
>
> (i) a doctor;
> (ii) a social worker experienced in social planning;
> (iii) an economist or accountant;

(iv) a person experienced in the field of Public Health or Health Education;
(v) a representative of para-medical services;
(vi) a representative of the Hospital Employees Union;
(vii) one other member—

not more than two of whom shall be members of the staff of the major teaching hospitals.

What is needed in this State is a broadly-based planning authority. This authority should plan not only in regard to doctors, but also in regard to the various disciplines concerned with health and welfare in this State. So I urge the Government to give consideration to the establishment of an authority along those lines.

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [9.01 p.m.]: As I am not the Minister for Health, I am not able to comment on the health aspect of this matter. However, as Minister for Transport, I would like to make a short comment.

I believe that the site of hospitals should be considered thoroughly so that hospitals are easily accessible via major roads. This is particularly necessary when patients are in need of urgent treatment. I do not believe that the number of children in an area is relevant to the siting of a children's hospital. The important thing is how quickly children can be got to the hospital. I am well aware of this point because one of my children was once rushed to hospital.

If another children's hospital were sited in one suburb, it would then be a long way from other suburbs. We cannot afford too many children's hospitals particularly as hospitals are becoming more and more specialised. This was obvious from the long list of experts to which the honourable member referred. I trust the Government will consider the whole situation closely.

The Hon. D. K. Dans: Can I take it you are going to start the Murdoch Hospital tomorrow?

Question put and passed.

House adjourned at 9.02 p.m.

QUESTIONS ON NOTICE

LAND RATES AND TAXES

Committee of Inquiry

140. The Hon. LYLA ELLIOTT, to the Leader of the House representing the Treasurer:

Further to question 85 of the 18th August, 1977, requesting information as to the decision of Cabinet on recommendations of the Committee of Enquiry into Rates and Taxes attached to Land Valuations, and the Minister's reply that some of the matters were still under consideration and that he would advise me the result of Cabinet's consideration within two or three weeks of that date, is the Minister now able to answer the question?

The Hon. G. C. MacKINNON replied:

Cabinet has now approved of the drafting of a Valuation of Land Act Bill, and a Bill to establish land valuation appeal tribunals, including the creation of the office of valuer general, to be introduced into Parliament in the first half of next year.

WATER SUPPLIES

Swimming Pools

141. The Hon. R. T. LEESON, to the Attorney-General representing the Minister for Water Supplies:

In view of the current water shortage, what is to be the policy this summer on the filling of—

(a) public swimming pools; and
(b) private swimming pools;

in the metropolitan and country areas?

The Hon. I. G. MEDCALF replied:

(a) There is no restriction on public swimming pools in either the metropolitan or country areas.

(b) (i) In the metropolitan area the current restriction order is being amended to permit topping up, by hand-held hose, of natural evaporation losses from private pools. These restrictions will be reviewed from time to time and, if necessary, altered at the appropriate time.

(ii) Schemes utilising Public Works sources, such as the Goldfields and Agricultural Areas Water Supply which supplies water to country areas, have no restrictions on the filling and topping up of swimming pools.

UNIVERSITY OF WESTERN AUSTRALIA

Opening of Mail

142. The Hon. R. HETHERINGTON, to the Attorney-General:

As I have been informed by Mr Nicholas Partridge, Producer/Manager of 6UWAFM radio station, that mail addressed to him personally has been opened by the Head of his Department—

(a) will the Attorney General inform me of the legal position in relation to mail of University staff members being opened by Heads of Departments; and

(b) in view of the nature of the occupation of members of University staff in that they necessarily receive mail that is confidential, and in view of the fact that journalists receive confidential letters which many people consider privileged, will the Attorney-General indicate how the state of affairs revealed by Mr Partridge can be remedied?

The Hon. I. G. MEDCALF replied:

(a) No. Questions seeking an expression of opinion on a question of law are not in order.

(b) No. This is a matter between the administration of the university and its staff.

TOTALISATOR AGENCY BOARD

Country Broadcasting

143. The Hon. TOM McNEIL, to the Leader of the House representing the Chief Secretary:

Further to the reply to question No. 133 on Wednesday, the 7th September, 1977, would the Minister endeavour to prevail upon the Totalisator Agency Board to provide a landline subsidy to Station 6GE on the basis of their proposition of restricted service, as advised by the management of Station 6PM?

The Hon. G. C. MacKINNON replied:

I am advised that the Totalisator Agency Board is prepared to discuss the matter if 6PM or 6GE approaches it.

RAILWAYS

Forrestfield Crossing

144. The Hon. F. E. McKENZIE, to the Leader of the House representing the Minister for Police and Traffic:

(1) Is the Minister aware of the traffic congestion occurring at the railway crossing on Hardy Road, caused by train movements between Forrestfield marshalling yards and the Kewdale freight terminal?

(2) If so

(a) is it the Government's intention to construct an overhead rail traffic bridge at this point; and

(b) when would such construction commence?

(3) If he is not aware of the problem, will he have the matter investigated and advise of a solution?

The Hon. G. C. MacKINNON replied:

(1) I have been advised that there are some delays to traffic at this crossing.

(2) (a) Not at this stage. However, investigations are being carried out to see what improvements other than by bridging can be effected.

(b) Answered by 2(a).

(3) Answered by (2).

RAILWAYS

Ashburton Express Service

145. The Hon. D. K. DANS, to the Minister for Transport:

(1) Did Westrail guarantee a loan of $250 000 to Ashburton Express Service (W.A.) Pty. Ltd.?

(2) If the answer is "Yes"—

(a) is this the normal practice;

(b) who are the principals of Ashburton Express Service (W.A.) Pty. Ltd?

The Hon. D. J. WORDSWORTH replied:

(1) No. However, a mortgage is registered with the Corporate Affairs Commission to secure freight charges owed to Westrail by Ashburton Express (W.A.) Pty. Limited.

It is presently stamped to secure $250 000 which is about two months' freight charges.

(2) (a) It is normal practice to allow unsecured credit to clients to cover one to two months' transactions.

(b) Westrail understands the principals to be—

Shareholders—
Casatti Holdings Pty. Limited
Pasquale Pellegrino
Albert Bernadini

Directors—
Sergio Casatti
Albert Bernadini.

HEALTH

Acupuncture

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

(1) Is it a fact that a patient was treated at Fremantle Hospital in April of this year for a punctured lung following treatment by an acupuncturist who practises in a Perth suburb?

(2) (a) Is it also a fact that other patients have been admitted to that hospital with punctured lungs as a result of acupuncture treatment; and

(b) if so, how many?

(3) (a) Have any patients been treated at Royal Perth Hospital or Sir Charles Gairdner Hospital for the same reason;

(b) if so, how many?

The Hon. D. J. WORDSWORTH replied:

(1) Yes.

(2) (a) Yes;

(b) a total of three patients is understood to have been involved. In one of the patients, both lungs were punctured.

(3) (a) No.

(b) Not applicable.

POLICE AND RTA

Motor Vehicles

147. The Hon. H. W. GAYFER, to the Leader of the House representing the Minister for Police:

(1) If the R.T.A. and the Police Department are separate bodies, why do R.T.A. cars now bear the sign "POLICE" on the boot lid of their cars, and motor patrol bikes have "POLICE" on their windscreens?

(2) If the R.T.A. and Police are not separate bodies, how does he reconcile this action with the Minister's introductory remarks surrounding the Bill that established the R.T.A.?

The Hon. G. C. MacKINNON replied:

(1) While the R.T.A. and the Police Department are separate departments, the traffic patrol consists of policemen made available to the authority by the Commissioner of Police and it is deployed and controlled by the authority.

Patrolmen are policemen and wear police uniforms. They are often required to carry out police duties and in these situations need to be identified as policemen.

The decision to display police signs on their vehicles was made by the authority at the suggestion of the patrolmen.

A most important benefit of the police sign on R.T.A. vehicles is that with the numbers of R.T.A. vehicles on patrol it must obviously have a deterrent effect on lawbreaking.

(2) The Act establishing the authority has not been changed and nothing has been done inconsistent with the Act.

HEALTH

Handicapped People

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

(1) Is the Government aware that the South Australian Government has established a committee to consider matters of law and policy adversely affecting persons with handicaps of a physical or mental nature, and to recommend legislative changes in the laws of that State in accordance with the United Nations Declarations on the Rights of Disabled Persons and of Mentally Retarded Persons?

(2) If so, will the Government establish a committee in this State with the same or similar terms of reference?

The Hon. D. J. WORDSWORTH replied:

(1) Yes.

(2) A similar committee is not necessary at this stage. When the report of the South Australian committee is available, it will be referred to those groups already considering these issues.

FISHERIES

Net Fishing

149. The Hon. D. W. COOLEY, to the Leader of the House:

Would the Minister advise—

(a) the Government's policy on net fishing in estuarine waters in Western Australia; and

(b) what States of the Commonwealth, if any, have imposed bans on net fishing in estuarine waters?

The Hon. G. C. MacKINNON replied:

(a) The Government is pursuing a policy of rationalised use of estuarine fisheries which provide for control of professional and amateur net fishing in most estuaries.

(b) Restrictions are too complicated for a simple answer. The attached table sets out what officers of the Department of Fisheries and Wildlife believe the situation was in November, 1976.

I seek permission to table that paper.

The paper was tabled (see paper No. 249).

HEALTH

Rape Victim

150. The Hon. LYLA ELLIOTT, to the Attorney-General:

(1) Did the Minister see the news item in the *Sunday Independent* of the 11th September, 1977, headed "A Tough Break" concerning a rape charge in which the name of the victim was printed in full?

(2) What action does he intend to take—

(a) against the paper concerned; and

(b) to ensure this kind of irresponsible reporting is not repeated?

The Hon. I. G. MEDCALF replied:

(1) Yes. I read the article after it was brought to my notice.

(2) (a) The allegation has been referred to Police.

(b) Section 36 of the Evidence Act was amended in 1976 to provide a penalty of $500 for this offence. Cases that come to notice will be investigated.

QUESTIONS WITHOUT NOTICE

ROAD FUNDS

Revenue and Expenditure

1. The Hon. H. W. GAYFER, to the Minister for Transport:

In a question I asked yesterday in respect of Main Roads Department finance, I was informed that the total revenue of the department in 1976-77 was $96 895 774. On the 17th August I was advised that the total expenditure for 1976-77 was $110 092 697. Would the Minister advise how the difference between income and expenditure is accounted for?

The Hon. D. J. WORDSWORTH replied:

I thank the honourable member for notice of the question. Indeed, I pointed out before I read the answer that I could see a discrepancy between it and the previous answer. Like so many statistics, they can be read slightly out of context with each other. As stated in my answer on the 17th August, the expenditure figure included expenditure on work undertaken by the department on behalf of other authorities. In addition, a number of projects programmed in 1975-76 were not completed until 1976-77, and some revenue received in 1975-76 was programmed and spent in 1976-77.

ROAD FUNDS

Revenue

2. The Hon. H. W. GAYFER, to the Minister for Transport:

Would it not be fair to say that if work was carried out by the Main Roads Department for other authorities, then those other authorities would have to pay the Main Roads Department for the work, and those amounts should have been included in the revenue for that year?

The Hon. D. J. WORDSWORTH replied:

I have taken this up with the Main Roads Department. I have to admit it is difficult to decide exactly what is revenue, and whether the department should consider it as revenue. Obviously in the first place the department did. I think that is why the difficulty arose. Perhaps the department did not look at the previous question the honourable member asked to ensure that his subsequent question was answered in the same context.