

Mr O'NEIL: The sole purpose of the Bill is to create the electoral districts, as described under the Electoral Districts Act Amendment Act, 1976, as an electoral province. In other words, it provides to make Western Australia one province for the purpose of Legislative Council elections. We oppose the Bill.

Debate adjourned, on motion by Mr Jamieson (Leader of the Opposition).

*House adjourned at 11.16 p.m.*

## Legislative Council

Thursday, the 27th May, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 2.30 p.m., and read prayers.

**THE HON. F. J. S. WISE**

*Presence in Chamber*

**THE PRESIDENT:** Honourable members, I would like this afternoon to recognise the presence in the Chamber of the Hon. F. J. S. Wise, a former member of this Chamber, a former Premier of this State, and a former political antagonist of mine; but, at the same time, a very good friend. I feel those members who know him will be very pleased to see him here in good health.

[Applause].

### QUESTION WITHOUT NOTICE

#### POLICE

*David Ross: Indictment*

The Hon. D. J. COOLEY, to the Minister for Justice:

Has Cabinet made any decision on the request by the Police Department with respect to the indictment of William Wilson for the alleged shooting of David Ross?

The Hon. N. McNEILL replied:

I acknowledge that the Hon. D. W. Cooley conveyed this question to me prior to the sitting, and the reply is, "No".

### QUESTIONS (12): ON NOTICE

#### CATTLE INDUSTRY COMPENSATION FUND

##### *Payments*

The Hon. D. J. WORDSWORTH, to the Minister for Justice representing the Minister for Agriculture:

- (1) In this State, in each of the last ten years—
  - (a) how many cattle have been slaughtered under—
    - (i) the T.B. eradication campaign; and
    - (ii) the brucellosis eradication campaign;
  - (b) on what number has compensation been paid;
  - (c) what percentage do these numbers represent out of the total tested as being infected;
  - (d) what has been the average compensation payment per head;
  - (e) how much has this compensation cost—
    - (i) the Federal Government; and
    - (ii) the State Government?
- (2) (a) What is the present agreement between the States and the Federal Government in regard to payments made for compensation;
  - (b) is this agreement expected to change with the introduction of a one dollar per head slaughter fee;
  - (c) has the Victorian Government decided to go ahead and pay full compensation for cattle slaughtered for either—
    - (i) T.B.; or
    - (ii) C.A.;
  - (d) are all cattle which are being tested in this State being tested for both diseases at the one time; and
  - (e) if not, why not?

The Hon. N. McNEILL replied:

- (1) (a) and (d)—

	Tuberculosis			Brucellosis		
	Total Slaughtered	Total Compensation	Average Compensation payment per head	Total Slaughtered	Total Compensation	Average Compensation payment per head
		\$	\$		\$	\$
1975/76 to date	217	15 861	72	1 543	122 322	79
1974/75	380	78 383	206	2 500	389 376	156
1973/74	344	84 030	244	2 069	336 111	162
1972/73	346	86 993	251	804	163 047	203
1971/72	535	106 604	199	3 617	732 353	202
1970/71	797	123 070	154	185	38 760	210
1969/70	746	173 050	232			
1968/69	753	105 174	140			
1967/68	174	39 518	227			
1966/67	205	30 277	148			

(b) and (c) Tuberculosis—100 per cent; Brucellosis—approximately 90 per cent.

(e) (i) Tuberculosis—The Commonwealth Government has contributed \$50 per reactor detected since July 1 1973; Brucellosis—nil.

(ii) Tuberculosis — Brucellosis —All compensation is paid out of the C.I.C.A. fund. The State Government's contribution to the fund is on a dollar for dollar basis on levies for on sales of cattle.

Note: Eradication of brucellosis with compensation was implemented from 1970/71. All tuberculosis reactors received compensation. Approximately 90 per cent of brucellosis reactors received compensation, the remaining 10 per cent disposed of by owners for direct slaughter.

(2) (a) The Commonwealth Government pays \$50 per head for all tuberculosis reactors detected in eradication work, but at present makes no contribution towards brucellosis compensation.

(b) It is understood the Commonwealth Government will continue the arrangements for tuberculosis compensation after June 30, on the basis of 50 per cent net compensation cost per head, and will provide 75 per cent of the net costs of compensation of cattle identified as brucellosis reactors in 1976/77.

(c) (i) and (ii) The Victorian Government has paid market value compensation for tuberculosis for many years; and has paid market value compensation for brucellosis since November, 1975.

(d) No.

(e) Tuberculosis eradication is now essentially based on abattoir traceback of infected cattle and herds detected in this way are specially tested. The same is true of brucellosis.

This represents the most economic method of eradicating these diseases.

## 2. WEMBLEY DOWNS SCHOOL

### *Staff Reduction*

The Hon. R. F. CLAUGHTON, to the Minister for Education:

- (1) Have any staff reductions been made at Wembley Downs primary school this year?
- (2) If so, what effect has the reduction had on remedial classes and library services in the school?
- (3) Will the Minister advise average class sizes at the school for—
  - (a) 1975; and
  - (b) 1976?

The Hon. G. C. MacKINNON replied:

- (1) No.
- (2) Not applicable.
- (3) 1975 Class average 32.0; pupil-teacher ratio 26.2 : 1.  
1976 Class average 33.4; pupil-teacher ratio 26.7 : 1.

## 3. TOWN PLANNING

### *Canning Vale Improvement Plan No. 7*

The Hon. CLIVE GRIFFITHS, to the Attorney-General representing the Minister for Town Planning:

In regard to Canning Vale Improvement Plan No. 7, as effected by Section 37A of the Metropolitan Region Town Planning Scheme Act, would the Minister advise—

- (a) what was the date that the Governor signed the transfer of land applications No. 1—A862628, No. 2—A950088 and No. 3—A921471;
- (b) what was the date that the Governor signed the approval for the transfer and conveyance of Crown Grant 1462/228;
- (c) which Governor signed the above documents; and
- (d) what were the dates that the particulars referred to in (a) were published in the *Government Gazette*?

The Hon. I. G. MEDCALF replied:

- (a) He did not.
- (b) No Crown Grant of this number has yet issued in the Office of Titles. However, if the Hon. member is referring to Volume 1426 Folio 228, the approval of the Governor was published in the *Government Gazette* dated 31st December, 1975.
- (c) In relation to (b), the present Governor.
- (d) Not applicable.

#### 4. NORSEMAN DISTRICT HOSPITAL

##### *Repairs and Renovations*

The Hon. R. T. Leeson for the Hon. R. H. C. STUBBS, to the Minister for Health:

- (1) Has any finality been reached in regard to repairs, renovations and additions that are required at the Norseman District Hospital?
- (2) If so—
  - (a) when is the work likely to commence; and
  - (b) what work has been authorised, and what is the value of such work?
- (3) If the reply to (1) is "No" when can it be expected that the matter will be resolved to the satisfaction of the Hospital Board?

The Hon. N. E. BAXTER replied:

- (1) A work schedule for a major repair and renovation programme is being prepared.  
A scheme to provide new casualty-outpatient/administration facilities has been approved and accepted by the Hospital Board.
- (2) (a) The repair and renovation programme is planned to commence as soon as documents are completed towards the end of 1976.  
With regard to the additions, the project is listed on the 1976/77 draft loan programme. Work on the project will be dependent on the availability of funds.  
(b) Answered by (a). No firm estimate is available.
- (3) Answered by (1) and (2) above.

#### 5. STATE FORESTS

##### *Softwood Plantations*

The Hon. T. O. PERRY, to the Minister for Health representing the Minister for Forests:

- (1) How many acres of land have been purchased for softwood planting by the Forests Department in the shires of—
  - (a) Colffe;
  - (b) Williams;
  - (c) Donnybrook-Balingup;
  - (d) Bridgetown-Greenbushes; and
  - (e) Nannup?
- (2) Of the above land, how much is under plantation or being prepared for planting?

- (3) What is the total area held by—
  - (a) the Forests Department, including Crown land and once owned private land now under softwoods, in the above shires; and
  - (b) private owners?

The Hon. N. E. BAXTER replied:

The information required by the Hon. member is not recorded in a form which allows an immediate reply to be given.

An answer will be forwarded in writing as soon as the information has been collated.

#### 6. TOWN PLANNING

##### *Canning Vale Improvement Plan No. 7*

The Hon. CLIVE GRIFFITHS, to the Attorney-General representing the Minister for Town Planning:

In regard to Canning Vale Improvement Plan No. 7, as affected by—

- (a) Section 20, subsection (2) of the Town Planning and Development Act, would the Minister advise the date on which the plan 11448 was approved by the Town Planning Board as a plan of subdivision; and
- (b) Section 21, subsection (1a) of that Act, would he advise the date of the Board's written approval for the conveyance of the land contained in the plan 11448?

The Hon. I. G. MEDCALF replied:

- (a) 6th January, 1976.
- (b) The Board has not been required to approve any conveyance. The Board's further written approval is not required once the Diagram or Plan establishing a lot or lots has been endorsed by the Board (see Sub-section 1(b)).

#### 7. CO-OPERATIVE BULK HANDLING

##### *Local Government Rates: Exemption*

The Hon. R. F. CLAUGHTON, to the Attorney-General representing the Minister for Local Government:

- (1) Is the Minister aware that the rate exemptions granted to Co-operative Bulk Handling Ltd. at its North Fremantle grain handling facility has cost Fremantle ratepayers about \$30 000 per year?
- (2) In view of the City of Fremantle's large deficit, and the amount of non-rateable land in its district, will the Government make a grant to the city to compensate for these rate losses?

The Hon. I. G. MEDCALF replied:

- (1) No.
- (2) No. The incidence of non-rateable land is spread over all municipal districts. Councils receive substantial Government grants for specific and general revenue purposes.

### 8. CONSUMER PROTECTION

#### *Invoices and Accounts: Service Charges*

The Hon. D. W. COOLEY, to the Minister for Education representing the Minister for Consumer Affairs:

- (1) Will the Minister refer to the Commissioner of Consumer Affairs the private enterprise practice of debiting customers in invoices and accounts with the item "labour", well knowing that it is false since it contains amongst other things, profit and overhead expenses?
- (2) Does the Minister consider that this practice is designed to mislead the customer causing him to believe that wages is the only factor involved in charges?
- (3) Will the Minister inform the House of the action, if any, which the Commissioner may take in respect of this practice?

The Hon. G. C. MacKINNON replied:

- (1) The matter will be referred to the Commissioner for Consumer Affairs.
- (2) Many firms use the term "labour" as an abbreviation of the term "labour and overheads" and which I consider to be the more preferable. However I believe that most people are aware that there is a profit factor in any total amount indicated on an invoice be it shown as "parts" and/or "labour".
- (3) The Commissioner for Consumer Affairs will have discussions with commerce and industry on the use of the term "labour and overheads".

### 9. TOWN PLANNING

#### *Canning Vale Improvement Plan No. 7*

The Hon. CLIVE GRIFFITHS, to the Attorney-General representing the Minister for Town Planning:

In regard to Canning Vale Improvement Plan No. 7, as affected by—

- (a) Section 52 of the Transfer of Land Act, would the Minister advise the date that the Industrial Lands Development Authority was granted title to all the land contained within the plan 11448; and

- (b) Section 13, subsection (1) of the Sale of Land Act, would the Minister advise the date that the Industrial Land Development Authority purported to convey the subdivided land contained in the plan 11448 by contract of sale?

The Hon. I. G. MEDCALF replied:

The questions relate to land which is the subject of a Supreme Court action and is therefore *sub judice*.

### 10.

#### TELEVISION

##### *Sports Coverage*

The Hon. A. A. LEWIS, to the Minister for Federal Affairs:

Can the Minister ascertain the viewing times for the following sports on commercial television in Western Australia over the last two years—

- (a) Cricket;
- (b) Soccer;
- (c) Boxing;
- (d) Swimming;
- (e) Golf;
- (f) Rowing;
- (g) Trotting;
- (h) Basketball;
- (i) Rugby Union;
- (j) Rugby League;
- (k) Tennis; and
- (l) Australian Rules?

The Hon. I. G. MEDCALF replied:

This question does not fall within the portfolio responsibility of the Minister for Federal Affairs which deals with matters of Commonwealth/State relations. In order to accommodate members I have endeavoured to answer some questions in respect of television in Western Australia which were not really required to be answered by the Minister for Federal Affairs. The information has been obtained from the Australia Post and Telecommunications Commission. The Honourable Member should make his inquiries to the two commercial television channels direct or request the information through the Commonwealth Minister for Post and Telecommunications.

### 11.

#### BRIDGETOWN SCHOOLS

##### *Amalgamation*

The Hon. R. F. CLAUGHTON, to the Minister for Education:

- (1) Is it the intention of the Education Department to amalgamate the Bridgetown primary school

with the Bridgetown high school so that the primary school will not have its own principal?

- (2) If so, will the Minister review the question of the primary school's administration with the object of—

- (a) delaying this change as long as possible; and
- (b) the appointment of a deputy principal to the primary school if the decision to amalgamate the schools is made?

The Hon. G. C. MacKINNON replied:

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

## 12. WEST COAST HIGHWAY *Upgrading*

The Hon. R. F. CLAUGHTON, to the Minister for Health representing the Minister for Traffic:

- (1) Pending a decision to proceed with the recommendations of the consultants, Scott and Furphy, in respect of Servetus Street, Swanbourne, and as the upgrading and linking of Marmion Avenue to West Coast Highway will greatly increase traffic volumes through Swanbourne, will the Minister take immediate action to prevent any further upgrading of West Coast Highway?
- (2) Will the Minister initiate a study of the effect on patrons of north suburban beaches arising from the implementation of the three proposals mentioned above, i.e.—
  - (a) the Fremantle-West Coast Highway link through Swanbourne;
  - (b) the extension of the Highway dual carriageway through Scarborough; and
  - (c) the linking of West Coast Highway to Marmion Avenue?

The Hon. N. E. BAXTER replied:

- (1) It is understood that although local authorities have some plans for eventual upgrading of West Coast Highway to cater for existing traffic demands, no immediate work is proposed.
- (2) The Swanbourne Study conducted by the Consultants, Scott & Furphy, is at present open for public comment which will be considered and reported on by the Environmental Protection Authority and the Metropolitan Region Planning Authority. Until the Government receives advice

from these authorities it would be premature to initiate any further studies.

## TAXI-CARS (CO-ORDINATION AND CONTROL) ACT AMENDMENT BILL

### *Second Reading*

Debate resumed from the 26th May.

**THE HON. D. K. DANS** (South Metropolitan—Leader of the Opposition) [2.46 p.m.]: We support the Bill and also the proposed amendment which appears on the notice paper.

I would like to make one or two comments about this measure. It is quite apparent that the Minister did not at any stage seek the advice of the taxi industry before introducing it. Certainly the Government may have made its views known to the Taxi Control Board, but it is significant that, even though that board has industry representatives on it, it did not see fit to pass the advice on down the line.

I understand that the amendment which was foreshadowed in another place and which now appears on our notice paper was put forward to a meeting of 400 taxi drivers at Leederville, and only 10 people voted against it. This is an example of an instance where a little consultation would have avoided many problems. In this day and age people are entitled to know what is going on. Attendance at meetings is easily arranged.

It is to the credit of the Government and to the Minister that when the message did reach those concerned—and especially Mr Griffiths who has recently been appointed as a representative to the board—and the desired changes were made known to the Minister, he agreed to them readily. The point I am making is that had advice from the industry been sought in the first instance, such things as mass meetings and amendments to the measure would not have been necessary. We support the Bill.

**THE HON. CLIVE GRIFFITHS** (South-East Metropolitan) [2.48 p.m.]: I wish to make one or two comments about this measure and they are similar to those of the Leader of the Opposition. It seems extraordinary to me that a Bill could be presented to this Parliament purporting to represent the views of an industry when to all intents and purposes the industry had never been consulted.

The Hon. D. W. Cooley: The Government does it very often with the trade unions.

The Hon. CLIVE GRIFFITHS: That is Mr Cooley's constant suggestion. Of course, we have come to understand that he makes these interjections with parrot-like regularity.

The Hon. R. F. Claughton: Constant repetition does not seem to get through to the Government.

The Hon. CLIVE GRIFFITHS: If we were discussing measures dealing with kindergartens or horticultural activities, somehow or other Mr Cooley would manage to slip in an interjection on his favourite theme. In other words, Mr Cooley makes this sort of interjection, irrespective of the subject matter of the Bill before the House. As it is always your desire, Mr President, that we confine our remarks to the contents of the Bill we are discussing, I will endeavour to do that, with or without Mr Cooley's assistance.

This Parliament had a Bill presented to it which apparently did not meet the requirements of the industry concerned—

The Hon. D. K. Dans: The industry knew nothing about it.

The Hon. CLIVE GRIFFITHS: —notwithstanding the fact that the industry is well represented on the board which, apparently, made the request for the amendment.

However, the thing which concerns me most is the following comment contained in the Minister's second reading speech—

Members will no doubt be aware that the Taxi Control Board comprises eight members, elected by members of the taxi industry.

Anybody who is at all familiar with the Act knows that is not correct, and that only three members of the board are elected by the industry. I should like the Minister in his reply to explain the source of his information. Indeed, I will be interested to hear whether the Minister has ever read the Act because, notwithstanding the numerous amendments which have been made to the Act, he will clearly find this provision laid out in section 5.

It would seem to me that the Minister has hastily thrown together a speech to present to this Chamber. I agree with the Bill and I have no intention of taking any action other than to support it; however, I am disturbed that the Minister puts forward information to this House which is totally incorrect.

With three industry representatives on the Taxi Control Board, it seems strange that the industry was not made aware of what was being proposed by the board. The industry went to the trouble to contact all members of Parliament to express their total opposition to the proposals, as they had every right to do, and it seemed strange to me at the time that the industry representatives on the board had not informed the industry of the situation.

As a result of those representations, the Minister agreed to meet a deputation representing the taxi industry, to listen to their objections and to discuss possible alternatives which may help to solve the

financial problem confronting the board; it is to the Minister's credit that he did so, and this Bill in its amended form is the result of that meeting.

It is disturbing that a board which was established by Parliament and charged with the responsibility of representing the views of the taxi industry failed to make the industry aware of proposed amendments to the Act which were of vital importance and great significance to their activities.

The Hon. G. W. Berry: Do you think it was an oversight?

The Hon. CLIVE GRIFFITHS: If the sole purpose in life of these three industry representatives is to represent a group of people, and by some oversight they neglect to inform the people they are supposed to represent of the very significant changes about to take place relating to the administration of their industry, I believe their days are numbered. I am not saying that their days should be numbered, but that may well be the case.

I am concerned that a board which this Parliament established in a conscientious endeavour to ensure that people's views were adequately protected and represented has not functioned in the way originally envisaged by Parliament; the whole exercise would seem to have been a waste of time.

I repeat that it was to the Minister's credit that on the same day the representations were made, he met a representative cross-section of the industry to discuss their proposals. He suggested that they meet with other people involved in the industry and decide how they wished the Government to solve the problem, and he indicated that the Government would look favourably at their suggested solution.

We all know that the industry did meet and arrived at a solution which was acceptable to it as a whole; its proposal was presented to the Minister and within one week, the measure before the Parliament was amended to satisfy the requirements of the industry.

Therefore, I am delighted to stand here and express my support of the Bill which is the result of absolute communication between the Government and the people for whom the Bill has the most significance. I conclude by once again asking the Minister where the devil he got the idea that the board consisted of eight members, elected by members of the taxi industry.

**THE HON. R. T. LEESON (South-East)** [3.00 p.m.]: We on this side of the House have indicated our support for the Bill. However, there are one or two anomalies in the agreement that was reached prior to this Bill being brought before the House. I refer to the fact that last Sunday the taxi owners and drivers met out at Leederville, thrashed out the matter

and came up with a solution which has been accepted by the Minister and brought before the House.

The Hon. G. W. Berry: What percentage was represented?

The Hon. R. T. LEESON: I understand there were about 400 of them.

The Hon. Clive Griffiths: About 20 per cent.

The Hon. R. T. LEESON: I understand a large number attended. As members know there are three categories of taxi drivers—there are those who are owner-drivers, there is the driver who leases his taxi, and the driver who works for wages.

In the proposals there was an earlier idea that when they transferred their licences, owners of taxis should pay to the Taxi Control Board 10 per cent of their licence fee as a levy.

The Hon. Clive Griffiths: That is not right.

The Hon. R. T. LEESON: After this meeting proposals were put forward that the drivers should pay \$35 a head by way of subsidy to the Taxi Control Board.

My concern is that not everybody who drives a taxi owns it, and I feel that drivers on wages and people who do not own their taxis were sucked in—for the use of a better term—and were asked to subsidise the Taxi Control Board. In my opinion this responsibility should be placed on the person who owns his taxi.

However this agreement seems to have been reached after discussion with the association and I merely draw the matter to the attention of the House because it causes me some concern. It causes me concern because there are a large number of taxi drivers in the metropolitan area who do not own or lease their cabs; they only drive for wages. I understand they will all be called on to subsidise the Taxi Control Board.

The Hon. Clive Griffiths: That is right.

The Hon. R. T. LEESON: I do not know whether the matter has been sufficiently canvassed but it does seem to me that a large number of the drivers were under a misapprehension when the matter was discussed at that meeting. If they were not under a misapprehension then they certainly were later.

However, the Bill has been presented to Parliament after discussion with the association and my party has agreed to it. I support the Bill, but I did want to give this information to the House.

**THE HON. N. E. BAXTER** (Central—Minister for Health) [3.03 p.m.]: I thank members for their contribution to the debate on the Bill. It would seem that had there not been a meeting of the taxi drivers and operators at Leederville

some of the members might not have had much to contribute to the debate. Be that as it may I do thank members for their contributions.

The purpose of the Bill is to ensure that the taxi industry does provide the wherewithall to meet the demands of the board and covers the cost of its operations.

Mr Griffiths raised the issue of what was contained in my second reading speech. I cannot imagine how the statement to which he refers came to be included in my notes. Unfortunately I did not check the Act as it relates to the composition of the board.

The Hon. G. C. MacKinnon: You were three-fifths right.

The Hon. N. E. BAXTER: No, I was three-sevenths right, because there are seven members on the board.

The Hon. Clive Griffiths: No, there are eight; in 1975 we put on another member.

The Hon. N. E. BAXTER: The honourable member is right.

The Hon. D. K. Dans: Just in case seven were not enough!

The Hon. G. C. MacKinnon: So you were three-eighths right.

The Hon. D. K. Dans: You could have been three-eighths wrong.

The Hon. N. E. BAXTER: I have a very confused copy of the Act; it is a thing of bits and pieces and it is like going through a maze when one tries to find anything. The Minister for Education said I was three-eighths right.

The Hon. G. C. MacKinnon: But that is not a pass!

The Hon. N. E. BAXTER: No, it is a failure. However I do appreciate the remarks made by members and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

### *In Committee*

The Deputy Chairman of Committees (the Hon. Clive Griffiths), in the Chair; the Hon. N. E. Baxter (Minister for Health) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 22B amended—

The Hon. G. E. MASTERS: This clause which seeks to amend section 22B of the Act will permit the board to charge a minimum of \$35 to a maximum of \$50 for each driver. I appreciate that these increased amounts are necessary to meet rising costs in the industry. I would refer members to section 11(ba) of the Act, however, from which they will see that the same fee may be charged for drivers who possibly earn \$40 a week and for those who earn \$200 a week or more.

Could the Minister tell me whether there is any flexibility allowed in the event of the board, in the future, deciding to put the fee up to \$40 or \$50. Would the board be able to charge different scales—say \$35 for part-time drivers and \$40 or \$50 for full-time drivers.

The Hon. N. E. BAXTER: I understand from the Minister for Transport that the board would have the flexibility to vary the fee for a part-time and a full-time driver.

The Hon. D. K. DANS: I agree with the amendment in the Bill but I take the opportunity to comment on some of the remarks made by yourself, Mr Deputy Chairman (the Hon. Clive Griffiths) in your second reading speech. The remarks that have been made makes one wonder whether we need a board at all or if we do need a board whether it is necessary for it to have eight members. It also raises the question of the competency of the representatives of the industry on this board.

I could amplify those statements from things that have been told me by people of different persuasions and with different degrees of expertise in relation to the different boards on which they serve.

Having before us our experience in connection with this legislation I think we should examine every board to see whether its members carry out the duties for which they were appointed. It is my experience that there are a whole number of boards on which people sit as part of the furniture; they draw a fee for doing nothing and they pay no attention to the industry and make no contribution at all.

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

The Hon. D. K. DANS: Taxi drivers generally—whether they be owner-drivers, drivers on wages or drivers leasing cabs—firmly believe their interests have been and are being protected by their representatives on the board. But what do we find?

It is quite apparent to everyone what has happened. The chairman of the board, as is the case concerning a number of boards, has simply made the decision, probably when discussing the matter with someone. This is happening every day, but it is all the more serious in this instance because some of those on the board normally work in the industry.

The Hon. N. E. Baxter: What clause of the Bill is that in?

The Hon. D. K. DANS: I am referring to the necessity for the amendment. The point I am making is that in good faith a Government establishes a board and it appoints certain members to that board. Three members of the Taxi Control Board are in the industry and should be looking after the interests of the industry. This is a glaring example of the fact that many members of numerous boards are merely

part of the furniture and they cause great concern to the professional people on the boards.

I hope that there is no necessity for a similar amendment again. It would not be a bad exercise in the not-too-distant future for Parliament to look at all boards.

Every member in this Chamber knows that what I am saying is correct and the example before us is one of the more glaring ones because it concerns people working in the industry. Either the chairman made the decision by himself or the industry representatives were not doing their job. If that is the case they should not be there.

Clause put and passed.

Clause 4 put and passed.

New clause 4—

The Hon. N. E. BAXTER: I move—

Page 2—Insert after clause 3 the following new clause to stand as clause 4—

Section 4. Subsection (1) of section 22C of the principal Act is amended.

(a) by deleting the words "one dollar", in line six, and substituting the words "thirty-five dollars"; and

(b) by deleting the word "ten", in line seven, and substituting the word "fifty".

This amendment was omitted when the Bill was dealt with in another place.

New clause put and passed.

Title put and passed.

### *Report*

Bill reported, with an amendment, and the report adopted.

### *Third Reading*

Bill read a third time, on motion by the Hon. N. E. Baxter (Minister for Health), and returned to the Assembly with an amendment.

## **AGRICULTURE AND RELATED RESOURCES PROTECTION BILL**

### *Assembly's Message*

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

## **FAMILY COURT ACT AMENDMENT BILL**

### *Returned*

Bill returned from the Assembly without amendment.

*Sitting suspended from 3.16 to 5.32 p.m.*



## FINANCIAL AGREEMENT (AMENDMENT) BILL

### Assent

Message from the Governor received and read notifying assent to the Bill.

### BILLS (5): RETURNED

1. Justices Act Amendment Bill.
  2. Juries Act Amendment Bill.
  3. Criminal Code Amendment Bill.
  4. Child Welfare Act Amendment Bill.
  5. Supreme Court Act Amendment Bill.
- Bills returned from the Assembly without amendment.

## EAST PERTH CEMETERIES ACT AMENDMENT BILL

### Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Minister for Education), read a first time.

### Second Reading

**THE HON. G. C. MacKINNON** (South-West—Minister for Education) [5.35 p.m.]: I move—

That the Bill be now read a second time.

The East Perth Cemeteries Act provides for the management and control of that old burial ground to be placed with the National Parks Board, which provides staff for maintenance and repair, and is the trustee of this historic site.

Subject to the passing of legislation now before Parliament to establish a national parks authority to take over from the National Parks Board, it will be necessary for a complementary amendment to the East Perth Cemeteries Act, as contained in this Bill, to enable continuity of this arrangement and vest the duties with the new authority.

I commend the Bill to the House.

**THE HON. S. J. DELLAR** (Lower North) [5.36 p.m.]: This is only a small measure, and is consequent on the Bill dealt with earlier. However, I believe that its significance is great, because East Perth Cemetery and the grounds surrounding it in Bronte Street constitute an historic place in Western Australia. As the Minister said, many of the pioneers of this State are buried there. Within the grounds is located St. Bartholomew's Church. This is a rustic structure and has historical significance, and it should be preserved. In fact, it has been classified by the National Trust in its bulletin of 1975, and it advocates that this is a building in Perth area which should be retained.

The grounds surrounding this building have changed over the years. Many of the graves in the cemetery have been removed, and some of the land has been

converted into park land. One of the disgusting things that occur is that some people who patronise the trotting meetings at Gloucester Park find it more convenient to park on those grounds than in the car parking areas.

The Hon. G. C. MacKinnon: I am getting upset. Your speech is longer than mine!

The Hon. S. J. DELLAR: I regret that, but I want to retain my right to speak in this Chamber. The area I have referred to is a very pleasant one. It is unfortunate that some people find it more convenient to park their cars there. I am aware that the fine for parking there is something like \$10, whereas the fine for parking at a bus bay, which could result in holding up buses, is \$2.

The responsibility of the National Parks Board for maintaining these grounds is to be transferred to the proposed national parks authority, and this action is commendable. We on this side support the measure.

The Hon. G. C. MacKinnon: Thank you. 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 Education), and passed.

### BILLS (3): RETURNED

1. University of Western Australia Act Amendment Bill.
2. Murdoch University Act Amendment Bill.
3. Occupational Therapists Act Amendment Bill.

Bills returned from the Assembly without amendment.

## TAXI-CARS (CO-ORDINATION AND CONTROL) ACT AMENDMENT BILL

### Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

*Sitting suspended from 5.43 to 5.46 p.m.*

## BUSINESS NAMES ACT AMENDMENT BILL

### Returned

Bill returned from the Assembly without amendment.

# ADJOURNMENT OF THE HOUSE: SPECIAL

**THE HON. N. McNEILL** (Lower West—Minister for Justice) [5.47 p.m.]: I move—

That the House at its rising adjourn until a date to be fixed by the President.

Question put and passed.

*House adjourned at 5.48 p.m.*

## Legislative Assembly

Thursday, the 27th May, 1976

The **SPEAKER** (Mr Hutchinson) took the Chair at 2.15 p.m., and read prayers.

### QUESTIONS ON NOTICE

#### *Postponement*

**THE SPEAKER** (Mr Hutchinson): For the information of the House I have to advise that questions will be taken at an appropriate time after the afternoon tea suspension.

### QUESTIONS

*Reference to Inadmissibility: Statement by Speaker*

**THE SPEAKER** (Mr Hutchinson): I have some information which I wish to give to the House. I would like Ministers to refrain from prefacing their answers to questions on notice by saying, in effect, that although the question is inadmissible nevertheless they propose to answer it.

The courteous and correct method is to request the Speaker to adjudicate—preferably well before question time commences.

In regard to particular questions which request information on legislation or matters currently before the House, I point out that the practice and precedent of the House has been for these to be reckoned as legitimate questions and that the relevant section of *May's Parliamentary Practice* does not have full application because for many years we have had a fairly comprehensive set of rules drawn from *May's Parliamentary Practice* which do not specify this particular type of question as being inadmissible.

Indeed I believe that leaders of the House especially should be able to make appropriate queries.

Trivial questions of this type may properly, of course, be given short shrift or those of more consequence may be referred to a later debating period.

Finally, for the information of all, I advise that the number of questions of this type over the years is legion, and

they have been asked and answered by front-benchers on both sides of the House.

Even in another place where no specific set of rules apply, I have noted examples of this type of question being asked and answered.

I say this for the purpose of showing what should happen where rules apply.

### ARMADALE-KELMSCOTT MEMORIAL HOSPITAL

*Full-time Medical Practitioner: Petition*

**MR TAYLOR** (Cockburn) [2.20 p.m.]: I present a petition bearing 2 021 signatures which prays that for various reasons attention be given to providing a full-time medical practitioner at Armadale-Kelmscott Memorial Hospital. I certify that this petition conforms with the Standing Orders of the Legislative Assembly.

The **SPEAKER**: I direct that the petition be brought to the Table of the House.

*The petition was tabled (see paper No. 262).*

### AGRICULTURE AND RELATED RESOURCES PROTECTION BILL

*Council's Amendments*

Amendments made by the Council now considered.

*In Committee*

The Chairman of Committees (Mr Thompson) in the Chair; Mr Old (Minister for Agriculture) in charge of the Bill.

The amendments made by the Council were as follows—

No. 1.

Clause 43, page 32, line 3—Insert after the word “manner” the words “and to the extent”.

No. 2.

Clause 44, page 32, line 11—Insert after the clause designation “44.” the subclause designation “(1)”.

No. 3.

Clause 44, page 32, after line 15—Add a subclause as follows:—

(2) For the purposes of this section and section 45 a council on which a notice has been served under section 43 shall not be regarded as having failed to comply with the direction contained in the notice by reason only that it has not controlled declared plants or declared animals in the manner specified in the notice so long as it has controlled the plants or animals in some other manner.