

was not sufficient to enable him to tell us earlier that we were contravening Standing Orders.

The **SPEAKER**: On the point raised by the member for Melville, even if his contention is now correct—and I am not necessarily conceding the point—the time to raise the point of order was when the amendment was moved to insert the words. We have now inserted them. If we are to accept the opinion of the member for Melville, we should not have the word “Government” or the words “Workers’ Compensation Act” that were mentioned in the amendment by the member for Toodyay. I would point out that whether the words inserted during this sitting are in order or not, the point of order should have been taken at the time; and it was not taken.

Mr. **TONKIN**: That is what I told the Minister for Labour.

Mr. **Hawke**: Could we recommit the matter next week?

Motion (to disagree with the Speaker’s ruling) put and negatived.

Debate Resumed

Amendment, as previously amended, put and passed.

Motion, as amended, put and passed.

House adjourned at 10.2 p.m.

Legislative Council

Thursday, the 15th September, 1960

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The **PRESIDENT** took the Chair at 2.30 p.m., and read prayers.

ADDRESS-IN-REPLY

Presentation

THE PRESIDENT: I desire to announce that, accompanied by several members, I waited on His Excellency the Governor and presented the Address-in-Reply to His Excellency’s Speech, agreed to by the House. His Excellency has been pleased to make the following reply:—

Mr. President and honourable members of the Legislative Council: I thank you for your expressions of loyalty to Her Most Gracious Majesty the Queen, and for your Address-in-Reply to the Speech with which I opened Parliament.

QUESTION WITHOUT NOTICE

MARY AGNES BROWNE

Claim for Damages: Tabling of Papers

The Hon. A. F. **GRIFFITH**: Mr. Davies asked me some little time ago to table some papers in the case of Browne v. Parker, heard in the Supreme Court. I have been able to make arrangements to supply the information to the honourable member and I am now prepared to table the papers.

The papers were tabled.

QUESTIONS ON NOTICE

POLICE STATION FOR HILTON PARK

Tenders for Construction

1. The Hon. R. THOMPSON asked the Minister for Mines:

- (1) Have tenders been called for the construction of a police station at Hilton Park?
- (2) If the answer to No. (1) is "Yes," when will the construction begin?

The Hon. A. F. GRIFFITH replied:

- (1) No; but as this building appears on the loan programme for the current year, sketches are on hand and tenders will be called in approximately five weeks.
- (2) Shortly after acceptance of a tender.

CHAR FROM COLLIE COAL

Use in Coke-Burning Stoves and Availability

2. The Hon. A. R. JONES asked the Minister for Mines:

- (1) Will the Minister inform the House whether the char being produced from Collie coal is suitable for coke-burning stoves?
- (2) If the answer to No. (1) is "Yes," is char available to the public?

The Hon. A. F. GRIFFITH replied:

- (1) Over a period of time, the Government Laboratories have been carrying out experimental work on the production of char from Collie coal. Coarser char—over $\frac{1}{2}$ inch—has been found to be suitable in slow combustion types of stoves.
- (2) This work is being done for the Griffin Coal Mining Co., and commercial production is not being carried out.

CLAY HOLES

Filling

3. The Hon. G. E. JEFFERY asked the Minister for Local Government:

With reference to my question regarding the filling in of clay holes in the metropolitan area by the land-fill rubbish disposal method, asked on the 19th August, 1959, will the Minister advise whether a report has been received from the Metropolitan Rubbish Disposal Planning Committee, and, if so, what are the details?

The Hon. L. A. LOGAN replied:

No report has been received but, on referring this matter to the chairman, he has supplied the following information:—

This matter is still under consideration. There are technical difficulties in using clay holes

for sanitary land-fill disposal of rubbish. There are also legal difficulties as most clay holes are on private land. At present local authorities are concentrating on improving public land for community purposes.

4. *This question was postponed.*

HOUSING

Value of Building Lots

5. The Hon. E. M. DAVIES asked the Minister for Mines:

- (1) What was the basic wage in 1950?
- (2) What was the average value of building lots in—
(a) 1950;
(b) 1960?

Cost of Homes

- (3) What was the cost in 1950 of erecting—
(a) three-bedroom brick houses;
(b) three-bedroom timber-framed houses?
- (4) What is the present cost of erecting—
(a) two-bedroom brick houses;
(b) two-bedroom timber-framed houses?

The Hon. A. F. GRIFFITH replied:

By way of explanation to the honourable member, when I studied this question I found difficulty in answering it—not difficulty in being able to tell him what the basic wage was in 1950, but difficulty in respect of other information, because he did not say whether he wanted the information with reference to State Housing Commission land, or land for the whole of the State. If his question is related to State Housing Commission land I would appreciate it if he were a little more specific.

The Hon. E. M. Davies: I wanted general information.

The Hon. A. F. GRIFFITH: Would the honourable member be more specific in any case? If the application is to be general then it will be more difficult to answer the question. A great deal of research will be necessary to find out the details throughout the length and breadth of Western Australia in regard to the average price of building lots in any one of those areas, or the average price for the construction of a house. Because the State Housing Commission adopts different methods of construction—war service

homes, group type of houses, homes constructed by tender, homes in the North-West, and rural and agricultural homes—the values are different. If the honourable member will tell me in some detail what he wants I shall get the information for him.

The Hon. H. C. Strickland: What is wrong with giving us the lot?

The Hon. A. F. GRIFFITH: There is nothing wrong with it, but let the honourable member ask the question specifically and I will be happy to supply any information available.

BILLS (3)—THIRD READING

1. Vermin Act Amendment Bill.

On motion by Mr. Logan (Minister for Local Government), Bill read a third time and passed.

2. Evidence Act Amendment Bill.

3. War Service Land Settlement Scheme Act Amendment Bill.

On motions by Mr. Griffith (Minister for Mines), Bills read a third time and passed.

BILLS (2)—REPORTS

1. Stock Diseases Act Amendment Bill. Report of Committee adopted.

2. Administration Act Amendment Bill. Further report of Committee adopted.

CHEVRON-HILTON HOTEL AGREEMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [2.44]: I move—

That the Bill be now read a second time.

This Bill ratifies and gives legal effect to an agreement entered into by the Government with Chevron-Hilton Hotels Limited, under which that company will build in Perth a modern hotel and tourist centre, incorporating a city airline terminal. The Perth City Council is a party to the agreement. The trustees of Christian Brothers College, although closely concerned in the transactions, are not required to be a signatory to the actual agreement.

Hilton hotels are recognised in the United States of America and other parts of the world as hotels of very high international standard. In Australia, Chevron-Hiltons have combined, and they operate existing hotels at Melbourne and Surfers Paradise. Within the next few weeks they will open the first 220-room section of a 35-storey hotel in Sydney. In the second phase in 1962 this hotel will have 1,200

rooms. In addition to Perth, Chevron-Hiltons have planned new hotels for Brisbane and Newcastle as well as Auckland in New Zealand.

The plans for the Perth hotel provided for an initial stage of 200 rooms at an estimated cost of £2,000,000 including the cost of the site. That is all the agreement requires. At least that is what the plans did provide until two or three weeks ago when the Hilton representative in Australia saw Perth for the first time and immediately proposed an increase to 250 rooms. Subsequently it is proposed to increase the accommodation to 400 rooms and ultimately to 600, with an eventual total investment of up to £10,000,000.

A description of some of the features of the hotel may be of interest to members. The building will be fully air-conditioned and will have 23 floors. The top floor will be occupied by a sky-line restaurant offering a complete panoramic view of the city, extending to the Indian Ocean. There will be a ballroom capable of accommodating 1,000 guests, together with a cabaret dining room to seat 500, other dining rooms, and specialty restaurants. There will also be specialty shops catering particularly for the convenience of tourists and guests of the hotel.

Western Australia has for some time felt the need for additional first-class hotel accommodation, particularly in the city of Perth. The Government has set out on an active policy of attracting tourists, both interstate and overseas. It is recognised that ample first-class accommodation is a necessity for this purpose. The Government is also anxious to encourage business people to take an interest in this State, and they require accommodation of a high standard.

Mr. Redpath, managing director of Chevron-Hiltons, stated that his company had been attracted to Perth because the Government had waved the tourist banner and shown its interest in the encouragement of travel. This was one of the reasons which led his company to come to Perth before Adelaide and other Australian cities. He further stated that his company recognised that it would be spending money here in advance of what would normally be regarded as the logical time. However the company's great faith in this State led it to believe that this would ultimately constitute a profitable investment.

One very important factor is that the hotel is to be completed in time to be in full operation for the Empire Games in November, 1962. This will require a very tight schedule, and time is of the utmost importance.

Immediately the preliminary agreement with the Government was signed some months ago, the company set in hand the preparation of plans, and by the time the final agreement was signed it had already

spent over £40,000 in this connection. It realised that in doing this it was taking a risk, but it considered the risk to be justified. As a result, it is now well ahead with its preparations and, subject to the approval of Parliament, it intends to commence work on the site by the 1st November of this year.

It will be remembered that Parliament last year agreed to the sale to the Taxation Department of the block of land next to Christian Brothers' College having a frontage of 200 links to St. George's Terrace. Parliament also agreed that the adjoining block with a frontage of 170 links should be set aside for what was stated in the Bill "to be for another important purpose."

The Hon. H. K. Watson: Were those lands owned by the State Insurance Office?

The Hon. A. F. GRIFFITH: Neither was. But let me be quite certain and qualify that by saying that I do not think so. One was to go to the Taxation Department; and the other, in the words I have just quoted, was to be used for "another important purpose."

The Hon. H. K. Watson: The agreement states that Chevron-Hilton are buying the land from the State Government Insurance Office?

The Hon. A. F. GRIFFITH: No. As I continue, I shall describe the position by means of a plan.

The PRESIDENT: Order! The Minister will address the Chair.

The Hon. A. F. GRIFFITH: Yes. I do not welcome interjections at this point, anyway. Parliament thus last year accepted the principle of excising this portion of the Government domain for sale. These two blocks were included in a larger area which, by the Reserves (Government Domain) Act of 1940, was set aside for the purposes of Government buildings. Under the metropolitan regional plan, the use of the area for such buildings was discarded in favour of the observatory site.

Although I am not at liberty to disclose the name of the company or companies concerned, it can be stated that the "important purposes" referred to in the Bill last year covered the construction of a combined city airlines terminal and hotel. The companies concerned subsequently found that they were not in a position to proceed with this proposal. At about the same time, Chevron-Hilton expressed its interest and sought to acquire both this block and the block reserved for the Taxation Department.

On the 8th December, 1959, the Government offered to the Taxation Department the block of land set aside to meet its requirements. No reply was received from the Commonwealth authorities, and the

offer was therefore withdrawn on the 18th February, 1960. Negotiations were then undertaken with Chevron-Hilton Hotels, as a result of which, on the 12th May, 1960, a preliminary agreement was signed between that company and the Deputy Premier, providing for the sale to the company of the two areas mentioned at the combined price of £238,000.

When the sale of this land was first contemplated, the Government asked the land resumption officer of the Public Works Department for a valuation. He valued the blocks at £95,000 and £90,000 respectively. An outside valuation was then obtained which assessed the valuations at £128,000 and £110,000 respectively. The Government adopted the private and higher valuations, and these constituted the price sought from the proposed purchaser.

At the commencement of negotiations with Chevron-Hilton, the company intimated that it was prepared to accept the combined prices at which the Government had offered the blocks to the other respective purchasers. In the meantime, the Government had been informed of the Perth City Council's proposed town planning scheme for the whole of the area bounded by Barrack Street, St. George's Terrace, Victoria Avenue and Terrace Drive; and the agreement with Chevron-Hilton contained a provision that it could be modified if acceptable proposals were evolved. Chevron-Hilton intimated that so far as it was concerned the council's plans were acceptable in principle, provided the council could resolve its outstanding problems with the various parties concerned.

Some very involved and intricate negotiations ensued; and, as a result of a spirit of co-operation and a genuine desire by all parties to succeed, a very satisfactory solution of the many difficulties was evolved.

The plans of the Perth City Council for the whole of this area are shown on Perth City Council drawing 2432. Copies of this and all other relevant plans and drawings will be laid on the Table of the House. I have here a copy of the plans referred to, and I propose that they be laid on the Table of the House for the information of members.

Briefly, these plans provide for the widening and beautifying of St. George's Terrace and Victoria Avenue, and for the widening of Terrace Drive and its continuance through the existing Supreme Court building to join up with the street known as The Esplanade at Barrack Street. In order to give effect to this proposal, the following arrangements have been agreed upon:—

1. The Perth City Council will purchase the existing Christian Brothers' College site. After excising the area required for street widening the council will sell the balance to Chevrans.

2. Chevron-Hilton will purchase from the Government the area as originally proposed, less approximately 14.2 ft. on the western side.

The company will sell to the Perth City Council so much of this block as may be required for street widening at both the St. George's Terrace and Terrace Drive ends. The company will then build its hotel on the balance of these two adjoining sites which will remain in its possession. The hotel will thus have a very fine position on the corner of the new alignment of St. George's Terrace, Victoria Avenue, and Terrace Drive. The third point is—

3. In order to provide Christian Brothers' College with a new site, the Government has agreed to make available to the Perth City Council an area of 14 acres north of the Causeway and adjoining the W.A.C.A. ground on its eastern side. The council will complete the reclamation of this site at its own expense and make it available to the college.

Originally the council requested that an area of 18 acres should be made available for this purpose. This, however, was considered to conflict with the metropolitan regional plan. Under the modified scheme of 14 acres, adequate provision was made for a planned road approach system at the western end of the Causeway, and both the Main Roads Commissioner and the Town Planning Commissioner accepted the new college site as being compatible with the future planning of Perth. To meet car parking requirements, which had previously been contemplated in this area, the council has undertaken to provide other parking areas in the vicinity. The Government will provide such services as gas, electricity, and water as may be required, but will not be called upon to meet other than normal expenditure in this connection.

Some time ago a one-chain road was provided for along the eastern boundary of the W.A.C.A. ground. In substitution for this, a wider road will follow the new line of the river foreshore. The old road is therefore being closed, but as certain services such as water and sewerage pipes are included in this area, arrangements have been made for easements to the Government for their protection. Further arrangements are—

4. In return for the new college site, the council will give to the Government an area of 5½ acres of land adjoining the South Kensington School in Victoria Park. This area has been long sought by the Government for extensions to the South Kensington School.

5. The Government has recognised that the council's town planning scheme, when effective, will render it necessary for the land on which the Supreme Court buildings stand to be acquired by the council.

The Government has not been prepared to transfer the Supreme Court site to the council at this stage; but it has been agreed that when the time arrives at which a State Government of the future may decide to build a new Supreme Court, the Government of that day will transfer the land and buildings to the council.

When that time comes, it is provided that due regard will be had to the preservation of the historical building now occupied by the Arbitration Court.

It should be noted that there is no compulsion on the Government of the day to build a new Supreme Court on the site proposed by the council; namely, between the hotel site and Government House. However, that area will still be available for such purpose if required.

The considerations for the transfer of the Supreme Court site are to be as follows:—

- (a) An area of approximately 41 acres at Mt. Kenneth, which the Government requires for water supply purposes, will be made available to the Government forthwith. It will be valued and the amount of the valuation will be credited but not paid to the council.
- (b) The land on which the Supreme Court buildings now stand will be valued and the amount credited to the Government.
- (c) If and when the Supreme Court site is made available to the council, the buildings will be valued at that time.
- (d) At that stage the council will pay to the Government the difference between the present valuation of the Mt. Kenneth water supply site on the one hand and on the other hand the present valuation of the Supreme Court land and the future valuation of the Supreme Court buildings.

6. The Government similarly appreciates that the completion of the council's plan requires the excision from Government House grounds of such substantial areas on both the north and south sides as to make the existing Government House no longer tenable as the Governor's residence. It is agreed that when the time comes that Government House is no longer required for this purpose, the Government of the day will give the council the right to acquire on terms then to be agreed upon the land necessary for the widening of both St. George's Terrace and Terrace Drive.

7. The timetable for the various stages is dictated by the necessity to have the new hotel completed and in

operation before the Empire Games in November, 1962. Details will therefore be as follows:—

The council will complete the reclamation of the new college site by the 31st December, 1960.

The C.B.C. science building will be demolished, if necessary, by the 31st December, 1960. The demolition of this portion of the C.B.C. buildings will be sufficient to permit the construction of the hotel to proceed.

The C.B.C. will give the Perth City Council vacant possession of the whole of the present college site by the 15th September, 1961, by which date C.B.C. will have completed the erection of their new college.

The council will demolish the remainder of the college buildings by the 30th September, 1961, thereby clearing the boundaries of the hotel site and making way for the widening of Victoria Avenue.

The agreement between the Government and Chevron-Hilton Hotels Limited covers the following matters:—

1. The price to be paid by Chevron-Hilton for the land purchased from the Government will be £224,160, representing the original price of £238,000 adjusted proportionally to the reduced frontage. A deposit of 10 per cent. (£22,500) will be payable after the approval of this Bill by both Houses of Parliament, and the balance will be payable on two equal annual instalments, free of interest.

The title of the land will not be issued to the company until the whole of the purchase price has been paid and the erection of the hotel completed. The company cannot dispose of, or encumber the land until this has been done.

2. The company will complete the first 200-bedroom section of the hotel two months before the Empire Games.

3. The company, in the construction of the hotel, will use local materials and employ local labour, wherever possible.

4. The ground and building plans will be subject to the approval of the Treasurer and will make adequate provision for the privacy of Government House.

5. The company will make provision in its hotel for a city airline terminal, if desired by the airline companies operating in Perth.

6. It is agreed that the company will be granted a publican's general license and a license to cover four restaurants. The Licensing Court may fix such premium as it thinks fit.

In accordance with clause 12 of the agreement this Bill makes provision for—

- (a) Approving and ratifying the agreement.

- (b) Requiring all parties to the agreement and the Christian Brothers' College to carry out their respective obligations.

- (c) The grant and issue of the required license under the Licensing Act.

- (d) Closing the portion of the road adjacent to the W.A.C.A. ground.

The Reserves Act passed last session provided that the proceeds of the sale of this land would be devoted solely to the purpose of erecting new public buildings on the observatory site. In order to ensure this provision will be carried out, the land to be sold to Chevrans has been vested in the State Government Insurance Office. The proceeds, when received, will be credited to that office, which will retain them and invest them in the proposed Government buildings.

Some criticism has been expressed of the City Council's town planning scheme for the whole of this area, including the ceremonial drive. The Government believes that the scheme proposed for this area will add great beauty to the City of Perth and will provide it with a civic area unequalled by any capital city in Australia. However, it is appreciated that circumstances may well change, and the Perth City Council is not compelled by this Act to proceed with the scheme in its present form.

At the time when the Supreme Court site and the Government House land become available—which will be well into the future—it will be for public opinion of the day to express itself in the light of developments which will have taken place in the meantime. If public opinion is hostile to the proposal, no doubt suitable alterations will be made. In the meantime, there has been no hostile expression of public opinion. The City Council announced and advertised its intention to raise a loan of £230,000 for the purposes of the scheme. Ratepayers, if they so desired, had six weeks in which to lodge an objection which would have required a poll to be taken. No such objection was made. It can therefore be assumed that the proposals are generally acceptable.

In short, this Bill provides the means for the City Council to acquire the land needed for its scheme should it desire to proceed. It does not compel the council to proceed. It will be seen that this is a most important measure which will have a far-reaching effect on the City of Perth. I can recommend the proposals to this House with the greatest of confidence. All parties affected are completely satisfied—

1. The Perth City Council because it has achieved what it regards as a vital part of its planning for a most important area of the city.

2. Chevron-Hilton because it has acquired a site which will justify the magnitude of their investment in this State.

3. The Christian Brothers because of the transfer of their college of over 800 boys from its present cramped and inadequate location. The grounds which it will occupy will be transformed from a waste and unsightly area to a site where the college will be able to develop in surroundings befitting an outstanding educational institution.

4. The Government because of, in addition to the above beneficial consequences—

(a) the acquisition by the State of two areas of land which it urgently requires, one for the extension of the South Kensington School and the other for water storage in the City Beach locality;

(b) the acquisition by the State of a substantial sum of money which it will be able to devote to providing urgently required new public buildings on the observatory site.

That gives to members as detailed an account as possible of all the facts and information concerning the negotiations leading up to the point of the introduction of this Bill to the House. May I say to Mr. Strickland, as Leader of the Opposition in this House, that the Government is anxious that the Bill be passed by Parliament as soon as it is conveniently possible. If Mr. Strickland could see fit to adjourn the debate on the measure until next Tuesday and proceed with it on that day I would be extremely grateful; and I hope he will not ask for a longer adjournment. If the Bill could be passed next week it would be very satisfactory; and if the debate is continued on Tuesday next I think that might be possible.

Plans dealing with the Bill were tabled.

On motion by the Hon. H. C. Strickland, debate adjourned.

COUNTRY HIGH SCHOOL HOSTELS AUTHORITY BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [3.9]: I move—

That the Bill be now read a second time.

This Bill authorises the establishment of a body corporate to be known as the "Country High School Hostels Authority."

The need for the establishment of such an authority is considered an urgent matter because, in some large centres, there is a serious shortage of accommodation in existing establishments, while in other important centres there is no accommodation whatever available to students attending Government country high schools.

Some buildings in use have fallen into disrepair, and the cost of their reconditioning cannot be justified as an economic proposition. As I indicated previously, several establishments are urgently in need of expansion. The cost of replacing dilapidated structures, carrying out extensive additions, and constructing new establishments would constitute a serious drain on already heavily-overloaded departmental funds.

In view of the heavy commitments against the loan funds allocated to the department, it has been decided to look for other sources of money with which to finance these important works. It is proposed that the authority have power to borrow on conditions approved by the Treasurer and upon a guarantee of the Treasurer up to a limit in any one year of £100,000. The authority shall be required to provide the requisite security.

The funds of the authority shall consist of money borrowed; namely, money received by the authority from the Treasurer of the State in repayment of any money so borrowed and interest thereon, money received from rents derived from leases of licenses of hostels, and money received by way of gifts or legacies, or in any manner as part of its general revenue. Any land reserved under the Land Act as sites for buildings for the purposes of education and used, or to be used, as hostels, shall be vested in the authority, and land vested in the Minister by virtue of section 6 of the Education Act which is used for the purposes of a hostel will also be vested in the authority.

The authority shall be responsible for the provision of accommodation in hostels for students enrolled in high schools, and to supervise and maintain these hostels. The authority will make recommendations to the Minister regarding alterations and additions to buildings, the erection of new buildings for the purchase or sale of buildings for hostels; and, on the approval of the Minister, shall act upon its recommendations. It shall arrange for leases or the granting of licenses to third parties of a hostel for the purpose of providing accommodation for students.

Its records shall be available for audit by the Auditor-General, and its members shall be exempt from personal liability. The Bill provides for the making of regulations and a maximum penalty for a breach thereof. The authority shall consist of six members, or nine at a later date,

if needed. But, upon the appointment of six members by the Governor, the authority is thereby established.

Two of the original members will be required to be nominated by a body which immediately prior to the coming into operation of the Act was conducting three or more hostels for providing accommodation for students enrolled at high schools in country areas. The third member will be nominated by the Minister; the fourth nominated by the Treasurer; and the remaining two will be public servants, one of whom shall be an officer of the Education Department. Membership may be increased each time any new body is eligible to nominate a person by showing their willingness to undertake the establishment or supervision and maintenance of three or more hostels; but, as previously mentioned, the maximum number is to be nine.

Of those first appointed, the tenure of office will be chairman, five years; two members, five years; and the remaining three members, to be nominated by the Governor, three years. Subclause (5) of clause 5 sets out conditions for vacating office. The proposal to set up such an authority has much to recommend it. It is hoped that it will be the means of making it possible for a greater number of our children in the country to attain a higher level of education, which is so readily available to metropolitan children.

On motion by the Hon. H. C. Strickland, debate adjourned.

FIREARMS AND GUNS ACT AMENDMENT BILL

In Committee

The Chairman of Committees (the Hon. W. R. Hall) in the Chair; the Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clause 1 put and passed.

Clause 2—Section 9 amended:

The Hon. H. C. STRICKLAND: I move an amendment—

Page 2, lines 9 to 18—Delete all words after the word "employer" down to and including the word "possession."

The object of the amendment is to overcome what I consider to be an unnecessary restriction on primary producers. The object of the Bill is to allow a primary producer to supply an employee with a firearm, which belongs to that primary producer, for the purpose of destroying vermin. I have no argument with that principle at all, as I think it is quite fair and reasonable. I also believe that a primary producer who employs labour has

the commonsense to know the type of employee to whom he would be handing a gun for the purpose of destroying vermin on the farmer's own property.

The proviso in this clause is restrictive and unnecessary. I feel that the clause as it now stands would not obviate the position which exists today, in that some primary producers do supply their employees with firearms to destroy vermin and, in doing so, are breaking the law. The proviso in the clause will not make the position easier for a primary producer. He will be hamstrung to the extent that he will prefer to continue to break the law rather than go to the trouble of writing to the police and waiting for written approval.

The Hon. S. T. J. THOMPSON: I rise to support the amendment. The clause as it now stands is not what people in the country require. We require something which will make the position easier for us. I suppose that probably on 99 per cent. of properties in the area, the farmers do break the law inasmuch as their employees do, on various occasions, use any firearm that is on the property. I feel that the striking out of the portion suggested by Mr. Strickland will make it much better for the farming community in general.

The Hon. L. A. LOGAN: I said last night there seemed to be some merit in the honourable member's suggestion when he was speaking on the Bill in the second reading stage. There is a proviso in the Bill whereby an employee may not use a firearm until such time as the officer in charge of the nearest police station has been advised. The Bill provides that requests in writing must be made to the nearest police station, and the officer in charge has to approve it in writing. I agree that the proviso is rather restrictive. Whether, without this proviso, the police are prepared to agree to an employee using a firearm, I have not yet been able to find out. However, if Parliament so decides, the police will have to carry out the dictates of Parliament. At the same time, when dealing with such a matter, it is sometimes advisable to obtain the advice of the police, because they are dealing with such matters all the time and are therefore more informed than we are.

If the House is prepared to accept the amendment as submitted by Mr. Strickland, we will see whether it is accepted in another place.

The Hon. G. C. MacKINNON: I take this opportunity of giving one word of warning. In some parts of the State we have seasonal work, and a certain number of itinerant workers are employed. It could well be that a farmer might not wish to employ a particular applicant for the job in view of the fact that the police may have reasons why that person should not be allowed to use a firearm. Many

seasonal employees appear to be rolling stones, and it could well be imagined that some of them might not be allowed to use a firearm. I feel that Mr. Strickland's amendment is rather sweeping and that we should return the Bill to its original form and perhaps delete the words "notified in writing." The reason for this is that we do have the more regular type of employee and we could as soon as the employee is taken on, immediately telephone the police and check with them. However, if half-a-dozen men are taken on to do fruit picking and so on, and a farmer is going to give them rifles with which to shoot birds, it could well be that one of those employees, with the sure knowledge of the police, should not be trusted with a firearm; and I think Mr. Strickland's amendment is perhaps making the provision a little bit wide in deleting the whole of the proviso.

The Hon. F. D. WILLMOTT: I am afraid I cannot agree with Mr. MacKinnon. Mr. Strickland pointed out, and quite rightly, that if this proviso is left in, the primary producer generally will simply continue to break the law. He will not go to the bother of sending a written application to the police or wait for a written application to come back.

The Hon. G. C. MacKinnon: I suggested that we delete the necessity for writing.

The Hon. F. D. WILLMOTT: Let us take the case where a dog is destroying a farmer's sheep, and the farmer wants to give his employee the right to shoot the dog. How is he going to do it? He will break the law if he gives his employee a gun. I am in agreement with Mr. Strickland that this proviso should be struck out.

The Hon. L. A. LOGAN: I point out that the original approach to amend the Act came from the Pastoralists' Association, the members of which employ mostly natives; and it was because of a native who was given a firearm to shoot vermin on a pastoralist's property, that the request was made for some amendment to the Act.

How the Bill will effect the inner or near-agricultural areas if it is thrown wide open is open to some doubt, as expressed by Mr. MacKinnon. I do not think there will be any doubts in the pastoral area, where the opportunities of reaching a police station are more difficult than in other areas. Whilst I would have accepted the Bill in its original form, I am certain that the proviso in it is too restrictive; and rather than have the restrictive one, I would prefer the open one as moved by Mr. Strickland. I would, however, accept either.

The Hon. H. C. STRICKLAND: The Bill states that the employer may supply an employee with a firearm provided that no employee shall be permitted so to have

in his possession a firearm unless and until the officer in charge of the police station nearest to the employer's land has been notified.

The Hon. L. A. Logan: Of the employee's name.

The Hon. H. C. STRICKLAND: That does not provide any greater safeguard. It just means that the police must be notified. A station which has a pedal set can send a telegram to the police officer and can presume that the officer receives the telegram; and the station can forthwith issue the firearm. But the police officer concerned may be 100 miles away. I do not think the original proviso means anything at all. I think it simply places an unnecessary requirement upon a pastoralist or a farmer. Regarding primary producers who live closer in to the built-up areas, I say that their own commonsense would guide them as to whom they should issue a firearm.

The Hon. N. E. BAXTER: I intend to oppose the amendment because of my experience of these matters while in the country. On one occasion a farmer in the Beverley district loaned a firearm to a native who was a shearer on the property. The native finished up shooting his wife and tried to make it appear an accident. I believe it should be in the hands of the police officer to decide whether a particular employee is a fit person to handle a firearm.

There was another instance in Beverley, involving a firearm. A member of this Chamber had in his employ a person who was well known in the rogues' gallery of the police. Would a police officer be justified in informing a farmer that a person who appeared in the rogues' gallery was an unfit person to be given a rifle? I do not think he would. I believe the proviso is a good safeguard, particularly in relation to rural employees because when one employs a person one does not always know from where that person comes, or his background. But very often the police do; they know whether he is a person who can be trusted with a firearm. I believe the Bill, as it stands, will operate very well and that the provision in it dealing with notifying a police officer and obtaining his consent is quite a good safeguard.

The Hon. R. THOMPSON: Mr. Baxter has just said that a farmer or a pastoralist would not pass over a gun to someone whom he knew had his picture in the rogues' gallery. I pointed out last night that under the present licensing system a person can hold a license for a gun and have endorsed on it the number of another firearm. That is the only safe and sure way of handling the matter. I support the amendment because I think it is more desirable than the Bill as it stands. If Mr. Baxter has any fears about

it, the best thing he can do is to endeavour to throw the Bill out altogether and make everyone take out a license for a firearm.

If an employer has sufficient faith in his employee to allow him to use a gun on his property, that should be enough. It is better to allow an employer to make the choice as to which of his employees he will allow to use the firearm. I am sure every employer would pick the most suitable and reliable man.

The Hon. N. E. Baxter: He may have only one employee.

The Hon. R. THOMPSON: No employer would allow his employee to use a firearm unless he had sufficient faith in him.

The Hon. J. G. Hislop: What would happen if the employee were refused a license?

The Hon. R. THOMPSON: Under the provisions of this Bill the police constable in a country district would not know whether a man had been refused a license. Rather than leave the clause as it is printed in the Bill, I think it would be better to defeat the whole measure. I support the amendment because I think the average person would use the utmost discretion.

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with an amendment.

ABSCONDING DEBTORS ACT AMENDMENT BILL

In Committee

Bill passed through Committee without debate, reported without amendment, and the report adopted.

CORONERS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 14th September.

THE HON. E. M. HEENAN (North-East) [3.38]: This Bill proposes some rather important amendments to the Coroners Act with which I fully concur. Briefly, the function of the coroner is to investigate the cause of death of an individual, or individuals, and also to inquire into the cause of fires. It will be understood that not every death or fire is the subject of a coroner's inquiry; inquiries are restricted to those cases where an inquiry is warranted because of the particular circumstances.

The coroner has very wide powers for the purpose of carrying out his investigations, and is not bound by the normal provisions of the Evidence Act in the way in

which other courts are bound. If the coroner, after carrying out his inquiry, comes to the conclusion that some individual has committed a crime, or an offence, he has the power to commit such individual for trial.

I have explained that the coroner is not bound by the ordinary laws of evidence. He can permit hearsay evidence, and he can accept expressions of opinion, and so on. That may be all very well for his general purposes. However, in cases which attract a good deal of public interest this can have the effect of prejudicing a fair trial for a person who is subsequently committed for trial.

I could instance the case where a murderer has been committed, and the coroner subsequently holds an inquiry into the cause of death. Great public interest is sometimes taken in the proceedings. The loose type of evidence given before a coroner is frequently published in the Press with the result that the person committed for trial is prejudiced. In the eyes of the public he is sometimes considered to be guilty even before his trial at a later date before a judge and jury.

Members will no doubt recall instances where such prejudice has occurred. I am sure they will agree with me that such a state of affairs is not in keeping with our high ideals of justice. No man should be deemed guilty until he has been so judged after a fair trial. Unfortunately there are many people in the community who are prepared to condemn their neighbours on the merest hearsay evidence or rumour. This is bad enough where a person's reputation is concerned—it is worse where, in addition, his liberty or life is at stake.

The Bill therefore seeks to provide that in such cases, before the coroner holds his inquiry, and where a person is likely to be indicted, the charge against him shall be heard in the normal courts, and be subject to the normal laws of evidence. There are other incidental provisions which are more or less a corollary to the main theme of the Bill, and I do not propose to deal with them at this stage.

The Minister mentioned that the proposals in the measure have been approved by the Solicitor-General and the former Crown Prosecutor. I feel confident that the proposals also meet with the approval of most members of the legal profession, and others who are concerned with the administration of justice.

Sitting suspended from 3.45 to 4.5 p.m.

THE HON. J. G. HISLOP (Metropolitan) [4.5]: I agree that this is a very worthwhile measure, but I have often wondered why there was a need for duplication of inquiry; firstly, in the coroner's court, and later in the trial of the individual. I accept heartily the explanation given by Mr. Heenan. I have not had time to

examine thoroughly every clause of the Bill, because all the clauses seem to move together on the same principle.

However, there is one matter into which I have asked the Minister to look; and perhaps he will advise me when he replies as to the sequence of events. On page 5, proposed new section 13A (2) states—

If before the commencement of an inquest on a fire or a death the coroner is informed that some person has been charged with an offence in which the question whether the accused person caused the fire or death is in issue, the coroner shall not unless the Attorney-General otherwise directs commence to hold an inquest . . .

In the proposed new section 13A (5) on the same page we find that if the coroner decides not to resume an inquest on a death, he shall send particulars of the cause of death to the registrar. I want to know from where he obtains his knowledge of the cause of death? Proposed new section 13A (1) states—

If after the commencement of an inquest on a fire or a death, the coroner is informed before he has given his decision or finding or the jury have given their verdict that some person has been charged with an offence . . .

The coroner may have been notified very early after the commencement of the inquest, and he may not have been able to ascertain the cause of death. There seems to be a lack of clarity as to the manner in which the coroner will be able to obtain the particulars for handing over to the registrar. If the Minister assures me that the provisions in the Bill will work smoothly, I shall be happy to accept his assurance.

At an early stage after the commencement of an inquest, the coroner may receive such evidence as will lead to the adjournment of the inquest. If he decides not to resume the inquest he is required to give particulars which he is supposed to have obtained at the inquest. I realise that this Bill has been introduced with a view to expediting the issue of certificates of death, but I do not see how the provisions will work smoothly.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines—in reply) [4.9]: I thank both Dr. Hislop and Mr. Heenan for the support they have given to this Bill. Dr. Hislop made quick reference to some of the provisions which I shall not attempt to explain in full at this juncture. Under proposed new section 13A paragraph (2) on page 5, if before the commencement of an inquest into a death the coroner is informed that some person has been charged, he will not carry on the inquest unless directed by the Attorney-General. If the Attorney-General does not give a direction

that it is all right, then proposed new section 13A paragraph (5) on the same page will take effect.

The Hon. J. G. Hislop: How does he get the information?

The Hon. A. F. GRIFFITH: He would get it from the particulars in the information supplied when the person is charged with an offence. Where an arrest is made the police will find it necessary to lay a charge. If Dr. Hislop is prepared to agree to the second reading, I shall endeavour to obtain the information he seeks and give it during the Committee stage. I am agreeable to the Committee stage being considered on Tuesday next.

Question put and passed.

Bill read a second time.

MARKETING OF EGGS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 14th September.

THE HON. W. F. WILLESEE (North) [4.13]: The purpose of this Bill is to seek power to enable the Egg Marketing Board to make premium payments to egg producers who produce a certain quality egg. This quality is required by the board because eggs of that quality will facilitate egg sales on the overseas market, as well as add a stimulus to sales on the local market.

It is obvious from the report of the Egg Marketing Board that a stimulus is needed to increase egg sales in Western Australia. The Egg Marketing Board will be able to achieve that result if it is empowered to pay a premium on eggs which have a strong-coloured yolk. It is hoped that this incentive will create greater sales overseas.

The amendment to the Act to bring about increased sales is a small one; it merely means the addition of a small subsection to section 31. It is worthy of mention that in the report of the chairman of the Egg Marketing Board, it is stated that overseas buyers have drawn attention to the poor colour of yolk in eggs produced in Western Australia. The colour of the yolk has no relationship to the nutritional value of the egg. The fact is that the poor-coloured yolk of eggs produced in this State is having an adverse effect on overseas sales.

It is interesting to examine some of the comments made in this report in regard to the general situation of egg marketing. We should give serious thought to our falling overseas markets. In countries where we apparently had dominated egg marketing, our sales have been diminishing.

An extract from the board's report, under the heading "Export Markets," reads—

The market for Australian eggs in the United Kingdom continues to be very dull and this was accentuated this year by the British high production period being advanced by at least three weeks. West Germany continues to import large quantities of eggs, but it now appears that these can nearly all be supplied by nearby European countries, and the Australian producer must realise that, at least for some years to come, this former market for Australian shell eggs has gone.

Further on in the report is the following, which deals with shell eggs:—

Sales of shell eggs to Singapore, Hong Kong, Persian Gulf, Cocos and Christmas Islands, and Darwin totalled 45,735 cases which is a reduction of 13,775 cases compared to the previous year. The loss in sales to Singapore was 16,322 cases, and was largely brought about by decreased army personnel.

The report continues still further on—

The disposal of these surplus eggs is a problem that the Board has to face and overcome to the best of its ability, and through the avenues available. Some of the former avenues have closed, or are slowly closing; other countries whose production has substantially increased, are now looking for markets, with the result that competition is now very keen throughout the world, and the economics of egg marketing must be closely watched. In this respect producers in this State must realise and appreciate that the board in disposing of this surplus has to undertake the supply of eggs to its overseas clients on an all-the-year-round basis, and it is not a commercial proposition to endeavour to sell our surplus eggs only when that surplus is readily available. The clients viewpoint of regular supply must be considered as well.

It therefore appears that there is not only good reason for this amendment to the Act, but also very serious reasons why we should give considerable thought to the future of the egg marketing industry.

Another point arising out of the report is the statement to the effect that the average price for all grades of eggs received by producers was 3s. 4.53d. per dozen. It occurred to me that this is a poor return on face value when one considers that the price of eggs today is 5s. 6d. a dozen and that for a long period this year eggs were priced at 6s. a dozen. It is also disconcerting to know that there was a loss this year in every country depot in

Western Australia. One wonders how long such depots can remain in existence if they continue in the future to show a loss.

It is worthy of note that this Bill does not refer specifically to egg yolks. We are assured by the Minister that the egg yolk improvement is an immediate necessity, but the amendment gives the board power to offer premiums on other conditions of egg supply. As the report indicates that there is a loss of overseas markets, with the possibility of a continuance of such loss, it is also of some concern to note that in the opinion of the board the local demand for eggs suffers because of the non-appetising appearance of the egg yolks.

The improvement to the egg yolks, it is considered, can be brought about at a reasonably small cost. The amount of green feed used is the main factor. It has been stated that at present only about 45 per cent. of the Western Australian eggs produced each year have the desired coloured yolk. In this respect it is noteworthy that country eggs on an average have a deeper coloured yolk than have eggs from, shall we say, the metropolitan area.

The board has given the Government a written assurance to the effect that the premium which will be paid to the producers will not affect the consumer. One might comment on the face value of that statement and ask how this assurance can be given. If, in the future, there be any fluctuation in the price, I would think the board would, at some point, have to pass that difference on. If the consumer is not going to suffer as a result of the premium, I fail to see how the premium can be paid to the producer. However, that is my view; and it must be assumed that the Egg Board would have to work on a regular profit margin.

The Egg Board is apparently in the position where it has to fight fiercely on the overseas markets, not only to regain lost markets but also to find new ones. There is some hope in this direction in that we have sold a considerable quantity of eggs to Hong Kong over the last year, and no doubt we could sell more if the objective under this amendment were achieved.

The position of the egg sales on the local market is indeed disconcerting. Western Australia is a growing State and one would naturally assume that the sale of home-produced eggs on the home market would be on the increase; but apparently such is not the case. In this respect I would like to quote an article from *The Bulletin* of the 31st August, 1960. It has a bearing on the report from which I have been quoting. The article is headed "Home market for Eggs," and is as follows:—

In his annual report the chairman of the W.A. Egg Marketing Board emphasises how poultrymen depend

almost completely on the home-market. Pointing out that worthwhile overseas markets no longer exist, he warns that any appreciable increase in production would be a calamity. Ironically, he admits that "reasonable" returns over the last 12 months are due to a serious outbreak of leucosis early in the season.

Much of this has been obvious for years; yet nothing very constructive has been done about it. There's been a certain amount of advertising, some of it good, and no doubt all of it effective to some extent. But you don't sell eggs to people by telling them they're good for them. They know that already. They also know pretty well how eggs compare in value with other foods. What's more, most people like eggs. But they won't buy them unless they want to, and to create that position you've got to make eggs attractive financially as well as in appearance.

The Egg Board has reduced prices over the past few months, while eggs have been plentiful; and probably reduced prices have prompted sales—but I doubt if they've introduced many new buyers. The people who normally buy eggs are buying more; but the backyarders who bought fowls seven or eight months ago because eggs were priced out of their budgets are now getting a surfeit of eggs. They may even be eating more than they really care to, and that's going to make them poor customers when their hens stop laying and prices go up again. Many will be putting some down in preservatives (which, by the way, are quite efficient and easy to use).

That's the market the Egg Board should be aiming at, and it's vulnerable. More than half the backyarders are reluctant egg-producers. They're in the game because bought eggs are too dear and not attractive in appearance. They like eggs and value them. If they could be persuaded to sell their few chooks they'd make good customers. And they'd sell like a shot—or many of them would—if eggs were a reasonable price all the year and compared in appearance and quality with those their own fowls produce.

The average price now probably can't be considered too high. But the housewife budgets from week to week, not on averages; and when the price goes beyond her purse she can't be expected to recall the time when eggs were cheap, except with animosity at the increase. When she's reckoning the cost of poultry-feed she bases her comparison on the high price, not the average.

What's wanted is a year-round stable price within the normal housewife's budget. She mustn't be left in

constant doubt whether she can afford eggs or not—and don't imagine that she can be wooed with price-drops! When that happens she reasons that somehow or other she's being got at.

The Egg Board must concentrate on the market the Australian housewife could provide—she's their only worthwhile buyer. They won't get anywhere until they realise the limits of her budget and try to see her point of view.

With a population in Western Australia conservatively estimated at some 700,000 people, it seems to me that the basis of this article is most commendable. I have heard it said that if the people of Australia could be enticed to eat one additional egg each week, there would be no egg problem within Australia. For this reason I wish the Minister every success with his amendment; but I feel that we will have to make a much closer study of the problem.

THE HON. F. J. S. WISE (North) [4.28]: I did not wish to enter into this debate as I hoped that some representatives of the producers would make some comment. I was very interested in the remarks of Mr. Willesee and the pertinent nature of the points made by the writer in *The Bulletin*. While the objective of this amendment may be very desirable, to me it seems rather strange to endeavour to achieve a reform by such an incentive.

If we are marketing fat lambs, in order to get a premium price we provide the lamb for which the market pays the premium. If we are marketing baby beef, we market it at the age which is attractive as well as economical to the buyer; and we market it at the best price available. The responsibility is on the grower of wool to produce something that will be in the top line.

This is a very simple matter. The yolk colour of eggs can be changed within a week either by neglecting what the fowl needs in protein, or supplying it. Its needs are naturally being supplied at this time of the year, hence the strong colour of the yolk. In my view it is part of the husbandry of poultry raisers to produce the commodity in the best form, not only so far as nutritional value is concerned, but in appearance; whether open or in the shell.

The marketing of eggs today is under the control of a board; and I recall the introduction of the legislation which established the board. The board has become rather burdensome on the producer; and the consumer ultimately meets the cost of the board. The stage has been reached when nearly 25 per cent. of the returns of a poultry farmer go in costs of some sort. I do not know whether the Minister is

aware of this, but as much as 1s. 1½d. per dozen is levied for administration costs, pool costs, and the like.

The Hon. A. F. Griffith: Including equalisation.

The Hon. F. J. S. Wise: Yes.

The Hon. A. F. Griffith: Yes, I am aware of that.

The Hon. F. J. S. Wise: We have reached the stage where we have buyer-resistance against this wholesome food; and it is very doubtful whether the periods of time on the radio sessions sponsored by the Egg Board can induce greater use of eggs.

The Hon. A. R. Jones: And it adds further costs.

The Hon. F. J. S. Wise: It must. I believe the board is actuated by the best possible motives, but I think the board is taking over a responsibility which belongs to the producers.

The Hon. F. D. Willmott: That is the trouble you run into with an equalisation board.

The Hon. F. J. S. Wise: Always; I admit that. But surely some way can be devised by which a premium rate may be paid for a known-quality egg—for example, by identifying the producer who, in the feeding of his flock, ensures that the egg will be the right colour. His eggs will then bring a better price because of the public's education in the matter.

But as Mr. Willesee pointed out, the premium paid to the growers is to be paid by someone else; and it is not possible for the board to continue to absorb these costs in its endeavour to do the best it can for the producer, without the consumer paying more.

While I do not propose to vote against the Bill, I bring these points forward because I believe they are very important as being the responsibility of the producer himself.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines—in reply) [434]: The Bill, if it becomes an Act, will be implemented on a trial basis. I appreciate the remarks made by both Mr. Willesee and Mr. Wise. Mr. Willesee said that the Bill does not refer to the yolk, but that rather, in the words of the clause, it gives the board the right to pay a premium on eggs which have characteristics of quality. I do not know how otherwise we could express it. We could not suggest that the producers should change the colour of the white of the egg, or the shell. The yolk is the part of the egg that will be affected.

There may be something else to be taken into consideration about which I am not aware at the moment, but the yolk is the part that the board hopes will be improved; because, as has been said, it is a

question of which is the better—a neatly-looking egg with a bad-coloured yolk, or an egg that has a bright orange-coloured yolk which looks attractive when dished up as food.

I am well aware of the fact that the board is, according to seasonal conditions, taking up to 1s. 1d. and, I think, up to 1s. 1½d. out of the producers' fund. But I can cast my mind back to a period when I was on the opposite side of the House and when, as a private member, I was almost laughed at because I suggested that the equalisation fund was too high; that the amount the producer was expected to have taken from him by the board was too great; and that a situation was prevailing where the consumer in Western Australia was stabilising the price for eggs that were sent overseas and being sold overseas at less than they were here. I have seen eggs in London and in other parts of the world being sold at half the price we pay here. That has occurred so that we can sell eggs on the market at competitive prices. Today the producer has to subsidise the price of his eggs overseas to the extent mentioned by Mr. Wise.

The Hon. F. J. S. Wise: We do that with butter and all sorts of things.

The Hon. A. F. Griffith: I will not say that I was laughed at exactly, but the suggestion I made did not fall on anything but deaf ears. The suggestion I make—and I am now expressing a personal point of view and not a Government point of view—is that if the stabilisation fund were less and the price of eggs were less to the housewife in Western Australia, sales could be expected to be more.

The Hon. R. F. Hutchison: This is the first time I have ever entirely agreed with you.

The Hon. A. F. Griffith: That is marvellous! I have received such a shock that I feel almost powerless to go on. The Bill is an attempt by the board to try to make the egg more attractive to the Western Australian public and to the overseas market. There is no doubt that the unattractiveness of our eggs has lost us markets in other parts of the world. Mr. Willesee mentioned the fluctuations in price. The price fluctuates according to seasonal conditions; and the need for the stabilisation fund is greater or less according to the rate of production and according to seasonal conditions. But the board intends to pay this premium, whatever it may be, out of the stabilisation fund; it does not propose that there will be any increase in price to the consumer. I think the board has given its assurance in good faith.

Bearing in mind that in my second reading speech I said this was to be a trial measure, members will appreciate that if the board finds itself running into bother with the scheme, it will have to account to

the Minister for the position in which it finds itself. But the money will be paid out of the equalisation fund.

Mr. Wise got on to a subject which is very close to my heart when he pointed out what happens when we dismiss competition. He said that if we were going to sell baby beef or fat lambs, it was the task of the producers to submit their products in a manner which would make them attractive to the public; and that they were sold in open competition. But that is not so with the Egg Board which is a price-controlling instrumentality. As Mr. Willmott said, the Egg Board is an acquisition board; and it is a board that is obliged to acquire eggs no matter what is the colour of the yolk. I think about the only thing that can cause the board to reject an egg is if the candling shows it is fertile. But in respect to the colour and quality of the eggs, the board has very little say because it acquires the products that the producers bring in to the floor; and it gets paid for them. The board, within the scope of its activities, is hoping to bring about a situation by which the producers will be given more incentive to deliver a better quality article to the board.

The stark facts are that if a producer sends a lot of sheep, beef, or lambs to market and they do not stand up to the demand, he does not get paid the price. But that is not so with regard to egg producers and the Egg Board. The producer gets paid the ruling rate at the time he brings in the eggs, no matter what the quality is.

The Hon. N. E. Baxter: They are graded into various grades.

The Hon. A. F. GRIFFITH: I realise that, but that is only a recent feature.

The Hon. N. E. Baxter: It has been in for a long time.

The Hon. A. F. GRIFFITH: Not for so very long. I can not remember for just how long one has been able to buy 12 lb., 14 lb., and 16 lb. eggs, but it has not been for very long.

The Hon. N. E. Baxter: I mean the grading that has been going on over the years.

The Hon. A. F. GRIFFITH: Prior to the introduction of the new system of poundage eggs, there were two grades—good and bad. One grade of eggs went on to the market as eggs, and the other was pulped. That was just about the situation. The system of selling them as 12 lb., 14 lb. and 16 lb. grade eggs was inaugurated to give encouragement to the producers, and to allow the producers to get rid of the small eggs which they could not previously dispose of.

I appreciate, as other members do, the shortcomings of the board; perhaps the necessary shortcomings. But the Egg Board is not the same as the Milk Board.

The Milk Board pays on quality, as we heard not many days ago when a Bill was introduced here. If the milk is not up to the required quality, the board has the right to reject it. But that is not so with the Egg Board. The Egg Board is now trying to give encouragement so that a better coloured yolk will be produced.

It is worth while giving this scheme a trial. If it does not work it will be up to the board to make some other recommendations to help improve the quality of the egg. We have to try to put on to the Western Australian market, eggs in such a form that people will buy them. It is quite true, as Mr. Wise said, that eggs are dear; and because of that fact they are not attractive to housewives. To make them attractive we need to bring them down in price; and one way of doing that is to create a situation whereby not so much money will be required for the equalisation fund; and we will create that situation if we sell more eggs on the local market and export fewer eggs. I hope the Bill will be passed and be given at least a trial period.

Question put and passed.

Bill read a second time.

In Committee

Bill passed through Committee without debate, reported without amendment, and the report adopted.

RADIOACTIVE SUBSTANCES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 14th September.

THE HON. W. F. WILLESEE (North) [4.47]: This Bill needed only a brief introduction because, in effect, it extends the object of the principal Act which, in itself, is a protective measure for the public against radiation. I understand this amending Bill has been introduced on the advice of the National Health and Research Council, and is intended to augment the original Act which was passed in 1954. The legislation in that year did not call upon doctors and dentists to register X-ray apparatus; and this Bill now seeks to provide that these professional men shall register such machines, and thus bring everybody under the provisions of the original Act.

The Bill, if passed, will also mean that there will be a complete registration of all X-ray apparatus used; and, in this connection, it will tighten up the Act. In my opinion, it is a sensible move. The Bill, in another place, was referred to by the Minister as the closing of a gap in the defence against radiation hazards for the benefit of the public. I agree with that sentiment and support the Bill.

THE HON. J. G. HISLOP (Metropolitan [4.50]: I think everyone will agree that there must be adequate protective measures taken against radioactive substances and the effects of radiation generally; and I do not think this Bill will be an added burden on those who use X-ray plants in the medical or dental profession by providing that they shall register such apparatus. However, I issue a word of warning at this stage. I do not think that in the past the members of those two professions, when testing their machines, have been satisfied with the estimation of the degree of proficiency of the protective methods now used; and I doubt whether they are satisfied at present. In other words, they believe some advance must take place in the methods used to estimate radiation scatter, which takes place.

I myself have seen, on not a few occasions, the method of estimation being scorned. I therefore feel we have not reached the ultimate in arranging for methods of estimating this protection; and I trust the department will continue, very actively, in its search for newer and better methods which will satisfy everybody that such protective measures are adequately carried out. I am sure that when that happens everybody concerned will be much happier. At present, I think there are some people who feel that the present method of estimation is not adequate enough to meet the needs.

THE HON. A. R. JONES (Midland) [4.51]: I do not wish to oppose the Bill in any way, but on looking through it, I find that in clause 4, the proposed new section 15A commences as follows:—

A medical practitioner or a dentist who—

I was wondering whether physiotherapists come within the definition of a medical practitioner or a dentist, because some physiotherapists use X-ray apparatus in their work. I thought it wise to mention that and to ask the Minister whether he considers it necessary to include in that proposed new section other people who are associated with the medical profession.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines—in reply) [4.52]: I have a copy of the Act here, but I do not think the persons who are entitled to use X-ray equipment, or the apparatus referred to in the Bill, include physiotherapists. With your permission, Mr. President, I would like to ask Dr. Hislop whether that is correct.

The Hon. J. G. Hislop: I think they are all covered by the Bill.

The Hon. G. C. MacKinnon: I think one licenses, and the other registers.

The Hon. A. F. GRIFFITH: When the original Bill was introduced in 1954, if my memory serves me correctly, there was

considerable debate on whether dentists, in addition to medical practitioners, should be allowed to use this equipment, and Parliament eventually decided that they should.

I think the Act sets down who is entitled to use radioactive substances and equipment, but I cannot find the relevant section at the moment. I understand that both the medical and the dental fraternity are satisfied with the contents of the Bill. After all is said and done, the measure only requires them to register their X-ray equipment to enable it to be called in as quickly as possible for inspection to see whether any radiation spill-out is emanating from the machine; or, in other words, to ensure that the equipment those professional men are using is efficient and safe.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. G. C. MacKinnon) in the Chair; the Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5—Section 18 amended:

The Hon. A. F. GRIFFITH: At this stage I would like to take the opportunity to say, in reply to the point raised by Mr. Jones, that section 12 of the Act contains the following:—

No person shall administer any radioactive substance by way of treatment of a human being, unless he is a medical practitioner or dentist holding a license for the time being in force under this Act authorising him to do so.

Clause put and passed.

Title put and passed.

Report

Bill reported without amendment and the report adopted.

CROWN AGENCIES BILL

Second Reading

Order of the Day read for the resumption of the debate from the 13th September.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. A. R. Jones) in the Chair; the Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clause 1 put and passed.

Clause 2—Certain statutory bodies Crown agencies:

The Hon. A. F. GRIFFITH: As there was no opposition to the Bill I thought that, rather than make a reply to the second reading debate, I would, when we were in Committee, reply to the points raised by Mr. Watson. He asked for information as to what could be embraced in the exclusions which follow the granting of immunity to these institutions by the Crown. He also desired a simple explanation as to what rights and remedies, or preferential rights and remedies, these institutions would have as against private individuals.

The questions raised by Mr. Watson were referred to the Solicitor-General and he points out, firstly, that the Crown is not bound by any statute unless bound expressly or stated by necessary implication. That, I think, covers the position in the over all, and is a very good description of Crown immunity. The Solicitor-General also said that, in a recent case, the courts would not allow any whittling down of those provisions. Secondly, he pointed out that the Crown is exempt from the payment of rates; and, thirdly, that the Crown has priority in the matter of debts; and the Crown has rights in the matter of notice given of civil action taken under the Crown Suits Act. In addition, there are privileges in the matter of production of official documents which are required to be withheld when in the public interest.

It follows, therefore, that when, by any action the Crown is empowered to do certain things, these powers may be exercised by the instrumentalities covered by the Bill. As I said before, it must be implied in writing that the Crown is responsible, otherwise it is free from most of these things.

The Hon. H. K. WATSON: I am obliged to the Minister for his explanation, but since I spoke on this matter I have given it further thought. Following on what I said in my second reading speech, it seems to me that the Bill goes the wrong way to clarify the legal doubt and obscurity which have arisen in the past as to whether the instrumentalities named are or are not agents of the Crown. In my opinion clause 2 of the Bill should read as follows:—

It is hereby declared that each body corporate referred to in the schedule to this Act is not and never has been for the purpose of any Act an agent or servant of the Crown in the right of the State.

The general consensus of legal opinion is that the doubt should be removed by saying that the Crown as a trader ought not to enjoy any special privileges above other traders who are its competitors. The logical way to resolve the doubt is not to declare that the Rural & Industries Bank

and the State Government Insurance Office are Crown agencies, but to declare that they are not Crown agencies, thereby putting them on precisely the same basis as other banks and other insurance companies. As I would like to place some amendments on the notice paper, I would be obliged if the Minister would report progress.

The Hon. A. F. GRIFFITH: I will be happy to do so. I suggest to Mr. Watson that concurrently with putting the amendments on the notice paper he send me a copy so that I will be ready to provide him with answers on Tuesday next.

Progress reported, and leave granted to sit again.

**METROPOLITAN (PERTH)
PASSENGER TRANSPORT TRUST
ACT AMENDMENT BILL**

Second Reading

Order of the Day read for the resumption of the debate from the 1st September.

Question put and passed.

Bill read a second time.

In Committee

Bill passed through Committee without debate, reported without amendment, and the report adopted.

House adjourned at 5.8 p.m.

Legislative Assembly

Thursday, the 15th September, 1960

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