However, what the honourable member mentioned has been the position with most local authorities which have more than 11 members. Unfortunately, some of them have broken the law by having a committee with a membership of just over half the number of councillors, and it is intended to stop this practice because the value of a committee will certainly decrease if it is made up of more than half the number of councillors. When a resolution of such a committee gets to the open council the decision has already been made and the council as a whole does not have an opportunity to disagree with a committee recommendation unless someone on the committee is prepared to buck the committee's decision. So the reason for this amendment is to ensure that a committee functions correctly and does not tend to take the place of the full council.

I would advise members that I have a further local Government Act Amendment Bill to bring forward this session. It will be introduced as soon as I can get a few things tidied up. It was ever thus with an Act of the nature of the Local Government Act.

I thank members for their support of the Bill. It is not my intention to deal with the Committee stage tonight, because amendments have been suggested and if they are placed on the notice paper all members will have an opportunity to consider them in their true light.

Question put and passed.

Bill read a second time.

House adjourned at 8.11 p.m.

Legislative Assembly

Tuesday, the 30th September, 1969

The SPEAKER (Mr. Guthrie) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (16): ON NOTICE

1. TOWN PLANNING

Group Ownership Land Development

Mr. BATEMAN asked the Minister representing the Minister for Town Planning:

(1) Is he aware—

(a) that an organisation known as "Group Ownership Land Development" is developing or purporting to develop land in the Willetton area and elsewhere;

(b) that on the 6th September, 1969, the Canning Shire Council inserted in *The West Australian* an advertisement advising the public to seek advice from the shire before purchasing land from Group Ownership Land Development?

(2) Will he give full particulars of the development being undertaken by Group Ownership Land Development at Willetton?

(3) Will he state in detail the risks (if any) which the public must accept if at this time they contract to purchase land being part of the development being undertaken by Group Ownership Land Development at Willetton?

Mr. LEWIS replied:

(1) (a) I have seen advertisements by Group Ownership Land Development offering for sale shares in an area of land at Willetton.

(b) Yes.

(2) I am informed by this organisation that no final plan can be submitted or implemented until the Canning Shire has completed its proposals for an overall scheme.

(3) There must always be an element of doubt about the financial return to be expected from buying land when planning schemes have not been finalised and subdivision has not been approved. In this case, the land is subject to development proposals by the Canning Shire, in which the location of many public facilities and amenities has yet to be decided on. It follows that no application for subdivision of this land has been submitted and that therefore the requirements of the Town Planning Board regarding the provision of school sites, drainage, sewerage, etc. have yet to be ascertained. Prospective purchasers of shares should understand that the area of land may be considerably reduced by deductions for school sites and open space, that no period can be stated within which development can begin, and that the economic potential of the land cannot therefore be accurately assessed at this stage. If they are in any doubt about the position they should seek information from the shire office, as suggested by the shire clerk.

2. PUBLIC SERVICE SALARIES

Professional Division

Mr. TONKIN asked the Premier:

Is he prepared to have interim salary increases introduced, without delay, throughout the professional division of the Public Service, particularly to alleviate the

glaring anomalies created by the salary increases recently granted to all other divisions of the Public Service?

Sir DAVID BRAND replied:

It is not the function of the Government to fix Public Service salaries. This responsibility is placed by Statute with the Public Service Commissioner and the Public Service Arbitrator. I am informed that, so far as the alleged "glaring anomalies" are concerned, salary increases in the clerical, administrative, and general divisions were made following claims for amendments to existing agreements submitted under the Public Service Arbitration Act by the Civil Service Association, and were based largely on increases in the other States. Similar increases have not occurred in professional salaries and our professional salaries are generally comparable with those in other State Public Services.

Salary increases were granted to all officers in the professional division in 1968 and 1969 by agreements with the Civil Service Association under the Public Service Arbitration Act. Claims to amend these agreements have not been received in respect of most of the groups concerned. The association has made a request to the Public Service Commissioner to increase professional salaries by a uniform percentage and this request is under consideration.

The commissioner is examining the possible implications for State Public Service officers of increases recently proposed by the Commonwealth Public Service Board for some groups of Commonwealth professional officers.

3. LAND TAX

Receipts

Mr. TONKIN asked the Treasurer:

(1) In view of the fact that receipts from land tax for the two months ended the 31st August amount to approximately 37 per cent. of the total amount received during the whole of the 1968-69 financial year, will he state the main reasons for this very steep increase?

(2) Will he explain why receipts from land tax for August were more than double the amount received in any previous month of this year?

(3) Will he take the necessary steps to reduce considerably the burden on the people which the excessive land tax has put upon them?

Sir DAVID BRAND replied:

(1) and (2) As a result of amendments to land tax legislation in 1968, the issue of assessments for 1968-69 did not commence until late in December, 1968. In an attempt to complete the assessing programme, the issue of assessments during May, June, and July, 1969, was accelerated. Collections during June, July, and August were therefore markedly higher than in previous months.

(3) I have already announced that the Government is considering proposals to reduce land tax for home owners and certain other types of land owners.

4. PROBATE

Publishing of Details

Mr. T. D. EVANS asked the Minister representing the Minister for Justice:

(1) Does the Government intend to take action to prohibit the publishing by means of mass media of details relating to the net balance of grants approved for probate and administration?

(2) If not, why not?

Mr. COURT replied:

(1) No.

(2) Prohibition on the publication of details of the value of deceased estates would require legislation, including restriction on the right of any person to search court documents. Such a restriction would no doubt be opposed by persons who have a genuine interest in obtaining details of the values of estates.

5. PORTS

Installation of Incinerators

Mr. FLETCHER asked the Minister for Agriculture:

(1) Is he aware of the comment in *The West Australian*, of the 26th July—

(a) that incinerators are to be installed at Western Australian ports to permit ships' food refuse to be burned rather than dumped at sea;

(b) that the purpose is to ensure that our coastline is not a focal point of stock disease contamination?

(2) Is redundant ship's timber, presumably used for stowage, to be disposed of by incineration?

(3) As large quantities of potentially sirex-wasp infected driftwood is to be found on our coast, north of Fremantle, will he ensure that this is disposed of by incineration?

Mr. NALDER replied:

(1) (a) Yes.
(b) Yes.

(2) Under the Commonwealth Quarantine Act and Regulations (Plant), redundant dunnage from overseas ships is required to be incinerated.

(3) No. The question is of Commonwealth-wide application. There is limited pest risk from driftwood and obvious practical difficulties in taking effective action.

6. RURAL RELIEF FUND ACT

Operation

Mr. GAYPER asked the Premier:

(1) What is the occupation of each of the trustees appointed to administer the Rural Relief Fund Act, 1935?

(2) What remuneration is paid to the trustees?

(3) What is the current financial position of the Rural Relief Fund?

(4) How often do the trustees meet?

(5) Is an annual report issued?

(6) If so, could the last financial report of the Rural Relief Fund be tabled?

(7) How often has this fund been operated on in each of the last three years?

(8) How could an application be made for advances under this Act, if as was stated in answer to my question on the 17th September, there is at present no director or deputy director appointed under and for the purposes of the Farmers' Debts Adjustment Act, 1930?

Sir DAVID BRAND replied:

(1) (a) A. R. Barrett (Farmer and former Chairman of the Land Settlement Board).
(b) E. B. Ritchie (Retired—formerly Clerk-in-Charge, Applications and Inspections Branch, Lands and Surveys Department).
(c) F. W. Byfield (Chief Administrative Officer, Lands and Surveys Department).

(2) Board fees only to Messrs. Barrett and Ritchie, at the rate of $18.50 for each half-day meeting to Mr. Barrett, and $13.50 to Mr. Ritchie. Mr. Byfield, as a salaried officer, does not receive any payment.

(3) Credit balance as at the 30th June, 1969, was $430,243.51.

(4) As required.

(5) Yes. The trustees submit an annual report to the Minister for Lands, which is then included in the Annual Report of the Department of Lands and Surveys.

(6) The Annual Report of the Department of Lands and Surveys for the year ended the 30th June, 1969, was tabled in Parliament on the 20th August, 1969.

(7) Fund transactions during the last three years were—
(a) 1966-1967—One repayment of indebtedness. Two balances of indebtedness written off.
(b) 1967-1968—Four repayments of indebtedness. One balance of indebtedness written off.
(c) 1968-1969—Nil.

(8) For an advance to be made from the Rural Relief Fund, there must first be a meeting of creditors together with a scheme for the writing down or suspension of the debts and liabilities of the farmer. To consider such a scheme, the Governor may appoint at any time a director under the Farmers' Debts Adjustment Act, on the advice of the Minister for Lands.

7. LEPROSY

Control in Western Australia

Mr. BICKERTON asked the Minister representing the Minister for Health:

(1) How many Aborigines in Western Australia have leprosy?

(2) What is the number of staff employed by his department in the control of leprosy, who are they, and what are their qualifications?

(3) Does he consider the anti-leprosy measures in Western Australia adequate; if not, will he supply details?

(4) If he does consider them adequate, will he supply details?

(5) Does the State supply to the Commonwealth medical authorities details of leprosy cases and, if so, what is the procedure adopted and, if not, why not?

(6) Has the incidence of leprosy in Western Australia increased or decreased over the last 20 years?

(7) If increased, will he give percentage of increase?

(8) If decreased, what is the percentage of decrease?

(9) Will he supply the location of known cases of leprosy?

(10) What approaches, if any, have been made to the Commonwealth to assist in the control of leprosy?

Mr. ROSS HUTCHINSON replied:

(1) Approximately 700.

(2) Eleven full-time and a number of others part-time.

(3) Yes.

(4) One medical officer in charge of leprosy control. Some 20 district medical officers supervising their respective areas under the guidance of the control officer. Eight public health nurses assisting these officers.

(5) Routine statistics are supplied and special information when asked for.

(6) Decreased.

(7) Not applicable.

(8) Approximate decrease: 73 per cent.

(9) The majority of cases are in the Kimberleys. Sporadic cases occur further south.

(10) The Commonwealth assists with hospital costs, drug costs, and sickness benefit.

8. DROUGHT

Road Maintenance Tax: Waiving

Mr. McPHARLIN asked the Minister for Transport:

Owing to the enforced cartage of livestock, water, and fodder due to the drought conditions, will consideration be given to the waiving of road maintenance tax where it is applicable?

Mr. O'CONNOR replied:

The Road Maintenance (Contribution) Act makes no provision for exemptions, but the Government has agreed to pay the freight for agisted stock when returned to the farm, at rates equivalent to rail freight.

9. WATER SUPPLIES

Gauging of Brooks and Rivers

Mr. JAMIESON asked the Minister for Water Supplies:

(1) What gaugings have taken place on brooks and rivers, listed below, for the purposes of assessing their potential for damming to supply the northern metropolitan suburbs—

Ellen Brook,
Jane Brook,
Brockman River,
Suzanna Brook,
Wooroloo Brook,
Red Swamp Brook?

(2) If gauging has taken place what were the results?

(3) If no gauging has taken place will he have the potential of all these watercourses tested?

Mr. ROSS HUTCHINSON replied:

(1) River-gauging stations with continuous automatic water level recorders have been in operation as follows:—

Ellen Brook—April, 1965, to present.

Jane Brook—April, 1963, to present.

Brockman River—April, 1963, to present.

Wooroloo Brook—July, 1956, to present.

The quality of the water in these streams is also measured regularly.

The quality of the water in Red Swamp Brook has been measured on a number of occasions, but stream-flow measurements are not carried out on either Suzanna Brook or Red Swamp Brook.

(2) The flows of the rivers gauged are as follows:—

Stream	Measured Average Annual Flow million gals.	Quality
Ellen Brook	10,300	Fresh
Brockman River	26,000	Borderline
Jane Brook	4,000	Fresh
Wooroloo Brook	15,000	Brackish

(3) It is considered that sufficent gauging is taking place. When required, the potential of Red Swamp Brook and Suzanna Brook can be obtained by correlation with the other brooks.

10. DROUGHT

Conditional Purchase Leases

Mr. YOUNG asked the Minister for Lands:

(1) How many conditional purchase leaseholders have signified to the Lands Department that they may be forced to relinquish their leases because of drought?

(2) Has there been an increased demand for his approval to sell conditional purchase leases at this point of time in comparison with the three previous years?

(3) Has there been an increase in the demand for release from the provisions of conditional purchase lease conditions?

Mr. BOVELL replied:

(1) None.

(2) No. The demand has declined.

(3) No.

11. DROUGHT

Exploratory Water Boring

Mr. YOUNG asked the Minister for Works:

(1) What success is the exploratory boring having for water in drought-affected areas?

(2) Have any large quantities of water been located?

(3) In what areas, if any, have these supplies been located?

(4) How many applications for exploratory boring are outstanding?

(5) How many boring plants are operating?

(6) What is the average charge for exploratory boring being paid by the Government?

(7) How many bores have been sunk and equipped by the Government for communal use?

Mr. ROSS HUTCHINSON replied:

(1) Stock water located on 12 properties out of 39 upon which the boring programme has been completed.

(2) Individual farm supplies only have been located with one possible exception. In this case on one property in Westonia five holes each yielding between 2,000 and 3,000 gallons per day were located and consideration is being given to equipping four for public use.

(3) Supplies located for seven farmers in the eastern portion of the Gnowangerup Shire and for five farmers in the Westonia Shire.

(4) 39 as at the 29th September, 1969.

(5) Four. An additional one is scheduled to commence this week.

(6) Average cost not available but it is in excess of 50c per foot.

(7) None to date under current scheme.

12. EDUCATION DEPARTMENT

Clerical Assistants/Typists

Mr. DAVIES asked the Minister for Education:

(1) How many—

(a) part-time;

(b) full-time,

clerical assistants/typists are employed by the department?

(2) What are their terms of employment and hourly rate of pay?

(3) When was the salary last reviewed and what was the outcome?

(4) On what basis is the rate of pay established?

(5) When will the next review take place?

Mr. LEWIS replied:

(1) (a) 57 part-time.

(b) 263 full-time.

(2) They work 6½ hours per day on an hourly rate of pay ranging from $1.15 to $1.33 according to experience.

(3) A review at the 1st August, 1969, resulted in an increase of 10c to 12c per hour according to experience.

(4) Because of the shorter working hours the rate of pay is based on 85 per cent of the rate of pay for a typist in the Public Service.

(5) At the same time as the next review of Public Service salaries—date unknown at present.

13. PEDESTRIAN CROSSINGS

Stirling Highway

Mr. GRAHAM asked the Minister for Traffic:

(1) How many pedestrian crossings are in Stirling Highway other than where amber, automatic, or actuated lights are in operation, where conventional lighting is installed?

(2) What were the accident patterns at these from the 21st December, 1965 to the 30th June, 1969, and the 1st July, 1962 to the 20th December, 1965, respectively, during the hours the lights have been on?

Mr. CRAIG replied:

(1) Since the evening of Monday, the 22nd September, all pedestrian crossings in Stirling Highway have been illuminated with the special amber lighting. Prior to that date there were five crossings where only conventional lighting was installed. These were at the following locations—

South of Willis Street.
North of Glyde Street.
Victoria Street.
South of McCabe Street.
North of Harvest Road.

(2)

	Vehicle Only Accidents			Pedestrian Accidents
	Casualty	Damage Only	Total	Casualty
1/7/62 to 20/12/65	1	4	5	3
21/12/65 to 30/6/69	0	15	15	8

14. RAILWAYS

Revenue and Tonnages

Mr. W. A. MANNING asked the Minister for Railways:

(1) What was the total revenue and tonnage of the Railways Department for 1968-69 divided into

headings including the following:—

(a) wheat;

(b) coarse grains;

(c) wool;

(d) fuel;

(e) superphosphate;

(f) manufactured articles?

(2) What is the estimated tonnage of goods transported by primary producers using their own transport, which would under different circumstances be transported by the railways?

(3) What is the estimated tonnage of manufactured goods—e.g., cigarettes, drinks, tiles, bricks, etc.—transported under license into the rural areas by the manufacturer or his agent?

Mr. O'CONNOR replied:

(1)		Revenue	Tonnage
		$	
(a)	Wheat	7,601,166	1,512,215
(b)	Coarse grains (oats and barley)	1,360,973	265,970
(c)	Wool	2,063,007	141,964
(d)	Coal, coke and charcoal	639,465	229,242
(e)	Fuel Oil (including oil in rail tankers, etc.)	3,505,683	295,186
(f)	Fertilisers (including superphosphate)	3,322,364	666,714
(g)	Manufactured articles	11,253,584	911,026
(h)	Ores and minerals	8,629,760	4,352,432
(i)	Timber and firewood	2,490,155	333,047
(j)	Fruit and vegetables	859,417	103,629
(k)	Chaff	49,246	6,883
(l)	Miscellaneous	203,989	28,488
(m)	Livestock	668,568	87,701
	Total goods and livestock	42,652,377	8,934,477

Figures for fuel oil and manufactured articles are not available and some estimations have been necessary to arrive at the detail quoted.

(2) It is impossible to estimate what quantities of goods may be carried by primary producers in their own vehicles as this transport is exempt from licensing.

(3) As licensees are not required to submit returns of loading carried there is no data upon which to base an estimate.

15. MINING

Iron Ore Royalties

Mr. BICKERTON asked the Treasurer:

(1) What is the name of the iron ore company referred to at page 92 of the Auditor-General's Report for the year ended the 30th June, 1968, as having under-paid royalties on iron ore to an amount of $545,612?

(2) What are the particulars relating to the disagreement over the amount due?

(3) Has agreement been reached?

(4) If so, on what basis?

(5) If not, what amount is still in dispute?

Sir DAVID BRAND replied:

(1) Goldsworthy Mining Limited.

(2) Disagreement has arisen as to whether high grade ore of less than ½ in. particle size contained in shipments of "direct shipping ore" as defined in the agreement should be assessed for royalty at "direct shipping ore" rates or at "fine ore" rates.

(3) No.

(4) Answered by (3).

(5) The estimated amount in dispute at the 30th June, 1969, was $1,100,000.

16. TIMBER ROYALTIES AND RAIL FREIGHTS

South-West Production

Mr. WILLIAMS asked the Minister for the North-West:

(1) Approximately what quantity of timber from the south-west has been used in north-west towns and projects, including railway sleepers, for each year since and including the year ended the 30th June, 1965?

(2) Approximately what quantity of south-west produce—e.g., potatoes, foodstuff, etc.—has been sent to the north-west towns and projects, for each year since and including the year ended the 30th June, 1965?

(3) Because of (1) and (2), how much has the State gained in—

(a) timber royalties;

(b) rail freights?

Mr. COURT replied:

(1)

	Tons	
1964–65	5,780	(Including approximately 285,000 railway sleepers)
1965–66	73,860	(Including approximately 550,000 railway sleepers)
1966–67	10,800	(Including approximately 192,000 railway sleepers)
1967–68	78,200	(Including approximately 580,000 railway sleepers)
1968–69	42,440	(Including approximately 164,000 railway sleepers)
	211,080	1,771,000

(2) Detail of all produce is not segregated but the tonnages of potatoes are—

	Tons
1964-65	400 (estimated)
1965-66	450
1966-67	425
1967-68	467
1968-69	558

(3) (a) $1.15 million.

(b) For timber and potatoes only—$1.22 million.

BILLS (2): INTRODUCTION AND FIRST READING

1. Firearms and Guns Act Amendment Bill.

   Bill introduced, on motion by Mr. Craig (Minister for Police), and read a first time.

2. City of Perth Parking Facilities Act Amendment Bill.

   Bill introduced, on motion by Mr. Craig (Minister for Traffic), and read a first time.

BILLS (3): THIRD READING

1. Prisons Act Amendment Bill.

   Bill read a third time, on motion by Mr. Craig (Chief Secretary), and transmitted to the Council.

2. Licensing Act Amendment Bill.

   Bill read a third time, on motion by Mr. Court (Minister for Industrial Development), and passed.

3. Inspection of Machinery Act Amendment Bill (No. 2).

   Bill read a third time, on motion by Mr. O'Connor (Minister for Railways), and transmitted to the Council.

FREMANTLE PORT AUTHORITY ACT AMENDMENT BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [4.59 p.m.]: I move—

That the Bill be now read a second time.

This Bill is a comparatively simple one and I believe it should readily secure the approval, if not the commendation, of both Houses of Parliament.

Section 27 of the Fremantle Port Authority Act gives the authority power to lease land, and it further prescribes that land may only be leased for purposes connected with shipping. In addition, it limits the maximum term of such leases to a period of 21 years. It has been found that both the term and the purpose for which the land may be leased are too restrictive and over the years these matters have presented the authority with various difficulties of one kind or another.

One particular difficulty in regard to the restricted purpose of the section is that it is at present difficult to protect the interests of tenants who, having been granted a lease of land for purposes connected with shipping some years ago, and after having spent considerable sums of money by way of capital on buildings and appurtenances thereto, find before the expiration of their lease that for reasons possibly beyond their control these purposes no longer exist and they are therefore not legally entitled perhaps to continue to occupy the land.

Considerable land is at present leased under permissive occupancy agreements, and it is doubtful whether, having regard to the present restrictions under section 27 relating to the purposes for which land can be leased, formal leases could be entered into. This places the lessees and their investment in a rather difficult position. Furthermore, in regard to lessees endeavouring to finance substantial capital investment on leased land, the limited term of 21 years does present a very definite disadvantage.

Lands acquired by the authority, either by reclamation or purchase, and with a definite earning potential, can remain idle when leasing is confined for purposes associated with shipping only. This, I believe, is not in the interests of either the Fremantle Port Authority or of the State generally.

For the reasons I have generally outlined, therefore, it is proposed that the Act be amended to enable the Fremantle Port Authority—

(1) To grant leases of any of its land for purposes other than those associated with shipping.

(2) In special circumstances, with the authorisation of the Minister, to grant leases for terms exceeding 21 years but not exceeding 50 years.

The proposed amendment will also, by reducing the advertising requirements to two insertions in the *Government Gazette* and a daily newspaper, obviate any unnecessary delay in arranging for leases. The amendment which is based on the Government Railways Act, 1904, will also, and incidentally, bring the powers of the Fremantle Port Authority into line with those of the port authorities at Sydney and Melbourne.

I feel sure it will be of interest to the House to know that under their appropriate Acts—and I refer to the port authorities at Sydney and Melbourne—the Maritime Services Board of New South Wales and the Melbourne Harbour Trust can lease land for any purpose they consider appropriate and, furthermore, the maximum term is for 99 years in Sydney and 56 years in Melbourne.

Both these port authorities endeavour voluntarily to restrict leases of land to trades associated with shipping, particularly land adjacent, or in close proximity, to a wharf, although other lands are leased for any purposes whatsoever. The terms of a lease granted depend on the locality of the land concerned. At this juncture I make the point that the Fremantle Port Authority being composed of men of the calibre it is will ensure that no port authority land will be leased for wrong purposes; and as has already been

said the Minister has authority over and above that possessed by the Fremantle Port Authority.

At Melbourne the approval of the Governor is required for leases, but at Sydney no approval, either by the Governor or the Minister, is required. It will be noted, therefore, that in this amendment all leases granted are subject to the prior approval of the Minister.

Debate adjourned, on motion by Mr. Fletcher.

SUITORS' FUND ACT AMENDMENT BILL

In Committee

The Chairman of Committees (Mr. W.A. Manning) in the Chair; Mr. Court (Minister for Industrial Development) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Amendment to section 3—

The CHAIRMAN: I must make some explanation here. Among his amendments on the notice paper the member for Mt. Hawthorn has given notice to insert new paragraphs (b) and (c) in clause 3 of the Bill. These would affect clause 2 of the Bill. Clause 2 seeks to amend section 3 of the Act and it is necessary, therefore, that these two amendments be amalgamated and become an amendment to clause 2. This is merely to explain the situation and to say that the amendments will be moved differently from the manner in which they appear on the notice paper.

Mr. BERTRAM: I move an amendment—

> Page 2, line 1—Insert after the word "amended" the paragraph designation "(a)".

I must confess I have been taken a little by surprise, because my inexperience caused me to assume that the amendments handed in by me were similar to those reproduced on the notice paper. But you, Sir, have indicated this is not so, and I might have a little trouble trying to meet the revised situation.

My amendment is a prelude to my moving to insert a new paragraph (b) in which I shall seek to do something in connection with the definition of the word "Court" which appears in section 3. Perhaps I should give some explanation of why I desire later to amend the definition of the word "Court."

The CHAIRMAN: That is in order.

Mr. BERTRAM: If members look at section 3 of the Act they will find the definition of the word "Court" includes the Workers' Compensation Board constituted under the Workers' Compensation Act, 1912.

I am seeking to enlarge the definition of the word "Court" so that it will include not only the Workers' Compensation Board constituted under the Workers' Compensation Act, 1912, but also a local court exercising jurisdiction under the Motor Vehicle (Third Party Insurance) Act, 1943, the Western Australian Industrial Commission and an industrial magistrate constituted by the Industrial Arbitration Act, 1912.

In referring to a local court exercising jurisdiction, I would point out that since the Suitors' Fund Act became law in 1964, and as a result of an amendment to the Motor Vehicle (Third Party Insurance) Act, 1943, a Third Party Tribunal was set up to deal with all running-down cases, as they are called, of people who seek to recover damages because of serious injury suffered as a result of negligent driving. These people now go to the Third Party Tribunal. No longer do they go to the Supreme Court or to the Local Court as they used to, except in certain cases.

The certain cases are where the Third Party Tribunal has power under this Act to delegate power to the Local Court. I should imagine it would do so, in the main, where relatively small sums are involved; the Local Court having jurisdiction in other matters up to a sum of about $1,000.

Let us assume the case of power being delegated by the Third Party Tribunal to the Local Court. It is heard by that court and a decision given there, but one of the parties is aggrieved by that decision. He then has the right to appeal to the Third Party Tribunal.

The case goes from the Local Court to the Third Party Tribunal. But the Suitors' Fund Act in its present form will not give people involved in such litigation the protection which litigants get in all other jurisdictions.

In taking the ordinary case of a local court and an appeal to the Supreme Court, I would point out that the Suitors' Fund Act applies to such litigants, but for some reason the same situation does not apply where running-down cases are dealt with by the Local Court, in which event the appeal goes to the Third Party Tribunal. I want to make up for that deficiency by the amendment.

The second part of my amendment is to bring within the ambit of the Suitors' Fund Act the courts constituted by the Industrial Arbitration Act. We have there the Industrial Commission and the Commission in Court Session. We also have industrial magistrates and an Industrial Appeal Court. No reason has been given for the omission of these tribunals, and it looks as though there has been an oversight.

Whilst an endeavour is made to cover every variety of appeals and litigants in every direction, we are not attempting to

protect—and there is no explanation given for the failure to make an endeavour in this regard—litigants before the various courts constituted under the Industrial Arbitration Act.

Let us assume that a person takes a case to the industrial magistrate, but is aggrieved by the decision, and an appeal follows. The case goes before the appropriate appellate authority, and the appeal may be upheld. This litigant is obliged to pay two sets of costs. Under the Suitors' Fund Act no provision is made to give this litigant a certificate, as in the case of other tribunals. It is very important that people litigating under the Industrial Arbitration Act should be given this protection.

The position is, and for many years past has been, that unions which are affected by the Industrial Arbitration Act are being denied the full justice to which they are entitled, just because they happen to be poor and cannot undertake the sort of litigation they might like to undertake. They are prevented from taking these proceedings, when perhaps they should be permitted to do so. In some cases wage increases are being delayed because the unions concerned are poor. If a party saves sufficient funds and comes before the particular court covered by this Act, and if the other party is aggrieved by the decision, the first party will find itself caught up with a second lot, and perhaps a third lot, of costs.

Unless some good reason can be given, it seems unjust that only one section of the community should be afforded the very real virtues of the Suitors' Fund Act. If we are to help one class of litigants we should be prepared to help all classes, unless a sound case can be put up to show why this should not be so.

Mr. COURT: The member for Mt. Hawthorn explained this afternoon, and also whilst he was speaking during the second reading debate, his reasons for wanting to extend the effect of this legislation. When I replied to the second reading debate I endeavoured to indicate the Government's attitude. However, it is appropriate that during the more specific debate which takes place in the Committee stage I should explain the Government's attitude in opposing the amendment before us. The honourable member seeks to extend the number of people and cases that could come within the ambit of this fund.

It may be that with the passage of time what he seeks to achieve will be achieved. I could not hazard a guess when that might take place, but I would remind members of the history of this legislation, because it is around the history and the purpose of this Act that I oppose the amendment.

In 1964 the Government introduced this legislation to establish the machinery for setting up a suitors' fund. That was something of a break-through in this State. It was made very clear that the intention was to extend the benefits of the fund to a group of people who previously had been denied this type of assistance; but our objective was to try to keep the fund reasonably solvent. There is no suggestion of building up a huge fund unnecessarily. The board must have some regard for the solvency of the fund, and this is set out very clearly in the original legislation.

During this session of Parliament the Government has seen fit to bring down a Bill to extend the operations of the 1964 legislation in a way which has been applauded. If the member for Mt. Hawthorn left out the arguments and the objectives which he has advanced to extend the effect of the fund further, he would be the first to say that it was a good thing the Government saw fit to extend the purposes and the effectiveness of the fund. The board, in making its recommendations for the extension of the fund and its effectiveness, had regard to the fact that we have to move with a degree of caution in order to assess the impact on the fund of any amendments that are made. It was for this reason that the board did not recommend, and the Government did not move for, a complete lifting of the lid in respect of the suitors' fund.

The end result of the proposals of the honourable member could be a demand on the Treasury which very few members of this Chamber would condone at this particular stage. Therefore it is the Government's desire to move little by little to make sure that each step taken towards the objective of widening the effect of this fund is a step which can be justified within the reasonable solvency of the fund. I repeat that it is not the Government's desire to build up a huge fund and have it lying idle; it is the desire of the Government to adopt a degree of responsibility in its approach.

Following the indication by the member for Mt. Hawthorn of his attitude towards the fund and the Bill, and of his desire to extend its objective and effect, I made some inquiries to find out the attitude of the people who sponsored the original legislation and who, in fact, sponsored the amending Bill. I find that the Bill before us has resulted from the recommendations made by the Law Reform Committee of the Law Society, which body, presumably, does not at this stage see fit to go as far as the honourable member wants to go. I suggest that body looked at the legislation in a fairly responsible way and decided there were limitations to the financial aspects. It decided to explore the way cautiously, but not too cautiously, so that it would know what would be the financial effect each time it opened another door by amending the legislation.

At my request the Bill and the amendments of the honourable member have been referred to the chairman of the fund. He confirmed that the amendments in the Bill were put to the Government, and that the

Government had adopted them. They are now in the Bill before us. This was done having regard to the objectives of the fund and its reasonable solvency.

Having studied the proposition of the member for Mt. Hawthorn now before us, the chairman of the fund concurred in the view that we should adhere to the Bill in its present form but, of course, not overlook the fact that from time to time the whole matter must be kept under review.

I can tell the honourable member that it is the intention of the Government and those who are responsible for the operation of this fund—and, no doubt, also of the Law Reform Committee of the Law Society—to keep the matter under review with the object of bringing forward from time to time new ideas as to how the purpose of the suitors' fund and its operations can be extended to deal with situations as they arise. At this stage the Government, having considered the propositions of the honourable member, is not prepared to accede to them, and wants to retain the Bill in its present form.

Mr. BERTRAM: We must have due regard for the recommendations of the chairman of the fund and of the other bodies which have an interest in the legislation. It is all very well to make general recommendations and general statements, but what this Chamber needs in the Committee stage are some facts. I think members are reasonably capable of reaching decisions in respect of this fund, which is not a very big one. I imagine that members are interested in the amounts involved. The fund has been running for four years, and a number of claims have been made against it, yet notwithstanding the fact that the fund started from scratch, it has built up a credit balance of $40,000 as at August this year. This fund derives its income from a 10c levy imposed in respect of certain initiating processes in various courts. In issuing a writ in the Supreme Court, apart from paying the nominal court fees the party concerned has to pay, in addition, 10c. Similarly in the issue of summonses in the local courts, in addition to the ordinary court fees, the party concerned also has to pay an additional 10c. By this process the fund has been nourished to the tune of $40,000.

The other income of the fund is derived from investment of the moneys that are available. With a credit of $40,000 it will be seen that from now on the interest to be earned will be much greater than in the initial stages.

If I were in the Minister's position and were attempting to defeat the amendment now before us, I would use this argument: If members support the amendment, they will find, compared with past experience, so many more appeals under the Industrial Arbitration Act, which up to now we have not had to cater for, and so many more appeals from local courts under the motor vehicle third party insurance legislation; and I would point out that the increased number of appeals on the one hand, and the increased amount of money involved on the other, were too much for the fund to cope with.

However, that has not happened. I would not be at all surprised if thus far there has not been one appeal from a local court exercising delegated authority under the Motor Vehicle (Third Party Insurance) Act.

Does anybody suggest that we will suddenly have an era where there will be a spate of appeals? That is highly improbable; and that is an understatement. I have before me the sixth annual report of the Chief Industrial Commissioner of the Western Australian Industrial Commission for the period from the 1st July, 1968, to the 30th June, 1969. Matters dealt with during the period under review are listed at page 4; and they were as follows: appeals from decisions of industrial magistrates, five, four of which were dismissed and one was struck out; appeals from the decision of an industrial commissioner, one, which was dismissed; applications for penalty, two, both of which were dismissed; applications for inquiry into an election, one, which was refused by the registrar; and, applications for performance of rules, two, which were both pending.

It seems to me that the conclusion to be drawn from that information is that if my amendment had been operating as at the 1st July, 1968, then for the year ended the 30th June, 1969, there would not have been one claim on the fund. We are being told, today, that we must not hasten too fast and expect too much too quickly. On the other hand, we hope we are not too slow. That all sounds impressive, but empty.

I say quite unequivocally the fund is ripe to meet these further commitments and nobody will be jeopardised in any way. The Minister says we should expand our thinking, but he is becoming excessively timid all of a sudden, which is contrary to his nature. When, now, we want something done that is worth while, the Minister becomes timid and relies wholly and solely on the recommendations of somebody else. The arithmetic is very clear and simple and nobody in this Chamber would need to be an accountant to work out the debits and credits. The fund is now quite capable of dealing with additional appeals.

If there was the slightest doubt that there would suddenly emerge an appeal which would empty the fund we would do the sensible thing and see there was an indemnity certificate so that appeals would be limited to a certain sum. We would show that we really meant to do what we alleged we intended to do. I am

opposed to delay, which is pretty noticeable in many aspects of our legislation. When we get an opportunity to do something, why not have a go at doing it?

If the fund looks like becoming empty we can rub out the provision; not that I am very enthusiastic about that sort of proposition, but I say that to indicate the restlessness, which is perfectly justified. We do not have to wait for Victoria, New South Wales, or some other State to write this provision into its legislation. Let us put it into our legislation and let the other States follow. Why not show some leadership in this field, as well as the leadership we talk about in other directions? We are able to show leadership, and I am unable to see the need for procrastination of this type.

The fund will get richer and richer, and on last year's performance it would not now be a penny less if my amendment had been operating from the 1st July, 1968.

Amendment put and a division taken with the following result:—

Ayes—20

Mr. Bateman	Mr. Jones
Mr. Bertram	Mr. Lapham
Mr. Brady	Mr. McIver
Mr. Burke	Mr. Moir
Mr. H. D. Evans	Mr. Norton
Mr. T. D. Evans	Mr. Sewell
Mr. Fletcher	Mr. Taylor
Mr. Graham	Mr. Toms
Mr. Harman	Mr. Tonkin
Mr. Jamieson	Mr. Davies
	(Teller)

Noes—23

Mr. Bovell	Mr. Mensaros
Sir David Brand	Mr. Mitchell
Mr. Cash	Mr. Nalder
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Ridge
Mr. Dunn	Mr. Runciman
Mr. Grayden	Mr. Rushton
Dr. Henn	Mr. Stewart
Mr. Hutchinson	Mr. Williams
Mr. Kitney	Mr. Young
Mr. Lewis	Mr. I. W. Manning
Mr. McPharlin	*(Teller)*

Pairs

Ayes	Noes
Mr. Hall	Mr. Burt
Mr. Bickerton	Mr. O'Neil
Mr. May	Mr. Gayfer

Amendment thus negatived.

Clause put and passed.

Clause 3: Amendment to section 10—

The CHAIRMAN: I assume that the amendments to clause 3 on the notice paper were consequential upon the proposed amendment to clause 2.

Mr. BERTRAM: There is no point in pursuing any further my proposed attempt to amend section 10.

Clause put and passed.

Clause 4: Amendment to section 14—

Mr. BERTRAM: I move an amendment—

> Page 2, lines 13 and 14—Delete the passage "Paragraph (b) of subsection (1) of section 14 of the principal Act is amended" and substitute the following words:—
>
> Section fourteen of the principal Act is amended—
>
> (a) by adding after the word "death" in line 2 of paragraph (a) of subsection (1) the word ", unavailability"; and
>
> (b).

This amendment requires a little explanation. Whilst it may sound long-winded, all I am seeking to do is to insert one additional word into paragraph (a) of subsection (1) of section 14 of the Act. As indicated in general terms, at the second reading stage of the Bill, the present amendment will make provision for those litigants who find themselves, through no fault of their own, having to go through a case twice. On such occasions the fund will come to their rescue and they will pay costs of only one action.

A case could run for six or seven days and not be concluded when the presiding judge or magistrate dies. The only thing to do then would be to start the case afresh before a new tribunal, which would double the cost. The amendment to the Act will see that this sort of thing does not happen, and section 14 of the Act will come to the aid of the litigants who may be involved.

It will be noticed that the section of the Act deals only with cases of death or protracted illness of a judge, magistrate, etc. It occurs to me that there could be other situations which could have the same effect. I refer to unexpected retirement, or something of that nature. I recall something which happened in this State some years ago when the person who was the tribunal neither died nor was he ill; he simply was no longer available. I imagine that in that situation a litigant would have to start his litigation afresh. The judge or the magistrate would simply not be available, but would be perfectly fit and certainly would not be dead. An amendment to insert the word "unavailability" seems to me to be an obvious one.

The situation I have outlined would be a somewhat rare one; but is it not better to anticipate the inevitable rather than to wait until the inevitable occurs and then come along here to start plugging holes? The purpose of my amendment is to obviate the rare situation which could occur if a member of a tribunal, a magistrate, a judge, or a justice—whoever it may be—is not dead and is not suffering a protracted illness, but is merely unavailable to continue hearing an action.

Let us assume an action has gone on for six days and then the magistrate or judge becomes unavailable. The litigants would have to start afresh and proceed for another six days, and they would have to

pay the costs for 12 days. However, if, instead of merely becoming unavailable, the judge or magistrate died or suffered a protracted illness, the litigants would be protected by this fund. This situation is rather stupid, and I am seeking to avoid it.

Mr. COURT: I do not propose to agree to the amendment moved by the honourable member. I believe the Bill in its present form goes as far as it needs to go to deal with the situation. The member for Mt. Hawthorn has put forward a proposition whereby a judge is not dead or ill. If he is not dead and he is not ill, he will hear the case at the time the normal proceedings of the court prescribe that he will deal with it.

Whilst I can see the objective of the honourable member regarding this most extraordinary situation—which, frankly, I cannot ever see happening—I have discussed the amendment with my advisers and they can see no reason for it. They are satisfied, and so am I, that the Bill is as far as we need to go. However, I have asked them to have another look at the matter.

Amendment put and negatived.

Clause put and passed.

Clause 5 put and passed.

Title put and passed.

The CHAIRMAN: I think I should say a few words here. As members know, for the sake of convenience amendments may be moved without having them on the notice paper. However, might I suggest that where amendments are long and complicated, members should avail themselves of the opportunity of consulting the Parliamentary Draftsman at the Crown Law Department. They will find that the amendments are brought into better form, and are easier for the Chairman to handle.

It has been necessary to spend a lot of time on the amendments of the member for Mt. Hawthorn in order to avoid ruling some of them out of order.

Report

Bill reported, without amendment, and the report adopted.

BILLS (2): RETURNED

1. Metropolitan Market Act Amendment Bill.

   Bill returned from the Council with an amendment.

2. Weights and Measures Act Amendment Bill.

   Bill returned from the Council without amendment.

JOINT STANDING ORDERS

Council's Amendments

Message from the Council requesting the Assembly's concurrence in the following resolution now considered:—

> That Joint Standing Order No. 9 be amended by—
>
> (a) deleting the passage ", in the order of such assent or reservation"; and
>
> (b) deleting the words "with each year of His Majesty's reign", and substituting the words "in each calendar year."

THE SPEAKER (Mr. Guthrie) [5.50 p.m.]: Members will recall that a report of the Standing Orders Committee of this Assembly was tabled during the last session of Parliament. Members will also remember that in 1967 when my predecessor dealt with the many and extensive amendments to our own Standing Orders, he discovered that there had been no set procedure in the past for dealing with Standing Orders. He gave a ruling then—and I propose to adopt it—that amendments to the Standing Orders should be taken as if the House were in Committee with the Speaker in the Chair, and that a member of the Standing Orders Committee would actually move the motions.

In this particular instance I think the simplest way of dealing with the Legislative Council's message No. 3 on page 4 of today's notice paper is for a member to move that the request of the Legislative Council be agreed to; and if any member wishes to amend that motion in any way, he can move a proviso to it.

MR. W. A. MANNING (Narrogin) [5.52 p.m.]: I move—

> That the Council's resolution be agreed to.

No doubt members have already noted that this resolution is on the notice paper, and the reason for it is that rule 9 in the Joint Standing Rules and Orders, at page 173, provides for the numbering of Acts in accordance with the year of the reign of our Sovereign.

This involves difficulties to some degree, and the problem has been accentuated by having the last session in two periods: and possibly this will occur again in the future. To comply with the present provision, and at the same time to have a simple annual reference, the Acts of this State have in many instances been given two numbers, one in roman according to the regnal year, and one in arabic as a calendar year reference.

For a long time there has been no firm system and in some instances the numbering of Acts in relation to particular sessions has led to confusion because of

this procedure. The matter is simplified at the moment because the regnal year commences on the 6th February and so it has been possible to give our Acts an annual reference and at the same time comply with the requirements of rule 9.

However, this will not continue forever, and the regnal year could commence on some inconvenient date; so it is considered that the Standing Order should be amended so that Acts can be numbered consecutively throughout the whole year. This is the practice in the Commonwealth Parliament and in the Parliaments of all other States except Victoria. It is the simplest way of overcoming our difficulties, and it will be easier to follow if every Act is numbered according to the calendar year.

If members analyse the resolution of the Legislative Council they will notice that it involves the deletion of unnecessary words and the insertion of words which will give effect to the proposition I have endeavoured to outline.

MR. TONKIN (Melville—Leader of the Opposition) [5.55 p.m.]: I think there is very good reason for the alteration; but the member for Narrogin said it would ensure that Acts would be numbered consecutively. However, I can see nothing in the resolution which will ensure that. It will ensure that the Acts will be numbered and the series shall commence in the calendar year; but the Acts may be given any number, not in the order in which they are passed or assented to, but in the order in which they happen to be on the table in front of the clerk who is doing the numbering. So I want to be assured that the Acts will be numbered consecutively as stated by the member for Narrogin.

The SPEAKER: The question is that the motion be agreed to.

Mr. Tonkin: Are we not to get an answer?

Question passed; the Council's resolution agreed to, and a message accordingly returned to the Council.

CHURCH OF ENGLAND (DIOCESAN TRUSTEES) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th September.

MR. TONKIN (Melville—Leader of the Opposition) [5.57 p.m.]: This is a very short and a very necessary Bill. There is a precedent for it inasmuch as a somewhat similar enactment was made in 1964 in connection with the Presbyterian Church. It is significant that the church itself has requested the introduction of this Bill, and the Government has acceded to that request.

The Bill has a clear and simple purpose, and that is to enable the missions and institutions of the Church of England to be separately incorporated and not collectively incorporated with the church. I think it is desirable that these missions and institutions should be separately incorporated, and this will be done in such manner and subject to such provisions as the synod itself will determine by resolution. So it will not be left to the separate institutions or missions to determine the conditions under which they will have this separate incorporation; the decision will be made by the synod under the provisions and regulations agreed to by resolution of the synod. So I think the control remains with the church.

There is also a special purpose in the legislation and that is that when the changeover is made and the property is transferred to the separately—

The SPEAKER: Order! There is far too much talking in the Chamber.

Mr. TONKIN: —incorporated missions and institutions, the existing exemptions from rating shall continue; and these exemptions will be exemptions under the Local Government Act, the Metropolitan Water Supply, Sewerage, and Drainage Act, and, of course, the Land Tax Assessment Act.

Further, it is provided that when the transfer of assets takes place formally from the church to the separately incorporated missions and institutions, the transfer shall be free of stamp tax and, also, any registration fees which are originally charged.

There is one other provision which is very necessary: any existing trusts under the legislation as at present applying will be adequately safeguarded so that nobody stands to lose any right or interest already existing, nor will liabilities be avoided. The assets and liabilities will be subject to transfer in accordance with the decision of synod in each particular case.

We on this side of the House approve of what is proposed, and I conclude by saying that it is desirable legislation and, to that extent, entitled to the full support of all members.

MR. McIVER (Northam) [6.2 p.m.] I wish to speak briefly to the Bill. I believe it is one of merit, particularly because of the educational aspect which will be involved with its passing. The additional finance that will be made available to the Church of England schools will, no doubt, be beneficial, because these schools will be in a position to increase the number of scholarships which they award. By so doing they will give the people of this State a wider choice of education for their children—that is, those who wish to send their children to this type of school. At the moment many families are restricted because of the expense involved.

As a result of the freedom from having to pay rates and taxes the schools will be in a position to award an increased number of scholarships and those who wish to send their children to church schools, and who are unable to do so because of a lack of finance, will have greater opportunities instead of having to go through the complicated procedure of approaching the diocese and the synod. I join with the Leader of the Opposition in supporting the measure which, as I have said, is one of merit.

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.

EDUCATION ACT AMENDMENT BILL

Second Reading

MR. LEWIS (Moore—Minister for Education) [6.7 p.m.]: I move—

That the Bill be now read a second time.

The need for this legislation, the basic purpose of which is to establish a statutory authority to be known as the board of secondary education, arises out of a recommendation in the report of the committee on secondary education which was presented to me earlier this year.

The committee was appointed by me in June, 1967, to investigate developments in secondary education in this State and elsewhere; to assess the needs of Western Australia in this field; and to report on the future organisation, structure, and courses required to meet these needs. It was also asked to recommend ways and means of putting them into effect. The report was presented to me in February of this year and I believe every member of the House was provided with a copy. It has been well received by educationalists throughout Australia and all comments made have been most favourable.

Perhaps I might digress here to summarise briefly the investigations which have been made into secondary education during the post-war years. There has been an extremely rapid increase in secondary enrolments since 1950. The total in Government schools in 1950 was 11,350. This had risen to 27,550 in 1960 and, in 1969, to more than 50,000. This trend is expected to continue into the 1970s.

There are two obvious reasons for this: one is the increase in population and the other the increase in the retention rate. To some extent the latter is due to the raising of the compulsory school-leaving age in 1966. However this applies only up to the end of third year. Fourth and fifth year enrolments have increased from 540 in 1950 to 2,518 in 1960, and to 6,781 in 1969. These increases are due, to a large extent, to the improved economic conditions and the growing awareness on the part of the community of the value of education. Another important aspect in this regard is the fact that secondary education facilities are more readily available.

In 1950 there were only six Government senior high schools, 11 high schools, and two agricultural schools. By 1960 these had increased to 14 senior high schools, 13 high schools, and 35 junior high schools. Today there are 33 senior high schools, 16 high schools, and 40 junior high schools.

As a result of the very great changes both in the secondary school population and the curriculums which have had to be redrafted to provide for a technological advancement hitherto unknown in this State, frequent assessments have been necessary. Since 1952 no fewer than four committees have considered and reported on secondary education. In 1952, on the eve of the tremendous expansion which has now become so commonplace, the then Minister for Education (The Hon. A. F. Watts) set up a departmental committee to prepare a plan for the reorganisation of secondary education in Western Australia. The committee's report was presented in 1954.

In 1957, the then Minister (The Hon. W. Hegney) appointed a secondary schools curriculum committee to examine the curriculum for secondary schools. Members of this committee were drawn from interests outside the department, as well as from the department itself, and its report was presented in 1958. The committee outlined the general aims and areas which it considered should form the basis of a secondary schools' curriculum programme, and these proposals have served as the basis for the construction of syllabuses in various subject areas since that time.

In 1961, The Hon. A. F. Watts, again the Minister for Education, set up a further committee to review the progress made in secondary education since 1954, and to make recommendations on future developments. The report of this committee was published in 1963 and contained 15 recommendations, covering almost as many aspects of secondary education.

The 1969 report has examined these recommendations and reported on each of them in turn. Since a copy of this report is available to all members I do not propose to discuss each individual recommendation. However, I do desire to refer particularly to the 1969 review of the second recommendation of the 1961-63 committee which proposed that a research project be instituted, the purpose of which was to assess the practical implications of a cumulative certificate scheme.

Initially the research was to involve only a limited number of Government and independent secondary schools. This proposal was advanced because of the dissatisfaction felt by many educationalists in being tied to a curriculum built around external examinations and the consequential restraints imposed on the teachers. Incidentally, Queensland and Western Australia are the only two States which still have an external examination for third-year secondary students. The committee was also concerned at the recognised fallibility of external examinations. The project was initiated in 1964 in four Government secondary schools and, in 1966, the name of the project was changed to the Achievement Certificate.

Under this project the student is assessed on a cumulative record of his achievements maintained in the school rather than by a single terminal external examination. This enables a certificate to be awarded covering his secondary education for any period up to Junior level. Another substantial advantage is that the certificate provides a more detailed record of the student's achievements.

The recommendations and subsequent experimentation were closely scrutinised by the 1969 committee which reported that, in its view, courses should be such as to enable all students to experience both challenge and success. Because of individual differences among students, in terms of their mental and emotional maturity, a wide variety of courses is necessary and no arbitrary period of time should be set down as appropriate for all students in covering a given course of work, as is required by the external examinations system.

It also considered that decisions as to timing, standard, and content of work should be at the teacher-student level where the individual's achievements and needs are more adequately recognisable. This criterion would apply also to assessments which should not be based on any arbitrary time divisions. It is preferable that the assessment should be made when educationally appropriate.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. LEWIS: Before the tea suspension I was talking of the assessment of a student's academic ability. Experience has proved that teachers, as a rule, are very accurate in placing their students in order of merit.

As a consequence of its investigations the committee has recommended, "Because of their fallibility and the restraints which they place on curricula and teaching methods, external examinations should be discontinued and replaced by internal school assessments. The last Junior examinations should be conducted in 1971 and the last Leaving examinations in 1973." I have accepted this recommendation in principle but, as I will explain later, further consideration will need to be given to the replacing of the Leaving Certificate examination.

It is claimed by many that one of the most important advantages of the external examination system is that it helps to maintain uniformity of standards between the various schools. While this is arguable, it is recognised that some satisfactory system of ensuring uniform standards is very necessary if the Achievement Certificate is to gain popular recognition.

The committee has therefore recommended that a board be established whose duty it will be, and I quote from the committee's report, "To exercise a general overview of the secondary curriculum and to be responsible for the award of certificates of secondary education based on internal school assessments. Measures taken by the board to ensure satisfactory comparability of standards amongst schools should include the provision of standardised tests and the appointment of moderators."

It is the purpose of this Bill to provide for the establishment of such a board as a statutory body divorced from the Education Department and completely autonomous, as is the Public Examinations Board which, in time, it is expected to supplant. I emphasise here that the legislation will in no way affect the existing relationship of the Minister for Education and his department.

It is believed that autonomy is essential if the board is to be accepted by the independent schools and receive full recognition by the public. Some informal approaches have already been made to employers, who have shown a keen interest, and the interim board—which has been set up in anticipation of the legislation—is now officially to approach employers' organisations with a full explanation of the proposals and seek their reactions.

The assessment of students will essentially be a school responsibility. The schools will submit their assessments of student achievement on approved courses to the board, which will then award its certificates. Schools will be helped to conform with State-wide standards in their assessment by the results of their students on special standardised tests, which will be prepared under the supervision of the board.

In addition, all schools will be visited from time to time by officers who will advise on the standards to be maintained. These officers, who will be known as "moderators," will be mainly departmental superintendents, together with senior teachers from the independent schools.

Schools will be free to develop their own assessment procedures conforming with the aims of their courses and which

would endeavour to assess important but not examinable aspects of such courses. For example, in science the new system will provide more opportunities for laboratory work which actually promotes genuine scientific attitudes and accurate observations and clear reporting. Again, in English, teachers will be provided with far greater opportunities to develop a genuine appreciation of literature through wider courses of reading.

Students will no longer be restricted to a set of prescribed textbooks but will be able to range over a much more extensive field according to their own particular interests and the appreciation generated by competent and imaginative teaching.

Initially the board will concentrate on secondary education up to and including third year. As soon as a suitable system has been devised for the first three years, consideration will be given to the fourth and fifth years. At this stage the board will explore with the authorities responsible for tertiary institutions ways of enabling them to select suitable students without imposing on them the unsatisfactory external examination system.

Turning now to the Bill itself, it has been prepared as an amendment to the Education Act. This has been done solely to keep together as much as possible all legislation pertaining to education.

The board will consist of three *ex officio* members—the Director-General of Education, the Director of Catholic Education, and the Director of the Board of Secondary Education—and 14 other members appointed by the Minister.

These ministerial appointments will represent the Education Department, which will have four representatives, Government secondary school teachers with three representatives, non-Government secondary schools with three representatives, the University with one representative, the Western Australian Institute of Technology with one representative, and the community with two representatives; and these will be appointed for a period of three years.

The board will be responsible to the Minister and will receive its funds direct from the Treasury as a vote separate from the Education Department.

The Minister will be empowered to appoint a director and the board will be enabled to appoint other staff necessary for carrying out its functions. These functions will be found in clause 10 of the Bill and conform with the recommendations of the committee on secondary education quoted earlier in my speech.

The Bill itself is comparatively simple and I do not think it requires any further elaboration. However, as members will appreciate, the legislation is of the utmost importance and will have far-reaching effects on every aspect of secondary education.

The procedures to be adopted by the board will enable reliance to be placed on the certificates which they issue but without placing unnecessary and undesirable restraints on schools.

Schools will be freer than they are at present to implement the other far-reaching recommendations contained in the report of the committee on secondary education. They will aim to provide the opportunity for girls and boys to develop as individuals and citizens whose attitude and attainments enable them to live full lives, to contribute to society, and to obtain employment satisfactory to themselves and their employers. Secondary school courses will be such as to allow for individual differences in student abilities and interests. The understanding and use of information will be emphasised rather than its memorisation. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Davies.

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

MARKETING OF CYPRUS BARREL MEDIC SEED BILL

Second Reading

Debate resumed from the 11th September.

MR. H. D. EVANS (Warren) [7.40 p.m.]: While I can readily support the principles which this Bill embraces, there are a number of details in connection with the establishment and administration of the board itself on which I seek clarification from the Minister.

At a cursory glance, I would say that the expenses of such a board, dealing with a comparatively small industry—the cyprus barrel medic seed industry—seems hardly defensible, even though there was unanimity amongst the producers themselves. The expenses may seem to be excessive if this board is to be considered purely as a cyprus barrel medic seed board alone.

The expenses of setting up a board of this kind would be considerable, and they have been detailed in the Bill before us. They would involve the appointment of a manager and secretary, the remuneration and payment of expenses of board members themselves, the acquiring of necessary premises, the purchase of such plant and machinery as would be required in grading and purifying seed, and the expenses involved in sales promotion, apart from other incidental costs concerned with marketing the seed.

It is true the Minister stated that this board may be regarded as an exploratory venture. It can be seen that ultimately other seed industries may come under the control of machinery similar to that contained in the Bill before the House. This board has to be considered in this light—not purely as an economic venture, but as something which contains a pattern for the future. If we do bear this in mind, the expenses involved could become more defensible.

Even so, I can only assume that some of the costs that would be entailed would be borne by the Grain Pool of Western Australia, and this would obviate certain basic administrative costs which must necessarily be involved.

The financial justification for this board must to some extent be governed by the amount and value of the seed which the industry produces. It is difficult to assess precisely the value of the total cyprus barrel medic seed produced in this State.

This is the first year that cyprus medic seed has come under the certification of the Department of Agriculture; it has only certified seeds which are recorded in the department. Until this time, then, departmental records in this connection have been non-existent. There are figures of production available from the Bureau of Census and Statistics, but these take into consideration all medic seed production and do not segregate the cyprus barrel.

It can be seen that the exact amount with which we will be dealing is rather obscure, but we can at least make an enlightened guess or an approximation with a certain degree of confidence. The total medic figures, which incidentally show a marked variation in the last six years, are as follows:—

Year	Tonnage Produced
1962-63	110
1963-64	1,280
1964-65	240
1965-66	660
1966-67	1,080
1967-68	547

The total value of small seeds in this State is in the neighbourhood of $5,000,000. Some 7,000 tons of certified seed was produced last year and, in addition to this, some 4,000 to 5,000 tons of uncertified seed, giving a total value of something of the order of $5,000,000. Consequently it can be seen that whilst the seed industry is small, it is a useful type of sideline industry which is necessary to many farmers in these days when the cash crop is almost a requirement of existence.

Western Australia, by the way, is the foremost producer of pasture seed in the Commonwealth. It turns out something of the order of 80 per cent. of the total Commonwealth production, and possibly the percentage would have been higher this year had it not been for the disastrous effects of the current drought. An observation at this point would be that there is no involvement with any other States and so the issue before us is largely a State matter and not a Commonwealth or national matter.

It is estimated that something like 75 per cent. to 80 per cent. of the total medic production was cyprus barrel medic. This would give something of the order of $300,000 in terms of worth of production. Prices have varied considerably; in fact, they have varied almost as much as the production figures. It is for this purpose—namely, to bring some stabilisation and order to the industry—that the current Bill is before us.

A short time ago I mentioned that it could be desirable for the Grain Pool of Western Australia to become involved in this venture. Perhaps this will be a necessary involvement. The Grain Pool of Western Australia is the managing and selling authority at the moment for a number of cereals and seeds. It embraces the marketing of barley, the voluntary oat pool, and the voluntary linseed pool. Tonight we had evidence that the referendum among growers must have been completed, and notice was given that a Bill to establish another marketing board would be introduced. The Grain Pool of Western Australia also covers the sale of sorghum, although the production of this grain has not been very great; and it includes in its activities the sale of three separate species of subterranean clover, which are largely grown in the Esperance district, although it is very likely that the compass of these could extend to the whole of the State.

Mr. Nalder: These are voluntary.

Mr. H. D. EVANS: Yes, of course they are voluntary. Section 3C of the Grain Pool Act contains provision, by way of declaration, to permit the seed in question to become involved in the function of the Grain Pool of Western Australia. Consequently it could well be that cyprus barrel medic could become portion of the activities of this body.

The Minister may care to indicate in his reply whether it is his intention to empower the trustees of the Grain Pool to take over this venture or whether or not the board, when it is so appointed, will make a decision of its own volition.

The advantages of involving the Grain Pool of Western Australia in this proposition are fairly clear. In the first instance, the existing organisation of the Grain Pool would overlap the functions of the barrel medic pool to a very large extent. Certainly in the matter of the outlay of initial capital, the obtaining of land, and the provision of building would possibly be far too costly a venture for an industry of this size to contemplate. As the facilities

of the Grain Pool of Western Australia already exist, perhaps they could be utilised.

The trustees of the Grain Pool could, of course, absorb into already existing costs much of the administration cost of another small entity of this kind. Meeting the cost of sales promotion, which is already being undertaken—even to the extent of overseas trips—would be covered to a fairly large extent in the present activities of the Grain Pool. The existing agencies and promotional avenues that the Grain Pool possesses would provide a ready facility for the sale of cyprus barrel medic seed. It seems to me there is considerable merit in having the Grain Pool of Western Australia as the natural instrument through which to implement the particular venture in hand.

The levy which will be charged on the seed will of course involve, and will be of prime importance to, each and every producer. It is obviously desirable to keep the levy to a minimum; but, at the same time, the venture must be self-supporting. The industry must be self-sufficient in regard to administration.

The difficulty arises in striking the levy, or even in hazarding a guess at what the levy would be. The existing seed pools do not provide a very accurate guide. There are several reasons for this. In the first instance, the small seeds sales of the Grain Pool of Western Australia are not segregated and do not appear as individual items. For example, one of the clover pools —the woogenalup seed—has not yet been concluded and, consequently, the detailed accounts cannot be finalised for the overall picture.

Furthermore, many of the costs are interrelated. To take the matter of an overseas promotional trip, the cost of this can be debited against a certain number of pools and each must bear a portion of the cost. However, to say with any degree of exactness what the levy is to be would be rather impossible at this stage.

However, the growers are aware of the necessity of a levy and have shown their acceptance of it inasmuch as they have unanimously requested that the board be established. This assumes that the principles of the board in its entirety must be adhered to.

The history of the pool goes back to 1964 when the Farmers' Union convened a public meeting at Harper's Hall. This meeting was convened directly at the request of growers who sought to establish a more orderly marketing and pricing of pasture seed in this State. Subsequent to the inaugural meeting a committee was formed to investigate the possibility of orderly marketing of small seeds in general. No particular variety was specified as distinct from another.

Early in 1965 a delegation from the committee discussed the committee's proposals with the Minister and, in April, 1965, another deputation to the Minister met with agreement that a referendum amongst producers should be conducted to ascertain whether or not they favoured a marketing system.

In 1966 it was found that the small seeds section of the Farmers' Union could not reach any agreement with regard to orderly marketing. Furthermore, a deputation from the Boyup Brook and Tambellup areas expressed to the Minister concern—if not direct opposition—over the scheme and virtually withdrew their districts from any further considerations of it.

In 1967 an informal referendum was conducted by the small seeds section of the Farmers' Union and this gave a fairly clear indication of the overall feeling within the industry. It showed a preponderance in favour of the establishment of a compulsory pool. As a consequence, the Government agreed to a formal poll being conducted only among the producers of cyprus barrel medic seed.

In his speech the Minister gave a clear description of how a producer is to be described. It appears clear that a producer is one who produces cyprus barrel medic seed for sale whether as a grower, a sharefarmer, or a harvester of that seed. It gives the full qualifications which a producer must have fulfilled before being eligible to participate in the subsequent poll. He must have produced cyprus barrel medic seed to the value of at least $1,000 in any 12-month period of the three years prior to the 30th June, 1968. I think that is a fair enough determination of a producer in any industry.

The result of the poll was very conclusive. Altogether 36 ballot papers were issued and 30 were returned, of which 28 favoured the establishment of a compulsory pool and two votes were informal. It would be almost safe to say that unanimity was established in the matter of the poll for this purpose. Consequently, I do not think anyone would have any quarrel with the manner in which the referendum was conducted or the manner in which the establishment of this board has been undertaken.

The actual methods by which the board will operate are still a little obscure. The Minister has indicated—and it is provided for in the Bill—that a marketing board consisting of six members will come into existence. Two of these members are to be elected by producers. One person is to be nominated by the Minister and, again, one person is to be nominated by the Minister to represent consumers of cyprus barrel medic seed. Again, one person is to be nominated by the Minister to

represent pasture seed merchants and associated persons. The sixth person is, again, a ministerial nominee. To give the exact terminology, he shall be a person who is not commercially involved in the pasture seed industry as a producer, consumer, merchant or agent and who shall be chairman of the board. Consequently, there is virtually an independent chairman and two members who are elected by the producers themselves.

Several queries are presented, among which is the manner in which the present arrangements will be determined. In the Bill itself no form is prescribed and no procedure is laid down, and I presume it will depend on the judgment and the experience of the board members to undertake this, but precisely how they will do it is a matter of conjecture. At the present moment, in one sense, it is a question of supply and demand, even though the demand can be manipulated, as can the supply, to some extent.

However, if a consumer in Victoria wishes to lodge an order, the price is stated and it is either accepted or rejected. So in the price of small seed of this kind there is almost a daily fluctuation. I do not know whether full responsibility will lie in the wisdom or the judgment of board members. That is, whether this will be the sole determining factor or whether consideration of cost of production or some other factor will be applied. The cost of production method is, of course, the determining factor in the pricing of potatoes, as undertaken by the Potato Marketing Board. However, that is only an illustration, and I am not suggesting that it should be applicable in this instance.

Nevertheless, perhaps the Minister, when replying to the debate on the second reading, could indicate his feelings and his intentions in regard to the Bill. I draw attention to the fact that in this Bill there is no provision for an appeal to be made. In many instances provision for appeal would be futile. It can be futile, for example, in the case of a land tribunal. The Minister for Lands would be the first to agree that if there were an appeal provision and one had to face the situation of 500 applicants for 50 blocks there would probably be 450 appeals. It would be very difficult to provide for an appeal system in that case.

I am not suggesting that in this instance there should be provision for an appeal in the matter of seed quality or seed price, but where, for example, an agent is appointed by the board following which his services are terminated by the board, there does not appear to be any provision for an appeal to be made against the decision of the board. I understand the potato industry is at the stage where it is contemplating some form of appeal. Members of the industry who have been fully experienced in this area for many years have come to the conclusion that some appeal method is desirable. I understand the board itself has made certain recommendations along these lines.

Mr. Nalder: That is a completely different proposition, because the appeal would be against the allocation of acreages.

Mr. H. D. EVANS: I understand there is more in it than that, but I am not suggesting that the two cases are identical. However, if it is shown that the principle of appeal in one industry is desirable, I feel it could be equally desirable in this particular instance. Rather than be confronted with an amendment at some future date, I would like the Minister to give consideration to that point. I am not prepared to suggest precisely what form of tribunal or body should be appointed, or what form the appeal should take. This would require a thorough investigation of the industry and, as a matter of fact, I believe some consideration should be given to such an investigation.

Mr. Nalder: For what purpose do you consider the appeal board would be necessary? For appeals against what?

Mr. H. D. EVANS: Against various decisions, such as the appointment of agents and the termination of their duties. At some date in the future quotas could be affected. The question of applying quotas to the seed industry cannot be overlooked and if quotas are applied perhaps the need to provide for appeals will be even greater than it appears to be now.

The seed industry has some unique peculiarities inasmuch as many of the producers are their own agents. We also have the situation of a grower acting as an agent and transacting his own business ventures interstate. The practice of forward buying—if we can call it that—or speculative buying, is fairly widespread and has been developing over a considerable number of years. What the Bill is seeking to introduce is stability of price, which a board can bring into effect.

I appreciate the Minister was not able to be present at the time of the second reading of the Bill and I know that had he been he would have elaborated on it as he usually does on other pieces of legislation. However, I hope he will take the opportunity to speak on the points I have just raised. Whenever the Minister introduces pieces of legislation of this kind he can be assured of a sympathetic hearing from those on this side of the House—provided he does not get too far to the left—

Mr. Bovell: There is not much danger of that!

Mr. H. D. EVANS: —and so I have much pleasure in supporting the second reading of the Bill.

MR. McPHARLIN (Mt. Marshall) [8.8 p.m.]: On rising to support the Bill I would commend the member for Warren on the research he has made into the subject and the constructive remarks he has made. The fact that this Bill has been brought forward is an indication of the value placed on the co-operative marketing of seeds. In 1964-65 a voluntary cyprus barrel medic seed pool was operating. The production in that year was 1,200 tons of seed, and the market was oversupplied by approximately 50 per cent. However, due to the existence of the voluntary pool it was able to handle the surplus of 398 tons which, carried over to the following season, was sold at a reasonable price. Had the voluntary pool not been operating it is quite probable that an extremely unprofitable price would have been paid for the seed.

In 1964 a committee appointed by the Farmers' Union investigated the possibility of finding ways and means to implement orderly marketing of pasture seeds. The members of that committee were—

A. S. R. Ward
A. Yewers
W. J. Huxley
H. Shippard
J. A. Mazza
E. A. McKelvie
J. Shaw
T. Sullivan (Secretary)

Mr. Sullivan is also the secretary of the Farmers' Union. Under its terms of reference the committee was able to co-opt Mr. R. F. Stone, a member of the staff of the Grain Pool of Western Australia. Mr. A. S. R. Ward was appointed chairman of the committee.

The members of the committee met at least half a dozen times and inquired into all aspects to obtain certain information and statistics, and they made representations to the Seed Merchants Association to obtain the co-operation of its members in acting as licensed receivers under a small seeds marketing board. They also made representations to the Grain Pool of Western Australia for assistance in providing administration for such a board. Information was obtained from the Grain Pool of Western Australia to the effect that it would be prepared to consider either the conduct of compulsory pools for the Minister, in a similar manner to the Voluntary Oats Pool or, alternatively, that it would consider managing such a pool in a manner similar to that exercised by the Barley Marketing Board.

Then followed discussions with the Minister. The member for Warren has said that the recommended constitution of the board was that it should consist of seven members; that is, three producers to be elected by the producers—one representing sub-clover interests and one representing other small pasture seed interests. One producer was to be nominated by the Minister. It was considered that it would be impossible for any form of marketing, other than a compulsory pool, to be a success. To support this, the committee claimed that one selling authority would stabilise the market, streamline handling, financing, promotion, and disposal, and give confidence to buyers and continuity for export development.

Further, the committee argued that by orderly marketing every producer would receive a fair and equitable price for his product. With modern advances in seed harvesting machinery, and expansion in pasture establishment, there could be overproduction and, under an open-market system, this could result in ruinous prices to all. In addition to this, the development of an export market could be negotiated more efficiently if control were exercised by one authority—that is, a seeds board—rather than several sellers. High standards of quality, purity, and cleanliness, which are essential to maintain exports and which are mostly desirable for Western Australian use, could be kept constant.

The committee also suggested that general stability would be maintained on the carryover of seed from flush seasons to prevent violent fluctuations in lean seasons. One authority could also reduce excessive carryovers by promotion both at home and abroad. Overproduction could also be controlled by the license method if this became necessary as a last resort. It was also stated by the committee that the full realisation, less only the costs, would be paid to the grower. No speculator would make a profit at the expense of the producer or the consumer. The average price for the product over the season, less only the actual costs, would be the return to the producer.

I think it has been proved rather conclusively that controlled marketing is the only way the producer can be sure of obtaining fair value for his product. Examples of this are, I think, the Australian Wheat Board and the Barley Marketing Board in comparison with the present selling of wool.

To ensure that the board and the scheme would work, the co-operation of seed merchants would be necessary, and they could function in much the same way as they do now. They could buy from the board and resell to clients with the aid of financial assistance from them, and they could also cater for buyers of small quantities of seed. The seed merchants would then be in the position of licensed receivers under the marketing board system, because of their special knowledge of storage facilities.

Further, under the present system of trading in small seeds—such as clover seed—by which seeds can be purchased

without satisfactory inspection, noxious weeds can be a serious danger. To safeguard against this danger a single marketing authority could be valuable. If the industry is well organised under a marketing board it would be stronger in negotiating with Governments or other bodies and could better arrange necessary finance under the pooling system.

The committee was, therefore, unanimous in its decision, and it brought its recommendations forward. No doubt the Minister will take note of the suggestions that have been put forward by the member for Warren and will deal with them when he replies to the debate on the second reading.

I would like to refer to the latter part of the Minister's second reading speech, which is contained at page 898 of the unbound volume of *Hansard* in which he said—

> To some extent this Bill might be considered as pilot legislation for other small seeds and, depending on the results of this legislation for barrel medic seed, then organised marketing of other small seeds could be undertaken.

I support the Bill, and I hope it is passed by the House. If this measure is successful I trust that in the future we can look forward to legislation being brought down which will deal with the organised marketing of other small seeds.

MR. JONES (Collie) [8.16 p.m.]: It is not my desire to traverse the ground already covered by the two previous speakers. This Bill seeks to establish a Western Australian cyprus barrel medic seed board. The member for Warren indicated that the establishment of a board had been under consideration since 1964 and following representations from the industry it was finally decided by referendum to establish such a board.

My main concern, however, is in relation to the appeal conditions which are contained in the legislation itself. I am certainly not happy about this aspect. Some time ago we had an experience in another direction where an employee was dismissed for a grievance known to the board. The position is still not very satisfactory either from his point of view or from the point of view of other people associated with the incident. I feel a similar set of circumstances could quite easily eventuate due to the provisions contained in this Bill.

I would like to draw the Minister's attention to the powers of the board. The measure shows quite plainly that when it is constituted the board will have power to employ servants, to dismiss the secretary, the manager, or any of the staff. The Bill further indicates that employees employed by the board shall not be subject to the provisions of the Promotions Appeal Board. A further provision states that following upon the approval of the Minister, a departmental officer can be employed by the board itself.

Accordingly we have the position, as I see it, of the board being given wide powers to appoint employees and wide powers to dismiss them. To whom does the employee appeal if he feels he has been unjustly treated? If an employee feels he has been unjustly treated he should have some right of appeal, particularly if his services have been terminated. There is no such right of appeal contained in this legislation.

It is possible that after some misunderstanding between the board and an employee, the services of the employee could be terminated and he would have no right of appeal. It seems rather strange to me that the provisions of the Promotions Appeal Board should not apply in this instance. We see that a person employed by the Public Service can be engaged by the board, yet we find that the appeal provisions do not apply.

With my experience of boards—I think we have all had some experience in this direction—appeal provisions do exist in most cases where dismissals occur. It is necessary in this instance to give some consideration to this factor. Although a referendum was held in relation to the setting up of the board, I am not at all sure whether the growers of the seed in question are happy with the legislation or that they know what it contains. I was not able to obtain the views of the growers, so I do not know whether they are aware of the provisions contained in the legislation before us.

The question of price is another aspect which exercises my mind. The board has complete discretionary power as to the price it shall charge for the product, and I was wondering whether a standard price would be maintained on a seasonal basis or whether the price would fluctuate according to the state of the industry.

This question has been raised by the farmers in my district and perhaps the Minister could tell us what the position would be both in relation to the question of price and the point raised by the member for Warren concerning the matter of appeal.

The board has very wide powers; in fact, in some respects it has what might amount to police powers. It has the right of entry and inspection in connection with the site of barrel medic seed.

As I have said, I am not happy with the appeal provisions. Naturally, we, on this side of the House, support the Bill, because the growers have asked for the board to be appointed. At this point I would like to say that the question of compensation is another matter which should have been considered. Whether or not compensation will be paid is left to the discretion of the

board, whose recommendation will be considered by the Minister. After the board considers the level of compensation, the Minister studies the recommendation of the board and that is the final say so far as compensation is concerned. Here again I am distressed at the lack of appeal provisions in the legislation.

I would like the Minister to answer the points I have raised following my investigations into the measure before us. With those few words, I have much pleasure, as has my colleague, the member for Warren, in supporting the legislation.

MR. JAMIESON (Belmont) [8.22 p.m.]: As a socialist I would be very remiss if I did not support a measure such as this; and it always gives me great pleasure to support any socialist measures that are introduced by this Government, which seems to be so very much against socialism when election time comes around. However, I agree this is a good principle to adopt.

One has seen how the marketing of this seed has functioned without the protection of a board, and how much worse off were the growers without organised marketing. It is very good to see people, such as the member for Mt. Marshall, supporting this move of the Government. He suggested this might be the line to be followed by quite a number of the small seeds producers by putting into operation the good socialist system of organised marketing. I am sure that all those who are associated with this method of marketing will be far better off, despite the forebodings in regard to socialism and what we have been told by the supporters of the Government about the frailties of it.

I regard the measure before us as a good one, as I did when certain marketing boards were extended to cover other types of fruit. This appears to be a good and a sensible measure. There does not seem to be any successful way of marketing agricultural produce other than by an organised marketing system—or a socialistic marketing system. I am glad the Government is getting around to our way of thinking; and I am sure we will ultimately find the Government saying that socialism in its correct forms and in sensible forms is quite acceptable. I support the measure.

MR. NALDER (Katanning—Minister for Agriculture) [8.24 p.m.]: I would like to make one comment in reference to what the last speaker has said. We have heard the same thing from him so many times previously that I could suggest he change his tune.

Mr. Moir: There is no need to. What he said is true.

Mr. NALDER: If the member for Belmont had made some comments about the value of the industry he might have made some worth-while contribution to the debate. On every other occasion when organised marketing has been brought forward by the Government as a result of a request from the producers concerned, the member for Belmont has said the same thing, so on this occasion we are not disappointed with his remarks.

In his contribution to the debate the member for Warren referred to the value of the industry. There is no doubt that Western Australians have the initiative in this field of marketing, and great credit is due to those engaged in the industry—from one end of the South-West Land Division to the other—because they have all made a contribution, in conjunction with the department, the University, and the C.S.I.R.O., to the experimental work. As a result the industry is now worth a considerable sum of money to the State.

Western Australia has gained a good reputation in regard to the marketing of small seeds; it is regarded as the State with the initiative. As a result of the growers' patience and dedication in the experimental work carried out, in many cases on their properties; by the department, and also as a result of various field experiments conducted at research stations, a great contribution has been made to ascertain the best type of pasture seed to be used, and its value to grazing.

Not only have we been able to establish a market in this State for this seed, but also in the other States. The intention is to sell the seed overseas, whenever it is possible to do so.

When the Minister introduced the Bill he indicated that this was in some ways experimental. This may pave the way—I emphasise "may pave the way"—for other small seeds to be marketed on a similar basis. I want to make it clear that at this stage there is no intention of including other seeds, unless we receive a request from the growers concerned to do so.

Mr. W. A. Manning: That cannot be done without legislation.

Mr. NALDER: No. We could have made provision for it. However, it has been made quite clear that if it is desired to include other small seeds in a marketing scheme such as this, the request must come from the growers; and it would come as a result of the experience to be gained from this legislation or as a breakdown in the existing marketing systems.

Various speakers have mentioned the time that has been taken to reach the present stage. The growers made an approach to the Government as far back as 1964. Many conferences were held, and many discussions on an industry basis took place with myself as representative of the Government on the agricultural side. We had to be convinced that the growers themselves desired this legislation.

Several members made references to those who had initiated this type of legislation. I might say that the members of the small seeds section of the Farmers' Union approached the Government and submitted a draft of the proposed legislation they sought. They went to the trouble of studying the laws of the land similar to the Marketing of Barley Act, and they produced this legislation to the Government as the basis on which an Act could be framed.

So I want to pay great tribute to the group of growers in the small seeds section of the Farmers' Union who went to no end of trouble to produce evidence that they were prepared to stand behind any proposal to legislate on their behalf.

I agree with what the member for Warren said concerning the Grain Pool. It has had the experience, and it has the staff and the know-how to enable it to be able to market the seed; but no mention is made of the Grain Pool in this legislation. If the board is satisfied that the best way to market the product would be through the Grain Pool, it will so decide. The board itself will have the responsibility of deciding this point.

With regard to making provision for an appeal, in my opinion this is not necessary. The board will be established to market a product. It will probably have a very small staff. Perhaps two or three people, or a secretary, will be involved in correspondence, but very few would be employed; and exactly the same situation exists with other boards established under various Acts.

To mention one, we have the Potato Marketing Board. The only appeal which can be made in that sphere is in regard to acreages which the board may allocate to various farmers. No such situation will exist under this Bill because any people who are producers can produce seed. They do not need to have a license, there is no acreage quota, and they are free to produce barrel medic seed at will. However, under this legislation, it will be necessary for those producers to market their seed through the board. Therefore there is no reason at all for provision to be made for an appeal, even taking into consideration the points raised by the member for Collie and the member for Warren.

The system envisaged in this legislation already operates under other Acts, and it will be the responsibility of the board to decide where, to whom, and at what price the seed will be sold. The members of the board will include three representatives of the growers, and those representatives will be looking after the interests of the growers. They will not be sacrificing the seed at a price not economic to the grower. They will make a decision to sell the seed on the best market obtainable.

I have confidence in those who have taken the initiative, as they have in this case. I am sure they will look after the interests of the people they represent—the producers on the one hand, and the consumers on the other. Therefore there is no need for an appeal to the Minister. Any points raised from time to time will be decided by the board in the interests of those whom its members represent.

The member for Mt. Marshall mentioned that this could be a pilot scheme, and I referred to this earlier. However, I reiterate that no provision whatever is embodied in this legislation involving any other small seeds grown, and this includes clover seed and other types used for pasture development.

As far as compensation is concerned, I see no reason for including a provision dealing with this, because again this matter will be the responsibility of the marketing authority and also the board, if at any time the matter is raised. The experience of the Grain Pool in the past indicates that the system is practicable. There is no reason whatever why this board will not be in a position to be able to make decisions in the interests of all concerned.

The member for Warren stated that it seemed a pity we did not cover everything now, as otherwise it might be necessary to submit amending legislation later on. Amending legislation may be necessary. This is often the case from time to time, and I see no reason, when we are establishing something which could be classed as an experiment, for us to worry about this aspect. I do not anticipate that amending legislation will be necessary, because I believe this legislation will be adequate to enable the board to ascertain the amount of seed which is grown, and grade it according to quality.

The member for Mt. Marshall made the point that quality is the secret of success, and this will be an underlying feature of the activities of the board. It must ensure that the seed produced is marketed according to the requirements of those who buy it. The board will gather all this information so that it will be in a position to predict the quantity of seed which will be harvested, the quantity necessary for local consumption, including the requirements of the local farmers engaged in growing this particular type of pasture, and the quantity required to fulfil the orders from the Eastern States and from overseas.

I am glad the House is prepared to accept this measure, which I am confident will work. The member for Belmont referred to this as socialist legislation, but, knowing the good judgment of farmers, and being confident that the marketing under

this legislation will be completely satisfactory to all concerned, I forecast that this will not be the last of this type of legislation which will be submitted to the House; and I therefore commend the measure to members.

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.

PLANT DISEASES ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 16th September.

MR. JAMIESON (Belmont) [8.41 p.m.]: This, of course, is not an earth-shattering Bill and merely seeks to include the words "or sending" in section 5 of the Act.

It would appear that the Crown Law Department has the idea that the word "bringing" is not sufficient, and the department desires the insertion of the words "or sending."

Section 5 of the parent Act prohibits the movement of diseased plants into specified areas. I think the word "bringing" would be sufficient because obviously somebody can be charged. Somebody must bring the plants into an area and, as a consequence, there certainly must be somebody who can take the responsibility. However, as I have said, the Crown Law Department feels it is desirable to be able to take action against both the sender and the bringer—if I might use that term. Once this legislation is passed both persons could be found at fault.

There is a matter on which I would like to comment, and it is a matter which has often caused me some concern. As the Minister will be aware, the Commonwealth Constitution is fairly specific and section 92 of the Constitution is often repeated in Houses of Parliament and courts of law. That section states that custom, trade, commerce, and intercourse among the States—whether by means of internal carriage or ocean navigation—shall be absolutely free.

Of course, that section of the Constitution has never been amended and this makes one wonder how the State would get on if it tried to stop the transportation into certain parts of the State of apples or oranges by a specific purveyor. I think it would be hard for the State to take action. The State might claim there is some arrangement, but I understand the Commonwealth Constitution overrides State laws, and the Constitution does say that trade shall be absolutely free—and it means absolutely free. So, unless we have some safeguarding provision, we might find ourselves in trouble at some time in the future.

It is quite obvious that we should have provision to prevent citizens from transporting diseased plants or fruit from one place to another. However, if we interfere with the Constitution we could become very involved. I did raise this matter at one of the border stops between South Australia and Victoria. I asked the fellow on duty how they got over section 92 of the Constitution. He said, "We do not; we bluff our way through." No doubt this matter had been raised with him before and he was able to give me a straightout answer.

While there is every right to break into a person's car, and do all sorts of things, under the provisions of the Plant Diseases Act, I think that if somebody wished to take the matter as far as a court of law, it might be found that the law is not as clearcut as it looks. We would then need to have recourse to the Commonwealth laws to see if we could limit quarantining under the provisions of another section of the Constitution. Probably complementary laws could be made under section 51 of the Constitution. The present legislation does not indicate that this has taken place.

While dealing with this Act I hope the Minister will arrange for a reprint because my copy is crumbling into thousands of pieces. I have half a dozen amendments and I find it hard to piece the Act together. It is a fairly important piece of legislation on which the Minister and I often cross swords. If the provisions of this amending Bill had been wider I would have crossed swords again with him tonight, because only today I was on the receiving end of a visit by departmental officers in connection with a loquat tree.

Mr. Nalder: It has not any fruit-fly?

Mr. JAMIESON: After spraying the tree every year for three years, and paying for the spraying to be done, this is the first time it has ever had fruit-fly, so the Minister can imagine how pleased I was. We should be able to limit diseases to specific areas in an endeavour to eradicate them, and if the legislation needs to be tightened up then surely this is the sensible thing to do.

Despite the Crown Law opinion, I do feel there is no need to include the words "or sending." The apples and oranges cannot physically get up and transport themselves; somebody has to be responsible for "bringing" them. The situation will now be that if a truck driver brings fruit or plants into an area both he and the consignor can be charged. I do not think that is altogether desirable; we should not have two people responsible for the one crime, as it were. It should

be the sender, or the originator, rather than the person bringing the commodity into an area.

I would like the Minister to give consideration to getting over that section of the Constitution if some commercial undertaking starts to creep in. I understand this has been happening in recent times. We cannot put a barrier on every small track into the State. Some of my colleagues may know of other specific cases which could cause problems to the fruit industry in this State. Of course, the Commonwealth has to be very careful, because it cannot get over the Constitution. The Commonwealth must abide by the Constitution when making any laws, and it must recognise the fact that trade and intercourse between the States must be absolutely free.

Unless there is a method of getting over the constitutional aspect there is no way out. We have not been faced with this problem so much up to this stage, because our State is a great distance from the other States and we have been able to bluff our way through with our own inspectors. I do not know whether the inspectors are situated at Norseman but most other States have inspection points near the borders where precautions are taken to prevent the introduction of diseases.

It would be interesting to know just how far this matter can be policed. Aircraft fly back and forth and baggage on aircraft is not searched. An announcement is made on the interstate train before passengers alight that it is illegal, under the West Australian agriculture protection legislation, to bring various plants and fruits into Western Australia. A similar warning is issued on the train in South Australia, but the same warning is not issued on aircraft.

Of course, aircraft travel much quicker than any other form of transport. I would say there is a possibility that disease could spread quickly if some action were not taken. Again, this would probably be one of the Commonwealth aviation requirements. The matter could probably be overcome under some regulation to the effect that passengers were not permitted to take fruit on board aeroplanes, or something of that nature. At present, however, it is fairly loose and could cause some outbreaks which we would not like to see occurring in this State. To that extent, having the action against the bringer as well as the sender might be desirable. I await the Minister's comments on these aspects when he replies. I support the Bill.

MR. NORTON (Gascoyne) [8.52 p.m.]: Like the previous speaker, I wish to draw the Minister's attention to the untidy nature of the Act. Last session when I spoke on the legislation I pointed out that it took me over an hour to get the Act into a readable form before I could interpret the amendments which the Minister was bringing down. Fortunately this time the amendment deals with section 5 of the Act, which has not been amended for some considerable time. I wish the Minister would have a look at the Act. When I last spoke on this legislation I suggested that the Act should be redrafted into various sections. In this way, fungus diseases and insect diseases could be included in separate sections.

Mr. Jamieson: They are all mixed up at the moment.

Mr. NORTON: I suggest they should be separated somewhat along the lines of the Land Act, which deals with each separate section under a different division. As the Act is now it is almost unreadable.

I wish to support the Bill, because we should do anything we can to tighten up the Act to ensure that we do not get from other States diseases which we do not already have. I consider there are too many loopholes and too many points of entry at the present time.

The present amendment proposes to add only two words "or sending" to the Act. The wording of the Act at the present time refers to "the bringing" of something into the State. This refers to the person who physically brings it in or the bringing in through some other person. The words "or sending," which are proposed to be added will put the onus back on the person who is forwarding it from outside the State or from within the State to another part of the State which has been declared clean and to where it must not be taken.

Mr. Nalder: That is the main point, namely, sending it after it has been received.

Mr. NORTON: It is proposed now that the Act shall read "the bringing or sending" into the State. To tighten it up properly, the Minister could have added the words "or receiving." If this were done it would mean that it would be an offence to receive any fruit or vegetables which were contaminated or which went from a dirty to a clean area. In this way three persons would be responsible, but one could not say who would be mainly responsible. The sender could be in Adelaide. The transport used could be the railways, aircraft, road transport, or a private person. All of these avenues could be involved in the bringing of the fruit or vegetables into the State.

The railways could be just as responsible for bringing in plants or fruits from another State as any other kind of transport. A similar position would apply to aircraft, which are one of the most dangerous possibilities for entry, as the previous speaker

mentioned. Planes travel so quickly and, on top of that, they carry food supplies. On some planes the food supplies could come from Queensland and could be carried right through to Western Australia. The aircraft might discharge stale food supplies in the form of fruit—possibly bananas or other fruits—which carry insect pests and fungus which could easily be distributed through the metropolitan area and which could spread from there.

Again, we have the State ships and our own airline which travel between Darwin and Perth. Do the State ships take on fresh fruit and vegetables at Darwin? If so, where do these fruits and vegetables come from? Likewise, M.M.A. provides meals, and it supplies fruit with those meals. Surplus food must come through to Perth. What happens to it? Is it off-loaded in Perth? These are potential disease-carrying avenues which have to be looked at.

With the alteration which is proposed to the legislation and the subsequent tightening up of the Act, all these people could become liable under the amendment. This would be a good thing, too.

Recently it has been brought to my notice that regular shipments of fruit and vegetables come from Queensland into Kununurra. I understand that apples, pears, grapes, and one other fruit, are brought in and these are supposed to be prohibited from being brought into this State from Queensland. One cannot blame the people in the area for the way in which they are obtaining their fruit and vegetable supplies, especially when it is realised that if a person wants to order fruit or vegetables from Perth the order has to be lodged six weeks in advance. This was stated only recently over the air by a Kununurra fruit dealer. The fruit and vegetables go by ship from Perth to Wyndham and then to Kununurra. This is why the order has to be lodged six weeks ahead. If the friut and vegetables are sent by air it costs the individual 35c a pound for airfreight. It costs only a fraction of that amount to send them by ship.

It is rather interesting to note that fruit and vegetables can be ordered from Adelaide and delivered within six days in Kununurra at a cost of 6c a pound. I do not know the cost of bringing fruit and vegetables over from Queensland, but I would say it would probably be about the same, because there is not much difference in the mileage.

I think we are falling down badly in not being able to supply Kununurra, Wyndham and other points in the north and the north-west at the same rate at which the Eastern States supply. The fault must lie in our transport system.

I would like to give some indication of respective road mileages. The distance from Kununurra to Perth is 2,012 miles; from Kununurra to Adelaide the distance is 2,090 miles; and from Kununurra to Brisbane it is 2,288 miles. Members will see that the distance from Perth to Kununurra is the shortest of all.

If other States can supply Kununurra with fruit and vegetables surely Western Australia can supply the same area by the same method of transport, in the same time, and at the same freight rates. Surely our fruit and vegetables are competitive in price. We should be able to obtain that market and supply it with Western Australian produce, and this would be much preferable to bringing in from other States fruit and vegetables which could contain diseases which we do not yet have in this State. This could apply particularly to Queensland.

I refer particularly to fruit fly, because I understand Queensland has a large number of flies which attack fruit; it has a larger number of fruit flies than any other State. We are fairly lucky in Western Australia in that we only have one fruit fly at the moment which attacks fruit, although we have others which do not attack fruit. As I have said, Queensland has a large number and I would hate to see fruit fly gradually working into Western Australia through Darwin and *via* the State ships to Perth to infest that area. As I have said, aircraft and private vehicles could bring in these various diseases to Perth.

The more we can do to tighten up the Act so that the disease—whatever it is—is kept out, the better it is. I have a news cutting from an article which appeared in *The West Australian* on the 24th of this month. It says that no vegetables are banned from the Eastern States. Plant diseases can be transmitted by vegetables just as easily as they can by fruit. The tightening up of the provisions in the Act will completely prevent any disease being transmitted from the Eastern States.

I also hope that the debate on this Bill will highlight the inadequate transport system of carrying fruit and vegetables to the north-west, especially in view of the fact that they are efficiently carted to the northern parts of our State from the Eastern States. If those States can do it, surely we can.

MR. KITNEY (Blackwood) [9.1 p.m.]: As the other two speakers have already mentioned, this is a comparatively small amendment to the Plant Diseases Act. However, if a weakness does exist in the Act—and obviously the Crown Law officers consider it does—it is most important that it should be rectified. There is no need for me to stress the importance of the fruit-growing industry to the south-west in particular and to the State as a whole,

so any loopholes that may be present in our existing legislation should certainly be remedied.

I was appalled to hear the answers given to the questions asked by the member for Warren last week. In view of the large production of apples in this State, I was amazed that apples are being imported into Western Australia, but I was more amazed and appalled at the possibility of plant diseases from the Eastern States being introduced into Western Australia. Anyone who has had anything to do with fruit growing, and particularly apple growing, will be aware that possibly the worst two diseases that can occur in the apple-growing industry are codling moth and apple scab.

We know that these diseases are very prevalent in the Eastern States and if they are introduced here it could mean the ruination of our apple industry. Already we have had at least six outbreaks of codling moth within this State. If I remember correctly the last one was at Nannup in 1956 and it took five years to eradicate it at tremendous cost to both the Government and the growers. Extremely rigid restrictions were imposed at that time. No fruit was allowed to be sent out of the area affected and the crop was destroyed. As one can imagine, the amount of compensation paid to the growers and the loss to the Government was very considerable.

We have also had an outbreak of black apple at Albany, and in another part of the south-west. This disease is very difficult to eliminate, and if it becomes established in Western Australia the industry could be ruined. At this point I would like to mention that it has been said that nowhere else in the world have successful campaigns for the eradication of these fruit pests been carried out. Therefore I think it is a tribute to the work of the Department of Agriculture, and in particular to the work of the Superintendent of Horticulture (Mr. Harley Powell), who recently retired, that these pests have been eradicted in this State. It certainly speaks volumes for the effectiveness of the work conducted by the officers of the Department of Agriculture.

At the recent annual conference of the Fruit Growers' Association the president (Mr. Ray Owen) said the association regretted that no road inspection point had yet been established on the Eyre Highway to check fruit coming in from the Eastern States. I know that fruit growers have been pressing for this for some time. They are certainly not satisfied with the present inspections, and it is to be hoped that a road inspection point on the Eyre Highway will come to pass.

In opening the conference, the Premier pointed out that it was estimated it would cost $150,000 to establish such a checkpoint on the Eyre Highway and a further $20,000 a year to maintain it. Personally, although it sounds a great deal of money, it would be fairly cheap insurance to prevent a recurrence in Western Australia of the diseases of which I am speaking.

I think the previous speakers have covered, quite adequately, the actual wording of this amendment and, as I have said, it does appear that unless the Act is amended as suggested by the Minister, it is doubtful if the relevant regulations can be legally enforced. It is most important that this be done, and I support the Bill.

MR. H. D. EVANS (Warren) [9.6 p.m.]: As the Minister said in his introductory remarks, and as the subsequent speakers have reiterated, this is a comparatively simple Bill; and, of the 16 amendments that have been made to the principal Act, this is certainly the smallest. However, although it is small in size it does not mean that it is insignificant. In fact, it is very much to the contrary. As the Minister has stated, the Bill seeks to rectify the deficiency in the Act which does not permit the "bringing" and "sending" of fruit to be treated equally by the regulations.

In the situation that exists at present, three zones in the south-west have been proclaimed for the purpose of effecting the fruit movement regulations. In these zones fruit has been precluded from movement, but the fruit-fly scheme of baiting has been so effective that it was considered two of the zones—that is, the south-west zone and the outer metropolitan zone—could be amalgamated as it was felt there was no longer need for restrictions on the passage of fruit in these areas. It now applies in the south-west and outer metropolitan area zone. This Bill was also supported by the fact that no prosecution under the terms of the Act had ever been made. As far as I am aware, the position of someone "sending" fruit into a restricted area has never been contested in a law case. The existing provision in the Act, if the amendment is agreed to, will read—

> The bringing or sending into the State either generally or from any specified State, country, or place;

The member for Belmont made this point and queried the validity of the law constitutionally. However, if complementary legislation were passed by the Commonwealth Government, I do not think there would be any difficulty. Without checking the Act, I am not quite sure in my own mind about this. The Minister would know whether apples and apple trees do not come within the compass of the Commonwealth legislation now.

As has been pointed out, this is a loophole that is being exploited. It is an avenue for bringing into the State certain

pests which have been excluded successfully for so long. However, no matter how rigid the regulations are, and no matter how comrehensive the laws are, they are of no avail unless the methods of policing them and implementing them are successful.

You may recall yourself, Mr. Acting Speaker (Mr. Mitchell), that at the 1969 fruit growers' conference the need for an inspection point on the Eyre Highway was stressed and restressed by several speakers. Indeed, the president of the association made a point of this in his opening remarks. When opening the conference the Premier replied to this request for a checkpoint and properly drew attention to the physical difficulties which accompanied the establishment of a requirement of this kind. He indicated that the cost of establishing a checkpoint on the Eyre Highway would be something over $100,000 and that $20,000 per annum would be required to finance a checkpoint of the kind envisaged.

I think five houses will be required to staff those members of the Department of Agriculture who would take up permanent residence. This, of course, brings up the obvious difficulty of staffing which would be accentuated by the absence of amenities and the extreme problem of maintaining, in fairly inadequate conditions, qualified men of the calibre that would be required.

However, the point made by the growers and by various speakers here tonight is still a very valid one. In addition to those aspects already mentioned, the obvious one —the exclusion of these pests from the Eastern States—is one form of insurance, but several others must be made.

While the cost of establishing a checkpoint was quoted and mention was made of the last outbreak of codling moth, no reference at all was made to the cost of extermination, which was in excess of $90,000. This was a very successful undertaking; it was one of the few occasions on which the codling moth was completely stamped out. The cost, however, was still there, and even one eradication would cover the cost of setting up the check point desired by the growers.

The two most feared pests—codling moth and black spot—have rather a special significance. I think the member for Blackwood quoted 1954 as being the year when the last outbreak took place. It should be remembered that Japan is more fearful of codling moth than of any other pest. We have a surplus of fruit in Western Australia which we cannot export to Japan, Thailand, or to any other country which might be prepared to take it.

One of the strongest arguments we could have to enforce trade negotiations would be to show that we have complete inspection checks between Western Australia and the Eastern States. This would be a tremendous help to the industry in its efforts to bring about some form of trade agreement with Japan and other Asiatic countries under which surplus apples could be sold.

If this were done it would repay in one season the total outlay of capital required to set up the checkpoints that may be desired. Black spot is, of course, a disease which would create havoc among the orchards of this State, particularly those which had been left uncultivated for a long time. Control methods would, in themselves, be costly and the damage to orchards not cultivated would set them back considerably.

I recall the figure quoted at the conference of fruit growers by way of cost of production was something like $800 per acre in Golden Valley; whereas in Western Australia it was in the vicinity of $400 per acre. The difference in the cost can be accounted for in the cost of controlling various pests from which Western Australia is comparatively free.

The member for Gascoyne referred to the increase in travel facilities, particularly by aircraft. I would say that it is the casual traveller—if I could refer to him as such—who is the source of most concern. The caravanner is becoming more and more frequent on the Eyre Highway, and the position will be accentuated when finally we have a sealed road from the Eastern States to Western Australia. The Premier will be undertaking an opening ceremony when the bituminised road reaches the Western Australian border. This is expected to be some time next year.

Mr. Ross Hutchinson: This year.

Mr. H. D. EVANS: The Tourist Bureau, with some confidence, expects the number of caravans using the Eyre Highway to increase by something in excess of ten times the number using it at the moment. This, of course, is an approximation, but I think it is on the conservative side.

With this increased influx of traffic, the dangers of infestation are, of course, increased proportionately. The very difficulty, to which the Premier referred, of staffing with fully qualified agricultural officers at some appropriate points on the border, can be eased a little when the establishment of a full-scale tourist reception centre is considered.

Once the road makes this possible, the volume of tourist traffic will necessitate the establishment of a full-scale reception centre. Without a shadow of a doubt the tourist who goes back contented and satisfied with the facilities and services he has seen in this State will be the best form of advertisement we can hope to have.

If the caravanner finds when he reaches the State—when he crosses over the border, as it were—that there is a fully established tourist bureau that will direct him to the part of the State he wishes to

see and which provides him with all possible facilities, he will be enabled to plan ahead and enjoy to a large measure the holiday to which he is looking forward.

If, however, the reverse applies, the measure of adverse publicity which returns to the Eastern States will certainly act to our detriment. It is this tourist traffic that will need to be developed. It is most desirable that it should be developed.

The tourist reception centre in conjunction with an agriculture reception unit of the magnitude required will have an interacting effect upon each and every town to which it applies. It will depend on the facilities provided by the officer at the particular place.

It may be possible to establish some form of native artifacts sale organisation. Whether or not the Department of Native Welfare will countenance this is for it to decide. This is certainly done in other parts of the world and it could be a lucrative sideline if something along these lines could be established. This, however, is for the Department of Native Welfare to consider rather than for a lay person like myself.

To revert briefly to the requests of the Fruit Growers' Association, we can see the possibility of disposing of surplus apples, particularly to Asia. This, however, will be possible only if a full-scale inspection of Eastern States fruit can be made. The member for Gascoyne has indicated the magnitude of the infiltration —if we can call it that—in Kununurra, Esperance, and other places.

The most alarming aspect would probably be the Queensland fly. Once this became established I doubt whether it would ever be eradicated. Although we start from a very small amendment—one which I wholeheartedly support—I would be most interested to hear the Minister's comments, particularly on the inspection points situation and the checking of illegal fruit entering the State.

MR. NALDER (Katanning—Minister for Agriculture) [9.19 p.m.]: I have been very interested in the contributions made by the various speakers, and I now wish to make some comments on this small Bill which seeks to introduce two words into the present Act. The reason for this is obvious and I think the point has been covered by those members who have already spoken.

I reiterate that the purpose of this Bill is to enable us to deal with diseased fruit, plants, vegetables, or whatever else might be involved that is brought into the State. If such items are brought from South Australia to Western Australia there is nothing we can do to prohibit their entry, because of free trade between the States. However, if the fruit, vegetables, or plants are known by the person who brings them into this State to be diseased, and he sends them on from Perth to another part of the State, then the amendment in the Bill will apply. This measure has been introduced so that action can be taken when a person knowingly or unknowingly brings into the State some fruit, vegetables, plants, or other items of produce which are diseased and sends them to some other part of the State.

I illustrate the point I am making by referring to a letter I have received from a person living in Katanning. He sent over to the Eastern States for an apple tree which bears three varieties of apples. Apparently a nurseryman in the Eastern States had advertised this type of tree. The tree was duly sent over to Perth, where it was picked up as being a plant that was liable to be carrying disease. It was destroyed. Some arrangement has been made with the nurserymen in the Eastern States, and they know they are not permitted to send apple or quince trees to Western Australia because of the possibility of transmitting disease.

About 10 days ago when I was in the Eastern States I called on a nurseryman. He was not home at the time. I wanted to pick up several varieties of a shrub which was available there. The person who was at the nursery asked me where I came from, and I told him I came from Western Australia, although I did not indicate who I was. He said he could not supply me with the shrubs unless he got a permit from the Department of Agriculture, and that would mean some officer would have to go out to make an inspection of the shrubs. I told him I did not intend to press him to supply me, and that I would put in an order in the usual way. Here was a person at a nursery who was aware of the restrictions applying in Western Australia, and he was not prepared to take the risk of sending the plants over to this State.

That is the situation. The majority of responsible people in the Eastern States are aware of the regulations which exist in Western Australia. In the first case I referred to, a person in Western Australia had innocently ordered an apple tree from the Eastern States. It was duly sent over, but it was picked up at the railway station; the officer of the Railways Department was doing his job. The plant was taken to Fremantle where it was eventually destroyed, because it was a prohibited plant.

All members who have spoken in this debate have indicated the need to keep a close watch on all movements of diseased trees or plants. The same applies to animals. We know what problems we would face if we allowed diseased animals into this State.

Mr. Jamieson: That is laughable. If a person wants to bring a dog over to this State he has to have it examined both in the east and in this State; but

if he brings the dog in in his motor-car there is no opportunity to have it examined.

Mr. NALDER: I presume the honourable member is referring to the Alsatian dog.

Mr. Jamieson: I am referring to any type of dog.

Mr. NALDER: The Alsatian is prohibited.

Mr. Jamieson: What I have said applies to any type of dog.

Mr. Brand: That would apply to anything when it is brought in by private transport.

Mr. Jamieson: It does. There is no restriction, except on trains.

Mr. NALDER: One member mentioned the people who come to this State by air. I have been on an aircraft on a number of occasions when the pilot or the air hostess indicated that apples and quinces were not permitted to be taken into Western Australia. We all know that is the situation.

In South Australia and in Melbourne anybody coming off a train or an aircraft is advised on arrival about the prohibited entry of fruit and the like. An inspector is on hand to take over any such prohibited produce. Generally speaking the travelling public are aware of this situation. I am afraid that those who try to put it over the authorities get away with it.

We realise that if anyone wanted to bring in a prohibited apple he could place it at the bottom of his case, and nobody would find it. The public are aware of the difficulty, and in the main they are prepared to co-operate in every way.

I might mention the check points which have been established in the Cranbrook area and on the South-Western Highway. Experience has shown that a small percentage of the people try to beat the authorities at the check points. They would know the back roads and would use those roads to dodge the inspections. They are what I would describe as irresponsible people, but they are in the minority. On the other hand, there are hundreds of people who are only too happy to co-operate with the inspectors, and if they do have prohibited fruit they are ready to hand it over.

In this State everything possible is being done. Both the member for Blackwood and the member for Warren, who represent fruit-growing districts, are well aware of the problem that confronts an industry like the apple industry, or the fruit industry in general, when diseased fruit is brought in from other parts of the world or from the Eastern States. We find difficulty where there is freedom of movement, but we also have laws which set out clearly that diseased plants, vegetables, or fruit cannot be moved. If such produce is brought into the State then action can be taken by the authorities.

Recently a few consignments of potatoes were sent from the Eastern States to Western Australia. Although it was possible to send them to Perth, the Department of Agriculture was fearful that if those potatoes were distributed to the potato-growing districts there would be the possibility of spreading the diseases which exist in the Eastern States. That is one of the reasons for bringing forward the amending Bill.

I thank members for their interest in the measure and for accepting the proposed amendment to enable us to guard against the entry of diseased specimens of one kind or another. Reference has been made to the need for establishing a check point at Norseman. If ever a subject has been discussed by the Agriculture Protection Board, the horticultural section of the Department of Agriculture, the fruit-growers' organisations, and the nurserymen, this is it. This is a matter to which a tremendous amount of attention has been given.

Because of the changed circumstances which exist at the moment, a final decision on this matter has been deferred. The facilities being provided by the standard gauge railway for rapid transit between Sydney and Fremantle, and the fact that very soon, probably, the road between the Eastern States and Western Australia will be completely bituminised, make it necessary for the board to reconsider the whole situation, including a check point at Norseman. The board has deferred its decision in order that it might have more time to obtain further evidence as to the movement of stock, plants, tourists, and so on from the east to the west.

Again I thank members for their valued contributions to this very important debate, and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

TIMBER INDUSTRY REGULATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th September.

MR. H. D. EVANS (Warren) [9.34 p.m.]: The whole of the Timber Industry Regulation Act is aimed at safety within the industry, but I doubt whether the drafting and enforcement of laws are sufficient to achieve the required measure of safety.

There is no doubt that those responsible for drafting the amendments submitted in the middle of last year did an excellent job, and certainly they provided the framework for first-class regulations which, if enforced, would ensure an increased measure of safety within the timber industry. However, an awareness by individuals directly concerned and unconscious of safety—and this would apply to the measures and practices implemented —must be achieved if the fulfilment of the intention of these regulations is to be obtained.

The timber industry, along with mining, quarrying, and building construction, is recognised as being the most hazardous of occupations. The available statistics showing the number of fatalities and injuries in these various industries reveal that this is the case all over the world. However, improvements have been effected, largely through inculcating safety attitudes and an appreciation of the need for safety in not only the managerial staff but all employees.

I would draw the attention of the House to one particular firm in the timber industry in the south-west. As far as I know, it is the only company which employs a full-time safety officer whose responsibilities include the induction of new employees in the various jobs, many of which involve a high degree of danger. His responsibilities also involve the checking of the various operations within the mills, and those adjacent to the mills—at landings, forest workings, and the like. They also include the inculcation of the correct attitude and the correct safety awareness in employees and management.

I think the most graphic way to illustrate the achievement of this firm as a result of its employment of a full-time safety officer is to quote from the record of accidents which have occurred in the past 12 months. If we take the second quarter of 1968 and every quarter thereafter to the second quarter of 1969, we will see, from the five sets of figures involved, the rather remarkable improvement which has been achieved.

The first set of figures to which I will refer shows the disabling injuries per 1,000,000 man-hours worked. A disabling injury is an injury which necessitates the employee missing a full shift immediately subsequent to his receiving the injury.

In the second quarter of 1968 five employees of this company, which employs between 510 and 520 staff, sustained a disabling injury. In the third quarter of 1968, no disabling injuries were sustained, while in the fourth quarter there were five. In the first quarter of 1969 there were four, and in the second quarter there were eight.

To refer to a disabling injury on its own does not reveal much, but when it is considered in conjunction with the days lost, a much more revealing picture is available. The number of days lost in those five particular quarters were 109, nil, 100, 42, and 92. This again is per 1,000,000 man-hours worked.

I also wish to indicate the accident frequency rate which, for the same five quarters, was 20.2, nil, 21.3, 17.1, and 33.8. Those figures were the rate of accidents in respect of every 1,000,000 man-hours worked.

The severity rate—and this, of course, takes into consideration the severity and time lost—in this period was 440.1, nil, 425.9, 180.1, 388.1. These figures do not mean much if they are viewed in isolation, but when taken as a basis of comparison, firstly with the Western Australian timber trade in its entirety, we find that generally the frequency rate of accidents is in the 90s, but the frequency rate is somewhere down near 20 with this company.

That means a considerable amount to the firm concerned, as well as to the well-being of its employees. Just by way of a basic comparison, we see that the frequency rate is 90—in the high 90s in fact—in the overall picture of the timber industry as opposed to 20 in the firm to which I am referring. That is something less than one-quarter.

The severity rate in the State picture is, again, something comparable—in the 1500s —whereas with the firm, the source of these figures, the variation is from nil to 400. It is of interest to note that for all industries in Western Australia—not just the timber industry—the accident frequency rate is somewhere near 43. Even this figure is dulled by the timber firm which we have under surveillance at the moment. All industries—including the Rural and Industries Bank—are dulled by the achievement of this particular company with its rather modern outlook towards the accident situation, which has produced its rather remarkable results.

This comparison, if extended to the United States and the United Kingdom, shows an equally favourable position. In all industry in the United States the accident frequency rate is something like seven, but in the timber industry it is nearer to 17. It is somewhere comparable with this modern firm of which we can feel justifiably proud.

If these figures show nothing else they reveal that the accident frequency rate in the timber industry is equally severe in that country as it is in our own: seven is the figure for the industry as a whole in the U.S.A. and it is 17 for the timber industry.

I would like briefly to reiterate those figures because they are difficult to follow. The accident frequency rate per 1,000,000 man-hours worked in the United States, in all industry, is seven, and in Western Australia it is 43. In the American timber industry it is 17, and in the Western

Australian timber industry the figure, as I have quoted, is 90 odd. In the United Kingdom the frequency rate in all industry is somewhere about 21.

There is difficulty in obtaining figures. Unfortunately not all of the firms which could submit figures to the industrial division of the National Safety Council of Western Australia do so. There were only about 27 contributions in the last year but in 1969 it appears there will be 45 contributors. This year will give a much more favourable basis but the figures have to be maintained for a period before they are of any real value. It can be appreciated that limited sets of figures such as these do not tell the true picture. However, they are the best we can obtain at this stage.

The National Safety Council has adopted a system of comparison which deals with the total number of injuries per 100 employees. The figures for the past five years are presented in the latest publication and the all-industry figure—that is, total injuries per 100 employees—for 1966-67, is 10.1; and for 1967-68, it is 9.2. That is for all industries throughout the State.

The timber firm to which I have been referring shows the figures of 4.5 and 2.7 for the years I have mentioned. I think it will be agreed that the achievement by that company has been rather remarkable, to say the least.

Attitudes towards industry safety vary considerably. In the United States of America, where the people seem to be forward-thinking in regard to most things, we find there is a responsibility awareness of the problem. In that country the stage has been reached where it is the intention and the purpose to have all members of industry accept some responsibility for safety. It is not sufficient to have a set of regulations unless management and the employees adopt a similar enlightened attitude.

In the United Kingdom can be found the most comprehensive set of regulations governing all forms of employment. The inspection system is very thorough, yet we do find that the injury rate in the United Kingdom is considerably higher than that in the United States.

It seems fairly obvious that it is education, and education of a particular type within industry, which is essential before the desired results can possibly be achieved. That is not to say that there will not always be a place for regulations, but there is always the individual who will not carry out the correct procedures.

I can recall having my attention drawn to a particular employee in a mill who had only one eye. He lost the other eye while operating a saw filing unit but he still would not wear a safety shield. He had to be forced to do so. In spite of his bitter lesson—the loss of an eye—he would not wear a shield if left to his own devices. So there must always be regulations, and there must also be education.

I think the awareness of industry loss has been fully realised. The degree of loss occasioned by accidents has been driven home to the employers, particularly those who are self-insuring. It is to their advantage and economic benefit to minimise all forms of accidents if at all possible.

Where a Government can come into this is difficult to say. I know the National Safety Council is doing all it can with its resources to bring about a reduction of accidents, of injury, and of loss of life in all spheres of its activity. At the same time perhaps more assistance could be channelled to these people as new innovations could, perhaps, be undertaken. It possibly could be shown by investigation whether protective clothing, as a form of assistance, is feasible in industry or whether the expense involved would preclude its use. Also, it may be possible to entertain some investigation into making the wearing of protective apparel a condition of employment. This is something that could be looked at. I do not propose to be dogmatic in any way on this matter, but anything which brings about a lessening of the rate of accidents and of injury is worth consideration.

The amendments in the Bill are not very great. It was found, when the Act was redrafted last session, that the Minister possessed powers which preferably should be possessed by the inspectors involved. A delay could have been occasioned in stopping the running of faulty machinery or the running of some dangerous operation, as the inspector had no powers, in his own right, to cause the operation to cease. The delay could have been occasioned by the inspector going through the proper channels to bring this about. Consequently, as a result of a Crown law decision it is felt that this power should be transferred to the inspectors themselves.

A further amendment is also proposed to the first aid provisions and this, too, is most desirable. The committee which was responsible for drafting these amendments did a most commendable job. I hope that the Minister, in realising the wisdom that he showed in forming the committee, will retain its members in an advisory capacity of some sort. They could, perhaps, undertake investigations on their own and bring forward further suggestions to minimise accident and injury, not only in the timber industry but in any other sphere with which they can be associated. To this amendment, as with any other of its kind, I am happy to lend my support.

MR. BOVELL (Vasse—Minister for Forests) [9.53 p.m.]: I have listened with interest to what the member for Warren had to say.

The Bill is a simple one and enables me, as Minister—or whoever the Minister might be for the time being—to delegate power to an inspector in order that machinery can be properly controlled. Of course it is ludicrous to think that an inspector who saw a dangerous machine should have to report to the Minister to obtain authority to act.

The second part of the Bill relates to first aid equipment and its availability. I would like to take this opportunity to say that safety in industry is, I think, of paramount importance. The member for Warren has given us a long talk on the various aspects of the timber industry and the safety measures which are taken. Also, he quoted figures to support his remarks.

While it is a hazardous occupation, the timber industry generally is one where employer-employee relationships have been of the highest standard. I represent an area where a number of timber mills are situated. I—and my forebears before me—have been associated in one way or another with the timber industry, the working of timber mills, and the production, supply, and distribution of timber.

If my memory serves me correctly there has been no industrial trouble to any extent in the timber industry since the early part of this century, which in itself shows that employer-employee relationships are of the highest standard. I compliment the employees as well as the employers for their co-operation in keeping a vital industry in production.

It is interesting to see that a number of women are actively working in timber mills now. I recently visited Jarrahwood, which is purely and simply a mill centre, and I saw that quite a number of women were actively working in the mill itself. I think the same position applies at quite a number of mills throughout Western Australia.

As I have said, this is very interesting and I wish to record my appreciation of the fact that women can go into a timber mill, work alongside men in hard and hazardous work, and see that the industry is carried on.

Mr. Tonkin: Do they get equal pay?

Mr. Bertram: Are they married women?

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.

House adjourned at 9.58 p.m.

Legislative Council

Wednesday, the 1st October, 1969

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

BILLS (13): ASSENT

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

1. Collie Recreation and Park Lands Act Repeal Bill.
2. Dairy Industry Act Amendment Bill.
3. Wheat Marketing Act Continuance Bill.
4. Soil Fertility Research Act Amendment Bill.
5. Water Boards Act Amendment Bill.
6. Land Act Amendment Bill (No. 2).
7. Ord River Dam Catchment Area (Straying Cattle) Act Amendment Bill.
8. Western Australian Institute of Technology Act Amendment Bill.
9. Wood Chipping Industry Agreement Bill.
10. Legal Practitioners Act Amendment Bill.
11. Legal Contribution Trust Act Amendment Bill.
12. Fisheries Act Amendment Bill (No. 2).
13. Methodist Church (W.A.) Property Trust Incorporation Bill.

AUDITOR-GENERAL'S REPORT

Tabling

THE PRESIDENT: I have received from the Auditor-General a copy of his report on the Treasurer's statement of the Public Accounts for the financial year ended the 30th June, 1969. It will be laid on the Table of the House.

QUESTIONS (7): ON NOTICE

1. MONETARY VALUES

Depreciation

The Hon. CLIVE GRIFFITHS (for The Hon. C. R. Abbey) asked the Minister for Mines:

Will the Minister inform the House what is the extent to which monetary values have depreciated between 1930 and 1969?

The Hon. A. F. GRIFFITH replied:

There is no generally accepted measure of the change in the value of money over time.