Reform Association of W.A. "The results of our organisations door to door survey in Floreat Park was even better than anticipated. Of the householders interviewed, six to one favoured reform of the law along the lines put forward by the Hon. J. G. Hislop, M.L.C., in his recent Bill before Parliament."

"In a comprehensive survey we had fifty volunteers visit 95% of the homes in Floreat Park. Of those at home, 1,385 adults expressed their opinion in favour of Abortion Law Reform, whilst only 245 were against (129 had no opinion). Of those 1,385 adults expressing their opinion in favour, 1,109 (80%) signed our petition," said Mrs. Amos.

"In addition to these signatures we are presenting to Parliament today—

That was in September. To continue—

— 5,000 more signatures of citizens of W.A. calling upon their M.P.'s to introduce the necessary legislation for reform."

"We believe our survey conclusively shows that the electorate wish their Members of Parliament to face the issue and amend the existing laws on Abortion," she concluded.

The association plans to continue their campaign for Abortion Law Reform, and urges all citizens who have not yet expressed their opinions on reform to do so by writing to their Members of Parliament.

I have here a copy of the South Australian legislation which is in operation and the effects of which all members will be able to measure. I invite all members to look at that legislation and to study it for themselves. It is not completely an amalgamation of the thoughts expressed in both Houses of the South Australian Parliament, but it does seem to have been modelled through mutual co-operation.

Mr. President, I shall not add further to the Bill, which I have read out, but I shall leave it as it stands. I would be quite willing to discuss the matter at any time with any member and I sincerely hope that suggestions which come from discussion will be satisfactory to all and Parliament will be able to take some action on this measure. The South Australian legislation has worked well in the overall picture and, in saying this, I think we must forget some unfortunate happenings in the early stages of its implementation.

I have read the Bill to the House, and I feel there is no difficulty whatever concerning it. There may be some queries and I will be quite happy to answer any article or any query raised by any person making a real quest into this matter. I think I should leave it at that and speak again later, if necessary.

Debate adjourned, on motion by The Hon. A. F. Griffith (Minister for Mines).

BILLS (2): RECEIPT AND FIRST READING

1. Police Act Amendment Bill.
2. Anzac Day Act Amendment Bill.

Bills received from the Assembly; and, on motions by The Hon. L. A. Logan (Minister for Local Government), read a first time.

House adjourned at 5.48 p.m.

Legislative Assembly

Tuesday, the 24th March, 1970

The DEPUTY SPEAKER (Mr. W. A. Manning) took the Chair at 4.30 p.m., and read prayers.

LICENSING ACT: MAJOR ALTERATIONS

Referendum: Petition

MR. BRADY (Swan) [4.32 p.m.]: I present a petition from the members of the Seventh Day Adventist Church of Swan Districts, containing 221 signatures, praying for a referendum on the subject of major alterations proposed in the liquor laws of the State.

The DEPUTY SPEAKER (Mr. W. A. Manning): I direct that the petition be brought to the Table of the House.

LOWERING OF DRINKING AGE

Referendum: Petition

MR. BRADY (Swan) [4.34 p.m.]: I present a petition from the members of the various churches in Helena circuit, Western Australia, containing 271 signatures, praying for a referendum on the subject of the proposed lowering of the drinking age to 18 years of age.

The DEPUTY SPEAKER (Mr. W. A. Manning): I direct that the petition be brought to the Table of the House.

SUNDAY TRADING IN LIQUOR

Referendum: Petition

MR. BRADY (Swan) [4.36 p.m.]: I present a petition from the members of various churches in the Swan District, Western Australia, containing 257 signatures, praying for a referendum on the subject of the proposed alteration of the law on Sunday trading in liquor.

The DEPUTY SPEAKER (Mr. W. A. Manning): I direct that the petition be brought to the Table of the House.

QUESTIONS (43): ON NOTICE

1. AIR POLLUTION

Dust Nuisance: Gosnells

Mr. BATEMAN, to the Minister representing the Minister for Health:

In view of the answer given on Wednesday, the 18th March, 1970, which indicated that the dust count taken between September, 1969 and January, 1970, was very bad near Readymix Quarries, what action has been taken to rectify this very unsatisfactory situation?

Mr. ROSS HUTCHINSON replied:

After further investigations to determine exact sources of dust the company will be given the council's requirements for improved dust control.

2. STATE FORESTS AND TIMBER RESERVES

Mining Operations

Mr. H. D. EVANS, to the Minister representing the Minister for Mines:

Of the 4,635,643 acres of State forests and timber reserves located in the south-west of this State what area is currently held under mining lease, mineral claim or temporary reserve?

Mr. BOVELL replied:

Mineral Leases—1,650,000 acres approximately.

Mineral Claims—132,000 acres approximately.

Temporary Reserves — 734,000 acres approximately as at the 16th March, 1970.

3. NATIONAL PARKS

Mining Operations

Mr. H. D. EVANS, to the Minister representing the Minister for Mines:

Of the 3,500,000 acres vested for national parks in Western Australia, what area is held currently under mining lease, mineral claim or temporary reserve?

Mr. BOVELL replied:

Apart from the National Park at Hamersley Range, which was declared after a number of mining tenements and temporary reserves had been granted, no temporary reserves have been granted on National parks because they are not Crown lands under the provisions of the Mining Act.

There are many National Park reserves throughout the State and some few mining leases or mineral claims may have been granted affecting them but then only after consultation with the authority controlling the reserves.

4. EDUCATION

High School at Thornlie

Mr. BATEMAN, to the Minister for Education:

(1) In view of the number of primary schools in the Canning electorate which were not available for occupancy this year, will he give an assurance that the Thornlie High School will be available for occupancy in February, 1971?

(2) Has he plans to build other high schools in the Canning electorate; if so, what location?

Mr. LEWIS replied:

(1) The completion date has been set for October, 1970, but actual completion will be dependent upon factors within the building industry.

(2) Long range forecasts indicate the need for further high schools, but Thornlie is the only one planned for the immediate future.

5. LAKE LESCHENAULTIA RESERVE

Development

Mr. GRAHAM, to the Minister for Lands:

(1) Has he yet made a decision regarding the proposed development of portion of the Lake Leschenaultia reserve?

(2) If so, what?

(3) What authorities and organisations have been approached for advice or have submitted views on the proposals?

(4) What was their attitude in each instance?

(5) If he has made no decision, will he defer the matter in order that it might be considered by the proposed ministry for conservation?

(6) If not, why not?

(7) Does he not consider that a park of limited proportions should be either retained in a natural state as far as possible, or be extensively developed, but not a combination of both especially where there are worthwhile natural features?

Mr. BOVELL replied:

(1) No.

(2) Answered by (1).

(3) and (4) The Mundaring Shire Council is of the opinion that the proposed development is orderly

and well planned and would add greatly to the attraction of Lake Leschenaultia.

The Metropolitan Regional Planning Authority examined and approved the proposed plan of development, after discussion with officers of appropriate departments on the possible effects on flora and fauna. The ultimate effect from an aesthetic viewpoint was raised.

The Surveyor-General agreed in principle to the proposal, subject to rigid supervision of clearing which might affect the aesthetic appearance of, or soil conservation on, the leased area.

(5) No.

(6) Executive Council vested the reserve in the local authority with power to lease.

(7) Each proposal is considered on its merits.

Mr. Graham: By whom?

6. ROYAL PERTH HOSPITAL

Extensions

Mr. TOMS, to the Minister for Works:

(1) What extensions are proposed for the Royal Perth Hospital in regard to the work now being performed?

(2) By whom is the present construction being done?

(3) Is it proposed to complete the project with the same builders?

(4) If (3) is "No" what are the plans with respect to the present work now being done and the completion of the project?

Mr. ROSS HUTCHINSON replied:

(1) Work now being performed is the construction of a boiler house over part of which is proposed a four-storey wing extension to the hospital.

(2) Departmental day labour force.

(3) No.

(4) The boiler house project will be completed by the day labour force and it is proposed that tenders will be called for construction of the four-storey wing.

7. EDUCATION

Training of Town Planners

Mr. TOMS, to the Minister for Education:

In view of the apparent shortage of town planners in this State and the importance of properly planning districts and areas, will he give consideration to the setting up of a course for the training of same to a degree standard?

Mr. LEWIS replied:

The Western Australian Institute of Technology conducts an associateship in town and regional planning requiring three years' full time study or five years' part time, plus one to two years for the preparation of a thesis which must be submitted before recognition is granted.

The course at the moment is awaiting the recognition of the Town Planning Institute and is a substitute for a previous post-graduate course which was recognised by the Town Planning Institute.

There are 67 graduates currently enrolled, 10 of whom are in final year.

Some 30 students have previously graduated up to the end of 1969.

The Commonwealth and State Governments have accepted the principle of courses in colleges of advanced education being recognised where appropriate for the award of a degree, and a Commonwealth-State committee is working on accreditation procedures at the present time. No decision can be made pending receipt of the report of this committee.

8. EDUCATION

Carnarvon Hostel Staff: Accommodation

Mr. NORTON, to the Minister for Education:

Has any consideration been given by the Country High School Hostels Authority to the building of a flat for the matron and manager of the Carnarvon Hostel?

Mr. LEWIS replied:

A firm of architects is at present preparing plans for additions to the residence of the matron and warden at Carnarvon Hostel.

9. EDUCATION

Demountable Classrooms: Number in Use

Mr. NORTON, to the Minister for Education:

How many demountable classrooms are being used throughout the State?

Mr. LEWIS replied:

242.

10. EDUCATION

School at Meckering

Mr. McIVER, to the Minister for Education:

(1) When is it contemplated that the construction of a new school at Meckering will take place?

(2) Will Meckering be given top priority on the Education Department's building programme for 1970-71 to replace the present building which, due to the earthquake, is in a shocking condition?

(3) If not, why not?

Mr. LEWIS replied:

(1) The construction of a new school at Meckering will be dependent upon the availability of loan funds.

(2) and (3) The new school has been given high priority on the list of replacement schools.

11. EDUCATION

Demountable Classrooms: Meckering

Mr. McIVER, to the Minister for Education:

When will the fans promised for the demountable classrooms at Meckering be installed?

Mr. LEWIS replied:

Two wall mounted fans will be installed within the next two weeks as prototype test units.

12. RAILWAYS

Derailment at Burracoppin

Mr. McIVER, to the Minister for Railways:

(1) How many standard gauge wagons were derailed at Burracoppin siding in November, 1969?

(2) What was the total cost of the damage?

(3) What was the cause of the derailment?

Mr. O'CONNOR replied:

(1) Twenty-two.

(2) It is estimated that the final cost to repair the damage will be $120,000.

(3) The Board of Enquiry found that the derailment was caused by lateral movement of the track during passage of the train due to heat stress within the track.

13. RAILWAYS

Avon Valley Route: Emergency Access

Mr. McIVER, to the Minister for Railways:

Further to my question of the 22nd April, 1969, in relation to no access to sections of railway on the Avon Valley route and the possible use of helicopters in an emergency, would he advise what action has been taken regarding this matter?

Mr. O'CONNOR replied:

A committee of departmental officers has been delegated to establish an overall plan to cope with any emergency which may arise in the Avon Valley section of railway.

A disused suburban side door coach has been equipped for use as an emergency ambulance coach. It has been equipped with first aid and rescue equipment, is maintained and held in readiness at Midland, and is available for despatch to any point in the Avon Valley at short notice.

This coach was adapted as an emergency measure only and arrangements are in hand for modifying a corridor type coach as an ambulance vehicle.

Discussions have been held with the Royal Australian Air Force, which is prepared to co-operate by making a helicopter available to assist in any disaster if requested by the Police Department. It is advised that Royal Australian Air Force helicopters can land on the permanent way at almost any point in the Avon Valley.

The Director, Civil Defence and Emergency Services of Western Australia, has advised that the full resources of that organisation will be made available to assist in any disaster.

A book of instructions for the guidance of all concerned, listing the procedures to be adopted is in the course of preparation. Pending the completion of the abovementioned instructions, necessary instructions have been issued to train controllers in Perth with respect to emergency arrangements.

A detailed map of the Avon Valley area, showing the present access roads from the Midland-Toodyay road to the railway is being prepared and should be available at an early date.

As soon as the services of professional staff are available, a further survey of the Avon Valley section between the 21-mile and 42-mile pegs will be undertaken to assess the possibility of providing a road parallel to the railway at reasonable cost.

In conjunction with the Royal Australian Air Force an aerial survey has been made by helicopter, of possible helicopter landing pads throughout the Avon

Valley. These will be further investigated on site, as soon as possible.

Emergency communication centres are also being set up in the Railway Transport Offices at Perth and Northam to provide the necessary telephone communications.

14. ADOPTION OF CHILDREN ACT

1964 Amendments

Mr. LAPHAM, to the Minister representing the Minister for Child Welfare:

Will he advise when the amending provisions of the Adoption of Children Act, 1896-1962, agreed to in 1964 will be proclaimed?

Mr. CRAIG replied:

These were proclaimed on the 4th March, 1970, to operate from the 1st May, 1970.

15. HOSPITALS

Rockingham-Kwinana

Mr. RUSHTON, to the Minister representing the Minister for Health:

(1) To what stage has the proposed new Rockingham-Kwinana hospital progressed?

(2) Will he give an indication of when development of the site and buildings are expected to commence?

Mr. ROSS HUTCHINSON replied:

(1) The Principal Architect's Division of the Public Works Department has undertaken a complete study of progress and anticipated development of the district in order to assess hospital requirements.

On this basis a preliminary plan has been prepared involving the development of the hospital in several phases, the first of which provides for the construction of a hospital comprising 70 beds, of which 40 will be for general cases and the balance for maternity.

Associated services comprise an administration block, casualty, x-ray services, operating theatres, birth suite, mechanical and plant areas, and storage facilities. These associated services will be of sufficient size to provide for expansion to 200 beds.

(2) Appropriate levels have already been taken on the site, it being expected that work on construction of the hospital will commence next financial year.

16. MINING RESERVES

Area and Payments

Mr. GRAYDEN, to the Minister representing the Minister for Mines:

(1) What is the total area of Crown land involved in current temporary reserves granted under section 276 of the Mining Act, 1904-1968?

(2) How much has been paid by the occupiers of the current temporary reserves in return for the areas currently held?

Mr. BOVELL replied:

(1) and (2) To supply the information to answer these questions would involve a long and difficult search. Of the number in existence, each becomes due for renewal at a different date and each has a condition that 50 per cent. must be relinquished each year, thus affecting the area and rent payable.

17. PRISON OFFENCES

Amending Legislation

Mr. FLETCHER, to the Minister representing the Minister for Justice:

Is there any intention of introducing this session legislation to—

(a) reduce the number of offences carrying mandatory prison sentences;

(b) grant wider powers to permit provision for—

(i) bail and bonds;

(ii) fines and/or probation and parole,

with a view to relieving pressure on gaol accommodation and preventing the enforced association of the minor offender with the criminal?

Mr. COURT replied:

(a) and (b) Penalties imposed for breaches of the law are constantly under review. It is considered that the present position is satisfactory in regard to the provision of bail and bonds, and the provisions of the Offenders Probation and Parole Act are sufficient to meet present circumstances.

18 and 19. *These questions were postponed until Thursday, the 26th March.*

20. CHILD WELFARE ACT

Section 20

Mr. T. D. EVANS, to the Minister representing the Minister for Child Welfare:

(1) Has his attention been drawn to the comments of the Court of Criminal Appeal (W.A.) made on the 6th October, 1969, in the case The Queen v. Gill (see W.A. current Law, Volume 5, No. 7, case 143) concerning the many problems associated with the construction of section 20 of the Child Welfare Act and the hope expressed that the legislature may give further consideration to this provision?

(2) If "Yes" what action is contemplated and when?

Mr. CRAIG replied:

(1) Yes.

(2) Amendments are to be made during next session.

21. RAILWAYS

Surplus Steam Engines: Collie

Mr. JONES, to the Minister for Railways:

What is the purpose in stowing surplus steam engines at the Collie loco running sheds?

Mr. O'CONNOR replied:

The layout of this area is conducive to stowage at minimum cost.

Stowed stock is prone to vandalism and proximity to the locomotive depot is designed to keep this nuisance to a minimum.

The use of steam locomotives will progressively shrink towards the south-western portion of the State. At Collie, parts on stowed stock will be readily available for cannibalising to keep other locomotives in service during the final phasing out period.

22. EAST PERTH AND SOUTH FREMANTLE POWER STATIONS

Conversion to Oil, and Tonnage

Mr. JONES, to the Minister for Electricity:

(1) When were the East Perth and South Fremantle power stations changed over to complete oil burning stations?

(2) What were the tons of oil used at each station on a monthly basis since the changeover?

Mr. NALDER replied:

(1) Coal stocks were exhausted—at South Fremantle during the week ended the 17th August, 1968; at East Perth during the week ended the 1st March, 1969.

(2)

	East Perth (tons)	South Fremantle (tons)
1968		
August	—	9,531
September	—	12,481
October	—	9,595
November	—	10,166
December	—	7,376
1969		
January	—	6,954
February	—	7,590
March	817	6,971
April	552	6,229
May	710	8,212
June	1,369	9,713
July	1,779	12,673
August	2,079	11,442
September	2,210	12,088
October	1,875	9,291
November	2,480	10,256
December	515	8,407
1970		
January	936	6,566
February	1,928	9,776

23. HEALTH EDUCATION COUNCIL

Grants and Staff

Mr. JONES, to the Minister representing the Minister for Health:

(1) When was the Health Education Council of W.A. established?

(2) What Government grants have been made on an annual basis since its establishment?

(3) How many persons are employed by the council?

(4) Is this number sufficient to effectively carry out the work of the council?

(5) How many organisations have made requests for officers of the council to address their organisations on social issues but have been refused due to the shortage of staff?

Mr. ROSS HUTCHINSON replied:

(1) March 6, 1959.

(2)

	$
1959-60	24,400
1960-61	28,800
1961-62	30,100
1962-63	33,200
1963-64	34,500
1964-65	34,500
1965-66	34,500
1966-67	38,600
1967-68	38,000
1968-69	50,000
1969-70	50,000

(3) Seven persons full time and one person part time.

(4) All requests made by the council for additional staff from time to time have been met. A current request for two additional persons is under consideration.

(5) During the last four months none have been refused, but some 37 have been deferred for a variety of reasons not necessarily connected with staff shortage.

24. KWINANA POWER STATION

Extension

Mr. JONES, to the Minister for Electricity:

(1) Was the decision made to extend the size of the Kwinana oil burning power station instead of the Muja station at Collie based on economics?

(2) If "Yes" what were the relative economics?

(3) Were the coal mining companies at Collie approached to ascertain the price of coal if Muja was to be extended instead of Kwinana prior to a decision being reached on the extensions?

(4) If "No" why was not an approach made to the coal mining companies?

(5) If "Yes" on what date were the companies approached and what were the prices submitted?

Mr. NALDER replied:

(1) Yes.

(2) It would cost $10,580,000 more to add the two units at Muja than it would to add the same effective capacity at Kwinana.

(3) No.

(4) A firm price for coal could not be obtained to cover the period when the extensions to the station will come into operation—in approximately five years' time. The costs of fuel at the date of the decision were taken into account.

The lower capital cost of erecting an oil burning station at the load centre was the major factor in making the decision.

(5) See (4).

25. POLICE LAUNCH "CYGNET II"

Disposal

Mr. BURKE, to the Minister for Police:

(1) How many tenders were received for the purchase of police launch *Cygnet II?*

(2) From whom were tenders received and what was the tendered price in each case?

Mr. CRAIG replied:

(1) Fifteen, plus three late tenders.

(2) The highest valid tender was received from Mr. C. G. White for $2,020. This was subsequently withdrawn.

The second highest tender was received from the Nedlands Yacht Club (Inc.) for $2,000. This tender was accepted following withdrawal of the highest tender.

Other valid tenders were received ranging from $250 to $1,700.

It is not policy to publish details of unsuccessful tenders.

26. STATE ELECTRICITY COMMISSION

Revenue Return: Price per Unit

Mr. TONKIN, to the Minister for Electricity:

What overall price per unit of electricity would the State Electricity Commission have had to charge during the financial year 1968-69 to obtain the same revenue return from sales as was obtained in the previous year?

Mr. NALDER replied:

1.905c.

27. COPPER WATER PIPING

Effect of Additives

Mr. DAVIES, to the Minister for Water Supplies:

(1) Is there any evidence to suggest that additives to or chemicals used in purifying the metropolitan water supply would adversely affect copper water piping over a short or long term?

(2) Is he aware that the local manufacturer of one domestic hot water system claims the water is responsible for corroding pipes and tanks in approximately three years?

(3) Has his department any comment on such a claim?

Mr. ROSS HUTCHINSON replied:

(1) No, provided installation is in accordance with the plumbing by-laws.

(2) Yes, one manufacturer has claimed that the water may be responsible for early failure of copper hot water cylinders. This claim is not confirmed by any tests that the water board has been able to conduct.

(3) The phenomenon of metallic corrosion is a highly complex one associated with electro-chemical action and its causes are still imperfectly understood.

From the board's experience with copper pipe used in service connections from main to meter, the most common factors in the corrosion of copper pipe are:—

(a) the quality of the copper used and the thickness of the metal employed, particularly if impurities are present in the copper;

(b) the type and quality of solder employed for jointing;

(c) contact with other metals or stray electric currents from earthed electrical or telephone systems.

Mr. Tonkin: You forgot fluoride.

Mr. ROSS HUTCHINSON: That would not do it any harm.

28. SEWERAGE

South Como, Manning, and Salter Point Areas

Mr. MAY, to the Minister for Water Supplies:

(1) Will he advise particulars of the progression schedule to provide deep sewerage in the South Como-Manning-Salter Point areas?

(2) When is it anticipated that the areas mentioned will be fully sewered?

(3) Will he advise if the work currently being carried out at the corner of Challenger Avenue and Griffin Crescent, Manning, is in connection with the sewering of Manning?

Mr. ROSS HUTCHINSON replied:

(1) and (2) The plan which I propose to table shows, bordered blue, the sewered portion of the South Como-Manning-Salter Point areas.

Work is proceeding in the area shown bordered red. This area which will be served by a pumping station in Clydesdale Street is expected to be completely sewered by the end of 1972.

Salter Point will require a small pumping station and reticulation system. A programme has not yet been set for this work.

Unsewered areas in the west adjacent to the Canning River have not been sewered pending decisions on the route of the extension of the Kwinana Freeway.

The Western Australian Institute of Technology and the State Housing Commission land at East Manning will be served by a pumping station at present under construction. It is expected that this will be in operation by the end of the current financial year. The reticulation sewers to serve the State Housing Commission land will not be constructed until required.

(3) A small ejector station at the corner of Griffin Crescent and Challenger Drive is being converted to a conventional sewage pumping station to give improved operating efficiency for portions of Manning already sewered.

The plan was tabled.

29. CIGARETTE SMOKING

Health Act: Amendment

Mr. BERTRAM, to the Minister representing the Minister for Health:

(1) Is it still his intention as expressed in the Governor's speech to amend the Health Act to make it compulsory for manufacturers to indicate on cigarette packets that smoking does constitute a hazard to health?

(2) If "Yes" when?

(3) If "No" why?

Mr. ROSS HUTCHINSON replied:

(1) to (3) It is expected that this matter will be determined by Cabinet next week.

30. EDUCATION

Employment of 14-year Olds

Mr. JAMIESON, to the Minister for Education:

(1) Is he aware of advertisements in the daily press for boys of 14 years to take up various forms of employment?

(2) Is such an inducement not a breach of the Education Act and, if so, why has action not been taken against the advertisers?

(3) How many children who have their fifteenth birthday this year have not turned up for schooling this year?

Mr. LEWIS replied:

(1) No.

(2) Such an advertisement is not a breach of the Education Act. Children who are fourteen years of age can legally be employed if exempted from school under section 13 of the Act.

(3) This information is not available.

31. EMPLOYERS FEDERATION

Employment of 14-year Olds

Mr. JAMIESON, to the Minister for Labour:

(1) In view of the constant advertising for boys of 14 years of age to enter industry, despite the requirement of children to remain at school until the end of the year in which they turn 15 years, will he request the Employers Federation to ask employers to desist in encouraging children to break the law?

(2) Is it not a fact that children employed who do not comply with the Education Act are not covered by workers' compensation?

Mr. O'NEIL replied:

(1) The Minister for Education may exempt a child of 14 years from further attendance at school if the child satisfies the Minister that he is assured of employment, that it is necessary to leave school to take employment and the Minister is of the opinion that it is in his best interests. Also, where the child has successfully completed three years of secondary education if he satisfies the Minister that he desires to undertake full time education in a vocational course other than at a Government or an efficient school.

It is an offence under both the Education Act and the Factories and Shops Act for employers to employ any child who has not been exempted from school attendance. It is an offence for any child to absent himself from school unless he is exempted.

It is not known whether there is constant advertising for boys of 14 years of age to enter industry.

The Employers Federation will be requested to point out the legal situation including the breaches which employers can render themselves.

(2) I am not aware of any such exclusion. On the contrary, section 29 (12) of the Act provides that the Workers' Compensation Board may, where it thinks proper so to do, regard illegal contracts of service as valid.

32. PROBATE DUTIES

Valuations: Farming Areas

Mr. GAYFER, to the Treasurer:

Referring to my question of Thursday, the 19th March, is cognisance of the number of farms for sale in a district and unsold taken into consideration when valuing properties for probate and other purposes?

Sir DAVID BRAND replied:

If a number of farms in a district were offered for sale at prices below ruling values and were unsold, this fact would be taken into account in the valuation of properties for probate and other purposes.

33. EDUCATION

Kwinana Senior High School

Mr. TAYLOR, to the Minister for Education:

With regard to the Kwinana Senior High School—

(1) How many—

(a) classrooms;

(b) staff rooms,

are under construction or being remodelled at this point of time?

(2) How many of these are in use by students at some time during each day?

(3) How many temporary structures—demountable, etc.—are in use at the school?

(4) How many temporary structures are in use by the high school students at Calista, Orelia or any other primary school in the area?

(5) When is it anticipated that tradesmen will complete and vacate the classrooms mentioned in (1)?

(6) Will this allow the high school students to be withdrawn from outside primary schools or will the high school continue to have to make use of them?

Mr. LEWIS replied:

(1) (a) New building—

2 science laboratories
2 technical drawing
4 manual arts (2 woodwork and 2 metalwork)
1 book sales room.

Conversion—

2 manual arts to 1 home science and cloakroom
1 technical drawing to 2 classrooms
1 classroom to tutorial room and office.

(b) New staff room under construction. Old staff room being converted to sick bay and office.

(2) All are in full use.
(3) 14—12 demountable, 2 Bristol.
(4) One classroom at Orelia.
(5) The 25th May, 1970.
(6) On completion of additions all students will be housed at the school.

34. PUBLIC RELATIONS AND PROMOTION OFFICERS

Employment

Mr. BICKERTON, to the Premier:

(1) How many public relations officers are employed by the Government?
(2) What are the names of the departments in which they are employed?
(3) What are their respective—
  (a) names;
  (b) duties;
  (c) qualifications;
  (d) wages, salaries and other remuneration;
  (e) previous occupations;
  (f) periods of appointment;
  (g) dates of appointment?
(4) How many additional public relations officers does the Government intend to employ in, say, the next six months, and what are the particulars?
(5) Does the Government differentiate between public relations officers and Government or departmental promotion officers; if so, what is the difference?
(6) In the case of the Government employing promotion officers as distinct from public relations officers, will he supply the same details regarding promotion officers as those previously requested concerning public relations officers?

Sir DAVID BRAND replied:

(1) to (3) Schedule tabled herewith.
(4) So far as I am aware, no additional appointments are contemplated in the next six months.
(5) Promotion officers in the Department of Industrial Development generally make direct approaches to particular individuals or sections of industry.
(6) See schedule tabled.

The schedule was tabled.

35. HOUSING

State Housing Commission Programme

Mr. GRAHAM, to the Minister for Housing:

(1) What funds were available or allocated for the programme of the State Housing Commission for the current financial year under the headings—
  (a) war service homes;
  (b) Commonwealth-State Housing Agreement;
  (c) State Housing Act;
  (d) other?
(2) What are the corresponding figures for the last financial year?
(3) What are the figures in reply to (1) following the diversion of $2,000,000 for other purposes?
(4) How much of last year's funds were unexpended at the end of the financial year?
(5) What is the anticipated position at the conclusion of the current financial year?

Mr. O'NEIL replied:

	$	$
(1) (a) War service homes	....	4,100,000
(b) Commonwealth-State agreement	12,300,000	
Less home builders account	3,450,000	8,850,000
(c) State Housing Act :		
General Loan Funds	....	4,700,000
Semi-government borrowings	....	2,000,000
(d) Domestic funds	6,000,000	
Less home builders account	550,000	5,450,000
Total	....	25,100,000
(2) (a) War service homes	....	4,000,000
(b) Commonwealth-State agreement	12,400,000	
Less home builders account	3,450,000	8,950,000
c) State Housing Act :		
General Loan Funds	....	2,300,000
Semi-government borrowings	....	1,600,000
(d) Domestic	6,300,000	
Less home builders account	473,000	5,827,000
Total	....	22,677,000
(3) (a) War service homes	....	4,100,000
(b) Commonwealth-State agreement (net)	....	8,850,000
(c) State Housing Act :		
General Loan Funds	....	2,700,000
Semi-government borrowings	....	2,000,000
d) Domestic funds (net)	....	5,450,000
Total	....	23,100,000
(4) (a) War service homes	....	250,000
(b) Other	....	3,300,000
Total	....	3,550,000

(5) It is anticipated that the commission will spend $9,000,000 above funds listed in (3) above.

36. HOUSING

Rents at Wandana

Mr. BATEMAN, to the Minister for Housing:

(1) What rentals are at present being charged for flats at Wandana?
(2) Is there any intention of increasing these rents?

(3) If so, at what date will the increases commence?

(4) What will be the increase in each case?

(5) What are the reasons for raising the charges?

(6) Is he aware that some of the tenants are pensioners and cannot afford an increase of rent?

(7) What arrangments, if any, are to be made to alleviate the position of such pensioners?

(8) When were the rents last increased, by how much and for what reasons?

(9) What profit was made during the last financial year after taking into account all of the items chargeable under the Commonwealth-State Housing Agreement?

Mr. O'NEIL replied:

(1) On existing tenancies:

1 bedroom flats: $9.00, $9.50 and $9.70 per week.

2 bedroom flats: $9.70.

(2) (a) On the 12th February, 1970—it was approved by the State Housing Commission to increase rents to new occupants as follows—

1 bedroom flat—$12.00 per week.

2 bedroom flat—$14.00 per week.

(b) Further increases are not envisaged at present.

(3) and (4) See (2).

(5) To standardise the rents with those charged for other similar commission accommodation.

(6) Yes, but occupancy of "Wandana" flats built in 1956 has always been conditional on payment of full economic rent.

(7) Tenants entitled to rental rebates are transferred to alternate accommodation for which rebate provisions apply, as quickly as possible.

(8) In the general revision of rents in July, 1966, increases ranged from $1.70 to $2.60 per week for the reasons stated in (5).

(9) On the basis of rents receivable from existing tenancies and anticipated vacancies and paying standard outgoings, a profit of $20,847 is calculated.

It is to be noted that the Wandana project of 252 units is but part of the 8,975 units being rented under the Commonwealth-State Agreement, 1945-1955 and on which $310,508 was granted as rental rebates in 1968-1969.

37. *This question was postponed.*

38. APPRENTICES

Intake and Number Registered

Mr. JAMIESON, to the Minister for Labour:

(1) How many notices to employers were sent out requesting employers to indicate ways and means of increasing their apprenticeship intake?

(2) How many replies were received and what was the broad outline of those replies?

(3) For each of the years ending the 30th June from 1963 to 1968 inclusive, will he advise the number of registered apprentices under—

(a) the five year apprenticeship scheme;

(b) the shorter term apprenticeship schemes?

(4) What was the total under both (a) and (b) schemes?

(5) What is the total number of apprentices at present registered in the metal trades industry for—

(a) five year term;

(b) shorter than five year term?

(6) What is the total registered under the several schemes?

(7) How many apprentices are at present registered in each of the building trade industries for—

(a) a five year term;

(b) shorter term apprenticeship?

(8) What is the total under the several schemes?

(9) How many apprentices are employed by the Government in each of the building trade industries, excluding those employed by the State Electricity Commission and W.A. Government Railways, under—

(a) a five year term;

(b) shorter term;

(c) all schemes?

(10) How many building tradesmen are employed by the Government in each of the building trade industries excluding the S.E.C. and W.A. Government Railways?

(11) Was he equally concerned about the shortage of apprentices in the building industry as to industry generally when he submitted his inquiry request, and is he still of the same opinion; if not, why not?

(12) What steps have been taken to implement the Bowen Report and what further steps arising from that report does he propose to implement?

Mr. O'NEIL replied:

(1) In the latter part of 1969 a pamphlet was prepared by the Apprenticeship Council. Ten thousand of these were printed, and approximately 6,000 have been distributed, in the several months since Christmas. The employers' organisations, the Education Department, and the Agent-General in London have all co-operated in the distribution. Added to this, the Chief Commissioner (Mr. O'Sullivan) and Mr. J. Ward, the Administrative Officer of the Apprenticeship Council, have conducted a vigorous campaign stressing the community's need for increased numbers of tradesmen and hence, apprentices. They have constantly visited employers and attended and spoken at apprenticeship evenings and employers' gatherings.

(2) Replies to the above pamphlet were not required and consequently, none were received. The pamphlet's intention was to provoke the employers' awareness of the need for increasing numbers of tradesmen and apprentices.

(3) The 30th June, 1969:
(a) 5-year term: 8,033
(b) less than 5 years: 1,650

The 30th June, 1968:
(a) 5-year term: 7,768
(b) less than 5 years: 1,199

The 30th June, 1967:
(a) 5-year term: 7,669
(b) less than 5 years: 751

The above details cannot be provided for the years prior to 1967, as separate statistics were not compiled.

(4) 1969—9,683.
1968—8,967.
1967—8,420.
1966—8,172.
1965—7,798.
1964—6,879.
1963—6,218.

(5) (a) 5-year term: 3,482
(b) less than 5-year term: 1,298 (as at the 31st December, 1969).

(6) 4,780 (as at the 31st December, 1969).

(7)

	5-Year Term	Less than 5-Year Term	Total
Bricklaying	116	6	122
Stonemasonry	4	....	4
Carpentry and joinery	740	149	889
Plumbing	481	13	494
Plastering—solid	63	....	63
Plastering—fibrous	....	25	25
Plastering—modelling	....	1	1
Painting	275	10	285
Signwriting	25	2	27
Leadburning	....	1	1
	1,704	207	1,911

(As at the 31st December, 1969.)

(8) 1,911.

(9)

	5-Year Term	Less than 5-Year Term	Total
Bricklaying	12	2	14
Carpentry and joinery	46	29	75
Plumbing	29	2	31
Plastering—solid	7	....	7
Painting	40	....	40
	134	33	167

(As at the 31st December, 1969).

(10)

Carpenters	335
Painters	260
Plumbers	110
Bricklayers	63
Plasterers	47
Total	815

Note:

(1) above as at the 30th June, 1969.

(2) above also includes those employed under awards other than the Building Trades Award; for example, the Water Supply Sewerage and Drainage Employees Award.

(11) Yes.

(12) The principle recommendation of the Bowen Report was the establishment of an Apprenticeship Council. The W.A. Apprenticeship Council has been functioning since 1964 and is implementing the recommendations of the Bowen Report.

The pamphlet was tabled.

39. PUBLIC EDUCATION ENDOWMENT TRUST FUND

Financial Position

Mr. JAMIESON, to the Minister for Education:

(1) What is the actual present financial position of The Public Education Endowment Trust Fund?

(2) (a) What other assets are owned or vested in the public education endowment trustees at the present time;

(b) What are the estimated current values of these assets?

(3) When was the last allocation of property made by a Government to the Public Education Endowment Trust?

Mr. LEWIS replied:

The following information is as at the 31st December, 1969:—

(1) Cash balances—$15,985.

Commonwealth bonds and inscribed stock—$38,300.

S.E.C. inscribed stock—$81,160.

(2) (a) Approximately 8,268 acres of land held in various parts of the State.

(b) The aggregate annual rental as at the 31st December, 1969, was $6,258.

It is not possible to estimate current values as some of the land has not attracted lessees or buyers.

(3) There has been no significant vesting for 50 years.

40. RAILWAYS

Gang: Duranillin

Mr. JONES, to the Minister for Railways:

Has a departmental official recommended the placing of a railway gang at Duranillin?

Mr. O'CONNOR replied:

No.

41. GIRL GUIDES ASSOCIATION

Grants

Mr. H. D. EVANS, to the Treasurer:

Will he indicate the amount received in—

(a) grants for administrative purposes;

(b) grants for specific projects,

received by the W. A. Girl Guides Association from Government funds and from Youth Council grants in each of the last five years?

Sir DAVID BRAND replied:

(a) and (b) Assistance to the Girl Guides Association in 1965-66 comprised the annual grant of $2,000 paid by the Treasury.

The grant had previously been raised to that level to help the association meet annual commitments, associated with the purchase of its headquarters, and to allow for the gradual accumulation of funds for other purposes.

From 1966-67 onwards, assistance to this and other youth organisations became the responsibility of the Youth Council, which has provided the association with the following amounts—

	For Administrative Purposes	For specific Projects
	$	$
1966-67	1,500	2,000
1967-68	1,500	3,100
1968-69	—	4,150
1969-70	—	2,520

(allocated to date)

The amounts of $1,500 in each of the years 1966-67 and 1967-68 were provided for the purpose of subsidising the salary of a full-time extension officer. The council was prepared to continue this assistance but its offer was refused by the association, which was unable to meet its commitments in this respect.

42. RAILWAYS

Freights: Iron Ore and Bauxite

Mr. MAY, to the Minister for Railways:

Will he advise the—

(a) cost on ton-mileage basis of iron ore transported on standard gauge rail from Koolyanobbing to Kwinana;

(b) revenue received from such service since operation commenced;

(c) cost on ton-mileage basis of bauxite transported by rail from Jarrahdale to Kwinana on narrow gauge rail;

(d) revenue received from such service since operations commenced?

Mr. O'CONNOR replied:

(a) The current cost to the company, for the transport of 1,100,000 tons of iron ore per annum, is 1.192c per ton mile.

The freight rates are subject to escalation based on variation in the Railways Department's costs. These are now under examination and adjusted rates will have application from the 1st January, 1970.

(b) $11,197,961.

(c) The current cost to the company for the transport of 3,000,000 tons of bauxite per annum, is 1.43c per ton mile.

The freight rates are also subject to escalation and the above rate has had application from the 1st January, 1970.

(d) $4,189,439.

43. BOY SCOUTS ASSOCIATION

Grants

Mr. H. D. EVANS, to the Treasurer:

(1) Has the Western Australian branch of the Boy Scouts Association received an annual grant from Government sources in past years for administrative and general purposes?

(2) Over how many years has this grant been paid?

(3) What was the annual amount involved?

(4) Was this grant withdrawn or reduced recently; if so, for what reason was it withdrawn or reduced?

(5) In the event of it being reduced, what was the amount of the reduction?

(6) Has there been any reduction in grants made to the Boy Scouts Association for specific purposes over the last two years; if so, by how much have such grants been reduced and for what reason?

(7) Is it expected that the Boy Scouts Association will receive financial aid from Government sources in the current and future years; if so, can he indicate the expected amount?

Sir DAVID BRAND replied:

(1) Yes.

(2) Twenty-three years.

(3) Paid by Treasury Department until 1965-66.

The annual grant to the association was progressively increased from $200 in 1947-48 to $2,500 in 1962-63, and was maintained at that level up to and including 1965-66. From that stage onwards, the grant became the responsibility of the Youth Council.

For the years 1960-61 and 1961-62 the annual grant which was then at the level of $2,000, included $1,000 to be applied by the association in assisting needy groups with capital projects and equipment.

From 1962-63 until 1965-66 the annual grant of $2,500 included $1,500 for those purposes.

In 1967-68 the Treasury provided a special grant of $10,000 towards the cost of the Manjedal Centre. This assistance was made available on the recommendation of the Youth Council, which, at the time, was not able to provide further funds for capital projects.

The assistance provided by the Youth Council has comprised—

1966-67—$5,400.
1967-68—$6,250.
1968-69 — $10,900, including $5,000 towards the cost of the Manjedal Centre.
1969-70 (to date)—$10,520, including $5,000 towards the cost of the Manjedal Centre.

It will be observed that $20,000 has been provided from Government sources in respect of the Manjedal Centre. I understand that the latest information supplied to the council shows the total capital cost of the centre as being $114,000.

(4) to (6) Answered by (3).

(7) It is expected that the association will receive aid from Government sources in future years, but it is not possible at this stage to indicate the amount of such assistance. The Youth Council is receiving applications for assistance at an ever increasing level, as the service to youth throughout the State becomes more comprehensive. These include many from smaller, but very worthy organisations. As provided under section 15 of the Youth Service Act, 1964, decisions upon these applications are made, by the council, according to their relative merits, and within the limits of the total grant provided by the Government to the council for that purpose.

QUESTIONS (4): WITHOUT NOTICE

1. POLLUTION

Cockburn Sound Conservation Committee

Mr. ROSS HUTCHINSON (Minister for Works): I would like to secure your approval, Mr. Deputy Speaker, to supply answers to the questions of the member for Cockburn asked of me on Thursday, the 19th March. I promised to consult the Secretary of the Cockburn Sound Conservation Committee with a view to obtaining the necessary information. The questions the honourable member asked are as follows:—

(1) On what date was the Cockburn Sound Conservation Committee established?

(2) Since its establishment—

(a) how many specific instances of pollution have been reported to the committee;

(b) how many specific investigations have been carried out with regard to pollution;

(c) how many warnings have been issued with regard to pollution;

(d) how many prosecutions have been initiated with regard to pollution?

The answers are as follows:—

(1) Inaugural meeting convened by the Kwinana Shire Council on the 2nd December, 1968.

Inaugural meeting of Steering Committee—the 17th February, 1969.

Inaugural meeting of Cockburn Sound Conservation Committee—the 22nd May, 1969.

Deputation which I received on the 24th June, 1969, requested support in obtaining representation from the Fremantle Port Authority and the Department of Industrial Development, and subsequent inaugural meeting of the committee with the requested representation was held on the 18th September, 1969.

(2) (a) Nine.

(b) and (c) In all nine instances the controlling body, the Fremantle Port Authority, was requested to investigate and report.

The nature of the reports is as follows:—

(i) Three reports of dead fish:

Each instance was investigated by an officer of the port authority who visited the area where the dead fish were reported.

No trace of a polluting effluent could be discovered. It is difficult in such cases to trace the cause of the death of the fish as there is usually a lapse of time between the fish being killed and their eventually floating ashore.

(ii) Two reports of sulphur in the water:

The sulphur in the water came from ships discharging at the port authority's bulk cargo jetty, and was windblown from the grabs and hoppers during discharging operations.

The authority is actively engaged in developing modifications to its mechanical equipment which it is hoped will largely overcome this problem. However, it will be most difficult to completely control the dust problem.

(iii) One report of large amounts of seaweed on the beaches:

The seaweed referred to was a common type of sea lettuce which had grown larger than normal due to the relatively calm winter conditions.

(iv) One report of the presence of caustic on the beach in the vicinity of the alumina refinery:

The company concerned, Alcoa of Australia Ltd., was approached and agreement was reached as to a method of overcoming this problem.

The authority is keeping a close check on the company's activity in this regard, which involves the construction of sumps, pumps and conductivity cells which should be completed by the end of March.

(v) One report of underwater build-up of gypsum from a broken effluent pipe at CSBP:

An approach was made to CSBP & Farmers Ltd., and as a result all effluent was and still is being carried by truck to the local dump. The company is currently replacing the broken fibre glass pipe with a steel cement lined pipe.

(vi) One report of oil on the beach at Naval Base:

Following this report, officers of the port authority checked the beach and subsequently advised that the substance was not oil. However, whatever the nature of the substance it quickly disappeared.

(d) Nil.

2. TRAINEE TEACHERS

Weekly Payments

Mr. BERTRAM, to the Minister for Education:

(1) Is it so that certain trainee teachers are not receiving their weekly pay of approximately $18, but are receiving the sum of approximately $15 only?

(2) If "Yes" when will this be rectified?

Mr. LEWIS replied:

(1) The question apparently concerns allowance increases due to students passing from 2nd to 3rd and 3rd to 4th years of training. These increases have not yet been paid.

(2) The adjustments will be made in the next pay, due on the 16th April, 1970.

3. STATE HOUSING COMMISSION

Annual Report

Mr. GRAHAM, to the Minister for Housing:

In welcoming back the Minister for Housing I would ask him, in view of the fact that the last annual report of the State Housing Commission is that for the year ended the 30th June, 1968—nearly two years ago—when he expects the report for the year ended the 30th June, 1969, will be available for the information of members?

Mr. O'NEIL replied:

I thank the Deputy Leader of the Opposition for his felicitations. I will make inquiries.

4. FARMERS: ECONOMIC POSITION

Conference of State Premiers

Mr. GAYFER, to the Premier:

Because of the mounting unrest of farmers, generally, in this State, as well as in other States, caused by their economic position, would he consider the possibility of requesting the Prime Minister to call a conference of all State Premiers to discuss the alarming situation?

Sir DAVID BRAND replied:

The honourable member gave me some notice of this question. In giving the consideration which he suggests I must have regard to certain factors. First of all, the Prime Minister—and any Prime Minister in a period similar to that which we are now experiencing—is well advised of the state of the economy and the problems associated with any industry in any particular State. On the occasion of the State Premiers meeting the Prime Minister recently, the Premiers took advantage of the opportunity to refer to the difficulty of drought, the difficulty of the proposed wheat quotas, and the difficulty associated with the price of wool, etc. Of course, not all rural industries are facing great difficulties.

The Prime Minister is well aware of the troublesome positions existing in each State. The Agricultural Council meets quite regularly—the Minister tells me twice a year—and each Minister for Agriculture reports to that council, which is chaired by the Minister for Primary Industry.

In view of the concern which was expressed by each Minister, the Minister for Primary Industry would, no doubt, pass the views on to Cabinet and discuss them with the Prime Minister and the Treasurer. Besides that, the representatives of the various farmers' and pastoralists' organisations meet in Canberra from time to time and pass on the information to the various Ministers and, on occasions, directly to the Prime Minister where he has seen fit to receive them.

The fact is that the Prime Minister would be well aware of the problems facing rural industries in each State, just as the Premiers are fully aware of the difficulties in each State. In requesting the Prime Minister to call a Premiers' conference, I would have to have regard to the Premiers in other States. Those Premiers might consider that such a conference is not justified. Not all Premiers' conferences have been very satisfactory, as far as my experience is concerned.

A request to the Commonwealth would be for more financial assistance to resolve some of the problems which we know exist in the agricultural industries. I do not feel inclined to take the matter up directly as a request from me, especially without referring to the other Premiers.

However, I will write to the Prime Minister and refer him to the fact that the question has been raised, and I will ask for his comments.

BILLS (2): THIRD READING

1. Police Act Amendment Bill.

   Bill read a third time, on motion by Mr. Craig (Minister for Police), and transmitted to the Council.

2. Anzac Day Act Amendment Bill.

   Bill read a third time, on motion by Sir David Brand (Premier), and transmitted to the Council.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th March.

MR. DAVIES (Victoria Park) [5.24 p.m.]: I think any measure which comes before this House for the purpose of anti-pollution or conservation is bound to receive the approbation of members. I do not think there is any doubt that the members of this Chamber will agree with the provisions contained in the Bill.

I agree with the measure which has been brought before us for the purpose of preventing the pollution of underground or artesian water. Conservation and anti-pollution measures are popular at the present time. They are not anything new as far as this House is concerned because on many occasions I have heard members—more particularly from this side, but, to be fair, from both sides—say that there is need for the Government to take action in certain directions. I particularly remember the member for Geraldton and the member for Beeloo—as he then was—bringing to the notice of the House the effects of various sprays, and the need to be very careful because of the situation in which we could find ourselves because the sprays could not be broken down and would, therefore, remain in a dangerous state.

However, on each occasion the Government has considered that there has been adequate protection, although we have not always agreed on this side of the House. Conservation has become such a popular measure we are pleased to see the Government taking an interest, and we are pleased, indeed, to see that the Premier has indicated there will be a Minister for Conservation. However, the Premier's statements so far have been in the vaguest form and we do not yet know what is proposed.

I am mindful of the tremendous expense to which Governments are put in the introduction of anti-pollution measures, and I think we have all read the message to Congress from the President of the United States of America earlier this year. Early in February the President announced the conservation measures which were to be taken. Indeed, I think he mentioned 23 legislative proposals and 14 steps by executive order which would be taken to overcome the tremendous problem of pollution in the United States.

A large amount of money was to be spent on anti-pollution measures, particularly in regard to water and to sewerage treatment. Some of the sewerage treatment plants in existence in the United States must be in a deplorable condition because the President said that his Government intended to spend something like $3,500,000,000 over the next five years to improve the position. I am pleased that we are not likely to find ourselves in that position.

As the Minister said, the earlier we take steps to prevent pollution then the cheaper will be the cost to the Government and, indeed, for that reason I support the Bill. I will make some comments on certain proposals contained in the Bill, but in general terms I feel the Minister will be able to give me acceptable answers and the Bill will be passed.

The supply of water must be a continuing problem to the Government and, indeed, to any Government in this State. I believe it has always been a problem because of the vast amount of money which needs to be spent to protect the meagre supplies of water which are available.

It is interesting to note that some concern is expressed in this regard, and that the Government has found it increasingly necessary to tap underground water supplies to augment the supplies available from the dams in the hills. Although the Minister told us of the measures to be taken, he was not able to be specific about the likely form of pollution.

Towards the end of his speech I did ask the Minister whether any particular pollution problem had been discovered, or was likely to occur. I had not seen any evidence of pollution having taken place. The Minister replied that he thought the main concern came from biodegradable detergents.

Mr. Ross Hutchinson: I first of all mentioned industrial effluent.

Mr. DAVIES: That is right, but I think I was aware of the industrial effluent problem. However, at the mention of biodegradable detergents I nodded my head and looked rather wise. However, I did not know what he was talking about; but I saw in the paper, the following day, that action had been taken through the Minister for Health in an endeavour to overcome this particular problem.

The Minister for Health had called a meeting of the W.A. Surfactants' Association. I was not quite certain what the association was but it turned out to be an organisation of detergent manufacturers and their raw material suppliers. Apparently the meeting was called because of the question of biodegradable detergents about which the Minister was expressing some concern. It was not the biodegradability of the detergents which was causing the problem; it was the non-biodegradability. Once again, according to the newspaper report, non-biodegradable detergents cannot be broken down into simpler substances by living organisms. The outcome of the meeting of the Surfactants' Association with the Minister was that the

association promised to see what could be done, on a voluntary basis, to establish acceptable biodegradable levels.

This is attacking the problem at its source. We are certainly going to continue to use detergents, but the nature of the detergents can have a great bearing on whether or not there is any pollution problem associated with them. Therefore, having seen that established and having understood what "biodegradable detergent" means, I can appreciate the problem which has confronted the department, because, I imagine, a great deal of this material must be used in industrial processes as well as for domestic use. If it is going to be left on the surface and it is not possible for it to be broken down by living organisms, which is the generally accepted and understood method of decaying or deteriorating any noxious or obnoxious material, we shall have a problem if vast quantities of this type of detergent seep into our underground water supply. As far as I know, there is no evidence that this is already happening in Western Australia.

This Bill seems to be a preventive measure more than anything else and we applaud the Government for the steps it has taken.

As regards the Bill itself, there is some concern about one or two of the definitions. The Government proposes to put a definition of "artesian bore" in clause 3 (b), which reads—

> "Artesian bore" means a bore in which the level of water rises above the top of the aquifer on which the water is encountered;

There is also a definition of "aquifer", which reads—

> "Aquifer" means a porous geologic formation that bears water;

So we have a geologic formation in which the water is contained. Apparently when this formation is tapped and the water rises above the aquifer, it is an artesian bore.

It has been put to me—and I think it is self-evident—that if one taps an underground water supply there is an automatic rise. It may not be to the surface, but it may rise 6 in., 4 in., or a foot. I think we have all seen this phenomenon. Thus the Metropolitan Water Board is given control over all underground water supplies, whereas this measure seems to be specifically directed at artesian water.

Mr. Ross Hutchinson: All.

Mr. DAVIES: The Minister might be able to say whether he thinks there is a need for a more specific definition of "artesian bore." Should it be, " 'Artesian bore' means a bore in which the level of water rises above the top of the aquifer and to surface land level on which the water is encountered"? Should there be a more specific definition? I think the Minister will probably agree that once an aquifer is tapped, there is an automatic rising of the water level at that specific point of the tapping.

This definition will cover all underground water. I think the Minister said by way of interjection that this measure applies to all underground water, so probably, irrespective of the definition of "artesian bore," the board still has power over all underground water, whether it is artesian or not. It appears that some further clarification is necessary.

Strange to say, I could not find anything about artesian water in our own Parliamentary library. There is quite a bit of material in the library on water resources throughout Australia, action taken by the Water Resources Committee, and information on water generally, but I could not find any specific information on artesian water, not even in the encyclopedia there. Perhaps it is something that is generally accepted as being peculiar to Australia and not worthy of mention in an overseas encyclopedia.

Mr. Ross Hutchinson: You find it in other countries, too, of course.

Mr. DAVIES: Yes; perhaps I should have said that it seems to be more talked about in Australia.

The other factor which causes me some concern is the provision giving power to the board to make by-laws regarding what can and cannot be done within a specified area but at the same time retaining the right to grant a dispensation from the observance of any by-law. I am not quite certain how it is proposed that this will operate, but it seems to me that if an area is to be defined as one where pollution is occurring, there is either pollution or there is no pollution. If there is pollution, surely there is no need to grant dispensation; and if there is no pollution, there is no need to put out an order in the first place. I do not quite know what is proposed in this regard, but from the way the Minister smiles I am sure he has an acceptable answer to my problem.

Mr. Ross Hutchinson: I cannot see that there is much of a problem. I am wondering why the honourable member is confused on this issue.

Mr. DAVIES: Under the proposed legislation the Metropolitan Water Board has the right to control, regulate, and prohibit on lands within a pollution area certain things which can or cannot be done. If pollution is occurring the board will use its rights under by-laws to prevent the pollution taking place; it also has the right to grant dispensation from the observance of any by-law.

Does this mean that once the matter has been righted and no further pollution is taking place it can then say, "You no longer have to obey our by-laws"; or does

it mean that any factory or offending authority within an area can be given the right not to observe the by-laws which are being applied to other organisations within the area? I am not certain how this will operate. Does it mean that the board will use its power particularly in regard to the point where pollution is taking place; or does it mean it can put a blanket ban on an area and say that everybody in that area must obey the by-law but dispensation will be given to certain people within the area?

Mr. Ross Hutchinson: I see your point.

Mr. DAVIES: This is the thing that worries me. It is true that an appeal can be made to the local court against any action taken by the board in this specific instance; but whether or not this is sufficient, I do not know. I think that what is intended in this regard should be made more explicit. and I am sure the Minister in his reply will be able to explain what is proposed.

I question the penalty which is imposed here. There is provision for a penalty not exceeding $200 for any breach. I think this is only beggaring the penalty. We should make it a substantial amount because of the very great importance of this problem. I think we could take a leaf out of the Victorian Bill, which provides for a penalty of $2,000 a day for any pollution of rivers, ocean fronts, and so on. This seems to me to be a more realistic figure because of the importance of water supplies. If we make the penalty heavier, it will make people much more aware and conscious of their responsibilities.

In my opinion, a penalty of $200 these days is rather low; after all, it is not as high as the penalty for a first drunken driving charge, if one draws an analogy. I think a more reasonable penalty would be one of, perhaps, $1,000 a day, or, to take a leaf out of the Victorian Bill on pollution, something like a fine of $2,000 a day for polluting rivers, bays, and streams. Underground water falls into the same category and is just as important.

My last comment is on the position of this measure in the Act. I notice that it has been placed in part VI, which deals with water supply and the distribution of water. In part VI the sections relating to water supply seem to be directed mainly to the manner in which the water shall be supplied by the board to people requiring water. It does not deal with the source of the water; that is dealt with in other sections of the Act. It seems to me that this is not the most appropriate place in which to put it.

As members will have noted from the Bill, in part VI. there is to be a third subheading following the section dealing with the protection of works and the prevention of waste. I would think that for easier understanding and easier reference the section would be more conveniently placed in part IV, which deals with water reserves, catchment areas. and sources of water. Under sections 13 to 17 of the Act the board already has powers to take action to protect and to keep pure the supplies of water from catchment areas. As this amendment deals with a source of water, surely this would have been a more appropriate place for it.

I notice that in this Bill the board is given certain powers to make by-laws. Under part XI, the board already has powers to make by-laws for all manner of things. Perhaps this additional power could come within that part of the Act. It probably does not matter very much, but one sometimes spends hours poring through a Bill to ascertain the structure and the placing of the various sections, and one then has to read other sections to make sure that there is nothing further in a rather remote section of the Bill. Attention could be given to putting amendments in the most convenient place, and to my way of thinking this amendment would more properly come under the part relating to water reserves.

I do not think I have anything else to say about this measure. As I said at the outset, the Bill is bound to receive the approbation of the House because anti-pollution and conservation measures are a popular hobby horse at the present time. Nevertheless, I think the Government is to be congratulated for taking this measure.

I do not know whether the board has given any attention to reclaiming water. This seems to be a popular line of investigation overseas, but perhaps we have not yet reached that position. I understand some surprise has been expressed about the amount of the water found in artesian bores which are outside the area of jurisdiction of the Metropolitan Water Board. I believe that some of the borings made in the country have produced rather surprising results.

This is an important problem and if the Metropolitan Water Board has not completely investigated the method of reusing water, perhaps this is a line of inquiry that could be reasonably investigated at the present time. With those few comments, I support the Bill.

MR. LAPHAM (Karrinyup) [5.46 p.m.]: Like my colleague, the member for Victoria Park, I see almost nothing but good in the measure. Nevertheless, I consider its introduction is well overdue. For many years the question of conservation of underground water in Western Australia has been given a prominent place in the minds of those in charge of water supplies in this State; but, over the years, the problem has been put aside and to date no-one has accepted the real responsibility of endeavouring to ascertain the quantity of

water that is available, how it can be kept from becoming polluted, and so on. Therefore it is indeed pleasing for me to be able to congratulate the Government on bringing down a measure of this nature.

In my opening remarks I did indicate that there was one aspect of the Bill to which I would to like draw attention. Generally speaking, I think the measure is a good one and, as I have said, the Government can be congratulated for its introduction. I wonder, however, whether the measure is as a result of a report submitted by an interdepartmental committee. I understand such a committee was constituted to inquire into the question of underground water supplies. Is the Bill as a result of the report of that committee? The interdepartmental committee was mentioned in the report made by the Senate Select Committee which recently inquired into underground water supplies in Western Australia.

Mr. Ross Hutchinson: No, the Bill is not the result of that.

Mr. LAPHAM: It rather intrigues me to learn that the Government is introducing legislation in regard to this matter, following so closely on the inquiries made by the Senate Select Committee. I am therefore wondering whether there is some connection between the two. Is the Commonwealth Government showing an interest in underground water supplies in Western Australia?

Mr. Ross Hutchinson: I have already said "No." To the best of my knowledge there is nothing in the Bill that emanates from the report of the Senate Select Committee. It came from departmental sources and as a result of an appreciation by the Government of what could happen if the steps outlined in the Bill were not taken.

Mr. LAPHAM: I see. I appreciate that the Metropolitan Water Board has apparently shown some concern over this problem, because when the Senate Select Committee was conducting its inquiries in this State, Mr. Hillman, the Chief Engineer of the Metropolitan Water Board, gave evidence before that committee and made some pertinent remarks on our water supplies, indicating that the consumption of water during the summer in the Perth metropolitan area was about half that of the consumption of water by the residents of London. If the residents of the metropolitan area are consuming water to such a great extent as that indicated by Mr. Hillman when we have such a small population in comparison with that of London, we will certainly have to give a great deal of thought to conserving the water supplies we have at our disposal, or to use water of a secondary nature suitable for gardening purposes, otherwise we will ultimately reach the stage where we will have to ration the water we have available.

Mr. Hillman also said before the Senate Select Committee that there were many industries operating within the Perth metropolitan area whose methods of waste disposal were unsatisfactory. He went on to state that those industries included meat and poultry processing works; a brewery; wool scourers; tanneries; and manufacturing industries. He said that they discharged their waste products into the Swan River, Cockburn Sound, or onto the ground. Therefore the Metropolitan Water Board is seeking to control the problem of pollution and the disposal of waste from those industries.

Mr. O'Driscoll, a Perth hydrogeologist, when giving evidence before the Senate Select Committee, also stated that any contamination or pollution of groundwater in Western Australia would be a matter of major concern, because it was particularly important, especially for domestic and industrial use. He indicated it was not only necessary to educate the public, but also the legislators, in relation to water supplies. His remarks indicated, of course, that pollution was a prominent problem and one that was now being readily recognised.

In evidence, Mr. O'Driscoll also said that the lack of understanding by the public and legislators as to how groundwater behaved, and how easily it could become polluted, was a difficulty facing hydrogeologists in Australia. He went on to say that it has not been possible, because of the shortage of trained staff and money, to make the investigations needed to find out what groundwater pollution was taking place or was likely to take place. So his statement that legislators did not have a real knowledge of water conservation and pollution would seem to indicate that the authorities themselves consider that the Legislature should place more money at the disposal of the Metropolitan Water Board so that a greater degree of activity can be entered into and knowledge gained by giving the board more effective control.

Mr. O'Driscoll also said that work along the lines suggested by him had been almost non-existent for the last two years because of a shortage of funds, and the likelihood of contamination occurring in the underground supplies of water used by the Metropolitan Water Board could not be determined until the intakes were found. If we cannot find the intakes to the source of our underground water supplies, we could be in real trouble. I agree with the statement made by this hydrogeologist who is anxious that there should be sufficient finance made available for the Metropolitan Water Board to gain knowledge of where the pollution of underground water commences.

He went on to say that in shallow groundwater areas, such as Hamersley, which the board was developing as an auxiliary to

the metropolitan water supply, contamination by sewerage effluent or industrial or farming waste could not be prevented. This is a rather serious statement for him to make, because if the board is interested in obtaining water from these shallow areas around Hamersley it will have to revise its thinking; that is, if Mr. O'Driscoll, the hydrogeologist, is right in saying that contamination of the water supply cannot be stopped in those areas.

In general I am very pleased that the Bill is before the House, because it does show that at least the people in authority and those with knowledge of our water supplies are acting in a proper manner in bringing these facts to the knowledge of the appropriate authorities, so that we can plan the water supplies and not be hampered at a later date. We feel there will be a large increase in the population of the metropolitan area, and adequate water supplies will have to be provided.

There is one aspect regarding which I experience some discomforture, and that is the provision in clause 6 which states that the board may grant dispensation from observance of any by-law, on such terms and conditions as it thinks fit.

Clause 7 deals with the question of the refusal by the board to grant the right of non-observance of a by-law. Where the board refuses, the aggrieved party can apply to the Local Court for the purpose of being granted the right of non-observance. I feel this is not altogether satisfactory. In the first place the board is set up as a judge as to whether any person should be given the right of non-observance of a by-law; but then the provision in clause 7 gives an aggrieved person the right to appeal to a court if the board refuses to grant non-observance. On this question the public are vitally interested, because if underground water is polluted the pollution does not affect only one area but other areas.

If interested bodies, such as the Water Purity Committee, are concerned, why should they not be given the right of appeal to a court against the granting by the board of non-observance of by-laws? If a by-law is in force, there must be substantial reasons for granting a right of non-observance. In these circumstances the right should be given to any interested body or person to appeal to a court against the decision of the board in granting that right of non-observance. Surely the public have the right to be concerned with water pollution. The whole State depends on adequate water supplies.

Mr. Ross Hutchinson: It is the idea of the Water Board to protect the supplies for public use.

Mr. LAPHAM: That is true, and the board is going along quite well. I agree that the board should be given the right to grant dispensation from observance of any by-law, and that the board should be the adjudicating authority. However, when the board refuses to grant a person the right of non-observance that person may appeal to a court.

Mr. Ross Hutchinson: The views of the Water Board will be placed before the court, and bodies such as the Water Purity Committee may be called before it.

Mr. LAPHAM: Let us assume that the board grants a person dispensation from observing a by-law. In these circumstances has anybody else the right to object to the decision of the board? I suggest that nobody else has the right to object. The board is set up as the determining authority. An individual applies to the board for dispensation from the observance of a by-law, and the board grants it. In that event no-one else can apply to a court to determine whether the board has acted rightly. I feel it is essential that the general public, or organisations set up by the public to keep the water pure, should be given the right of approach to a court to appeal against decisions granting non-observance.

Mr. Ross Hutchinson: Those voices will be heard.

Mr. LAPHAM: There is no provision in the Act for it.

Mr. Ross Hutchinson: They can be called by the Water Board, if required.

Mr. LAPHAM: The Water Board is not before the court. The board makes an adjudication in the first instance granting dispensation to a person from observing a by-law. After that the applicant does not have to observe the by-law. That being the case, how can the public, in order to compel the person concerned to observe the by-law, appeal to a court against the decision of the board? I would like the Minister to look at that aspect.

I do suggest that a new paragraph (c) should be inserted in proposed section 57D (1) as follows:—

> (c) a decision by the Board relieving any person of the obligation of observing any by-law.

That will give any person the right of appeal to a local court established under the Local Courts Act, 1904, held at any place within the area against a decision by the board relieving any person of the obligation of observing any by-law. This is only a safeguard. If there is an organisation, such as the Water Purity Committee, which ensures that people observe the by-laws, then surely it should be given the right to approach a court to have its case heard. I suggest this aspect be considered by the Minister before the Committee stage is proceeded with.

Apart from that aspect I think this is good legislation. Its provisions are long overdue, and nothing but good will come from it.

MR. JAMIESON (Belmont) [6.4 p.m.]: The only matter to which I wish to refer has already been touched on by my colleague, the member for Victoria Park. It relates to the definition of "artesian bore." I think this goes too far. Before the legislation is passed the Minister should define very clearly what is an artesian bore. The definition in the Bill stating that an artesian bore means one in which the level of water rises above the top of the aquifer on which the water is encountered covers nearly all the home garden water supplies in the metropolitan area, and places them under the control of the board.

Once we pierce the impervious layer of soil, which is usually green clay—and in my area it is necessary to go down only 10 or 12 feet into the sand—the level of the aquifer is exceeded and there is always some pressure in such a formation if it is pierced by even a few inches.

I am sure nobody in his wildest dreams would say that this is what is meant by artesian water. It is subsoil water which accumulates in various basins, and so on, but it is not an artesian water supply.

I hope the Minister will have a good look at this aspect because we do not want those who have put in their own water supply to be adversely affected. Such private supplies are generally installed at considerable cost and very often they enable the Metropolitan Water Supply, Sewerage and Drainage Board to provide potable water to many more people than would otherwise be possible.

Many visitors from the Eastern States are amazed to think that it is possible for most people to water their gardens from an underground supply which is not really artesian by nature. Therefore, I do think the definition of "artesian bore" goes far beyond what is intended.

It is certainly a very good idea to try to prevent pollution at this level but I do not know how this can be done without some restriction being placed on the sale of harsh detergents and the like. The Minister would know that we have a tremendous number of septic disposable systems operating in residential areas in and around the city. In fact, there are more here than in many of the other States. When it is said that so little of the city area is served by sewerage systems it is likely to give people the idea that we are back in the dark ages of the pan system. We all know that a great percentage of the areas which are not sewered are serviced by septic installations.

It has been the custom in recent years to run all waste water containing detergents through the one sullage system and, consequently, it is very easy for the detergents to escape into the general strata of the soil. I understand that in some soils detergents have been detected hundreds of yards from the soak well. This has been quite evident in the subsoil water. I do not know how we will be able to control this aspect unless we place a complete restriction on the use of detergents. The use of hot water and soap, which in itself is reasonably effective, does not have the same effect on the soil as do detergents.

I hope the Minister will give us some idea as to how we can restrict completely the sale of these products under the relevant Act. I feel such a provision would be outside the scope of the Metropolitan Water Supply, Sewerage, and Drainage Act. These restrictions will be necessary, however, if we are to achieve any degree of success in this direction. It is only necessary for one to visit the rapids of the Avon River, at its winter level, to see the effect of the detergents which emanate from the drainage systems of that river. These detergents cause the water to froth excessively. After having spoken to hydro-engineers on this matter I am informed that the real cause is in permitting detergents to enter the river channels.

If we are to conserve our water supplies and our waterways generally we must look very closely into the question of permitting the public to buy products the main qualities of which are to remove the grease from a pan or a sink. The damage caused by these detergents would be many times greater than with the old method of hot water and soap. I would like to hear the Minister's comments on the possibility of pollution and also in connection with the definition of an artesian bore.

MR. ROSS HUTCHINSON (Cottesloe—Minister for Water Supplies) [6.11 p.m.]: At the outset I would like to say how very much I appreciate the comments made by the three members who have spoken to the Bill and I would like to thank them for their general support of the measure. I found their remarks very interesting indeed.

I would first like to refer briefly to the prime purpose of the legislation which, I think, each of the speakers applauded. The prime purpose of the measure is to prevent the pollution of our underground water. It is the underground water with which we are concerned, whether it be shallow underground water from normal bores or whether it be artesian water. The legislation would apply equally to both categories. It is not only one section that is involved.

I would now like to refer to the definition of an artesian bore. It is defined here in this manner because it was felt from a legal point of view that while these amendments could go forward as

they are, without the definition of "artesian bore," we would not be able to control the position adequately. It might be possible that, as a result of some legal loophole, somebody could tap and pollute an artesian source of water. It was felt that the Water Board did not have the appropriate control and, accordingly, it was thought that an artesian bore must be adequately defined.

The definition is one that has been looked at time and time again. In my second reading speech I think I referred to the lack of a proper definition of an artesian bore and gave as an example two such bores in the King's Park region.

Mr. Lapham: One at King's Park and one at the Swan Brewery.

Mr. ROSS HUTCHINSON: In the King's Park region. The bores at Mounts Bay Road and at King's Park tap the same aquifer and yet under the Act one would be classed as artesian water and the other as non-artesian water. This was considered to be a useless state of affairs and the definition arrived at in the Bill was felt to be the best possible definition of an artesian bore.

Mr. Davies: It is illegal to tap an artesian bore now?

Mr. ROSS HUTCHINSON: People have tapped artesian bores.

Mr. Davies: But it is illegal to do this without authority?

Mr. ROSS HUTCHINSON: Yes, but it has been done in other parts of the State and we want to exercise some control over this aspect in the metropolitan area. I would even go so far as to foreshadow that in the not too distant future it will be necessary for our control to be a great deal stricter in relation to the conservation of bore water and in the prevention of bores being put down on private property, particularly in a water-controlled area. At present this Bill relates only to pollution control.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. ROSS HUTCHINSON: In the brief time available to me just prior to the tea suspension I was attempting to repeat the prime purpose of the introduction of this legislation. I must say that it was quite obvious from what was said by those Opposition members who spoke that there was no opposition to this prime purpose.

However, each of those who spoke raised minor queries about one subject or another. Nevertheless, I repeat that the prime purpose of this Bill is to give the board the right to declare what can be called an underground pollution control area over which the board will have control and power, in the public interest, to take steps to avoid pollution.

There is also in the Act a loophole which must be closed in order that the board will have the power properly to control artesian water. In my introductory speech I explained that artesian water was not adequately defined in the Rights in Water and Irrigation Act, on which Act the board depends for its definition. The definition of "artesian well" states that a well is an artesian well if the water from it flows to the surface of the land.

Already I have tried to describe how this is actually an inadequate definition and I have instanced the bore in King's Park and the bore at the side of Mounts Bay Road, both of which bores draw water from the same aquifer. From the Mounts Bay Road bore the water rises and bubbles above the surface while in King's Park, and the heights above King's Park, the water obviously does not rise to the surface. Nevertheless, the water comes from the same aquifer.

Lack of a proper definition in this amending Bill would not enable full legal control to be exercised by the board over artesian water and therefore it was determined that a definition of an artesian bore should be placed in the Metropolitan Water Supply, Sewerage, and Drainage Act. The definition is a comparatively simple one and I find it difficult to understand why any query should have been raised about it. The definition reads—

> "Artesian bore" means a bore in which the level of water rises above the top of the aquifer on which the water is encountered;

This is quite different from any other type of bore. I do not know whether I can properly describe an artesian bore except to quote the above definition. It has been commonly thought that artesian water is obtained from great depths; say, 2,000 feet and more. However, recently engineers and geologists have come to believe that water can be called artesian water if it is "confined," as they term it, at say 500 or 600 feet, depending on the geological formation of the ground and the formation of the aquifer itself. Being confined it means that the shape of the aquifer under what is usually an impervious strata, gives a greater head of pressure so that when it is tapped the water will rise above the level of the aquifer.

Mr. Davies: Gush.

Mr. ROSS HUTCHINSON: No, not necessarily above the surface. The definition refers to the water rising above the top of the aquifer so that no matter what the shape of the aquifer may be, if the water rises above the top of the aquifer, it is artesian water.

Frankly, I find it difficult to understand why there should be any opposition to the prime purpose of this legislation which is to enable the board to have power properly to control artesian water.

Mr. Tonkin: Why provide any exemptions by way of dispensation?

Mr. ROSS HUTCHINSON: Let us deal with that point. Like two of the former speakers, the Leader of the Opposition has raised this question. I think the member for Victoria Park and the member for Karrinyup both raised it. I am not sure whether the member for Belmont did also.

I have tried to describe the two main points in the Bill. The first is the declaration of water pollution control areas, and the second is the closure of the loophole to enable pollution to be controlled. It is as simple as that.

In the Bill is a provision which, had it not been included, any member of the Opposition could well have asked the reason for its exclusion. I am referring to the provision in this legislation for appeals. If a person feels disadvantaged by the declaration of a water pollution control area, or feels that the declaration of such an area is unfair or unjust, such person can appeal to a local court. This applies to any by-law which might be made.

The provision which seems to bother the member for Karrinyup more than any other, because he asked me specially to mention it, reads—

> Nothing in any by-law prevents the Board, if it thinks fit, from granting to any person, upon his application to the Board, a dispensation from obserance of any by-law.

The provision continues—

> Any dispensation granted by the Board under this section may be—
>
> (a) subject to such terms and conditions as the Board thinks fit;
>
> (b) cancelled by notice in writing given by the Board to the person to whom it is given; or
>
> (c) altered by a like notice and the terms and conditions to which it is subject may also, in like manner, be cancelled or altered.

I would imagine members would readily appreciate that this provision will give the board room to manoeuvre. It will allow some elasticity in regard to the application of this law. It is not intended that the application be harsh. The provision of an appeal is one which members in this Chamber have always approved so that anyone who feels he has been unjustly treated or has suffered, because of what he believes to be an unjust law, may appeal to a court. Not all legislation provides for this principle but it is the sort of thing we thought reasonable to include.

Mr. Lapham: We are not asking that it should be taken out; we are asking that something in addition be included.

Mr. ROSS HUTCHINSON: I cannot quite understand by what reasoning the honourable member comes to this conclusion. For example, any person who feels aggrieved that he is not given dispensation by the board, and is told that he must conform with the by-law to which he objects, can appeal to the Local Court. His first course is to approach the Metropolitan Water Board and if he is unsuccessful in his representations then he appeals to the Local Court. During the course of the appeal the voice of the Water Board is heard.

Mr. Bertram: What about the owners of adjacent properties?

Mr. ROSS HUTCHINSON: If they are upset they, too, can approach the Metropolitan Water Board.

Mr. Lapham: How can they do that if they do not pay any rates? We are asking that other people be given the right of appeal.

Mr. ROSS HUTCHINSON: If those people are affected by any decision, and if they are in the water control area, they can appeal to the Metropolitan Water Board.

Mr. Tonkin: Where does the Bill state that?

Mr. ROSS HUTCHINSON: It does not state it. However, this occurs almost every week when people appeal to the board against certain decisions which are made. In any case, let me go on with my example. If a person makes an appeal his voice is heard at court, as is the voice of the Water Board. The member for Karrinyup went on to ask why the Water Purity Committee should not have a say. Well, it so happens that that committee can be called on by counsel for the Water Board. As a matter of fact, some members of the Water Purity Committee are also, naturally enough, on the Water Board—the chief engineer being one such person. Some of his phraseology was quoted by the honourable member earlier this evening.

So a determination will be made by the court, and the voice from each side will be properly heard. Surely that is sufficient. I hope that what I am about to say answers, in part, some of the fears that have been formulated or half expressed so far. The basic principle of the Water Board is, in the public interest, to try to prevent pollution. That is the basis of its operations.

Under the terms of this Bill, part of a water pollution control area can be exempted from the operation of the by-laws, as the board sees fit, and as it sees the necessity for such action. Thus, it will be given room to manoeuvre and the ability to operate as is required.

Mr. Lapham: In an arrangement such as that the Water Board would notify the person who has been seeking dispensation. There would be correspondence but only that person and the Water Board would know anything about it.

Mr. Bertram: A neighbour would not know that the appeal existed.

Mr. Lapham. Why not provide that if the Metropolitan Water Board ever gives dispensation, it should be published in the *Government Gazette*.

Mr. ROSS HUTCHINSON: This has to be proclaimed and will be in the *Government Gazette*. That is the purpose of the amendment to the Act.

Mr. Tonkin: The member for Karrinyup means why not publish the dispensation.

Mr. ROSS HUTCHINSON: Dispensation will not be published, but if any water pollution control area is not required the matter will be publicised.

Mr. Davies: Why control it in the first place?

Mr. ROSS HUTCHINSON: If the Bill is read properly it will be found that there will be a declaration of a certain area, and a declaration whether to alter or modify it in any way, or make exemptions.

In any case, people will soon find out. I see no necessity whatsoever for any alteration to this simple Bill. Its purpose is an admirable one and I think people will welcome it. I have pleasure in commending the second reading.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Water Supplies) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Amendment to section 5—

Mr. DAVIES: The Minister agrees that a simple definition of an artesian bore is any bore where the water rises above the aquifer. This is exactly the point we are making; it means that any water is artesian water. Once an aquifer is tapped the water does rise at that point. Whether it is only one inch, two inches, or several inches to the surface, the water will rise because of the pressure of the aquifer.

Mr. Ross Hutchinson: I did not say anything like that at all.

Mr. DAVIES: If the Minister did not say it, this is what we are claiming the definition means. This is the only construction we can put on the definition. The Minister gave us an example to illustrate that if a bore tapped an aquifer at a level lower than the level of the aquifer the water would then rise above the aquifer at the point of tapping.

Mr. Ross Hutchinson: The aquifer need not be a straight and level porous geologic formation.

Mr. DAVIES: A bore may tap the aquifer at a lower level and because water finds its own level at all times there would be a rise in the level of the water at the point of tapping. It would probably rise above the aquifer at that point, because of the pressure of the water. The Minister shakes his head to indicate this is not so. Whether the water gushes to the surface, or it rises above the level of the aquifer, then it must be considered to be artesian water.

We consider that any bore will show some rise in level at any point where it taps the aquifer and, therefore, under this definition all water can now be considered artesian. I am not going to argue any longer; the Minister can have his way.

Mr. ROSS HUTCHINSON: That is just not right. What is right is that we want to bring all water under control. With any artesian aquifer, if it is tapped, the water will rise to the top level of the aquifer. In the case of non-artesian water in an aquifer, when that is tapped the water may flow underground, but it will not rise above the level at which it is tapped.

It will simply flow out as a spring does from a hill. The difference with an artesian bore is that it rises above the top of the aquifer. As I mentioned previously, the expression "confined water" is one which engineers give to it. Frequently it is under an impervious layer and a combination of confined waters builds up a head of pressure in the same way as a dam or a reservoir in the hills builds up a head, the water reticulates down to a lower point, and comes up to the level in the dam or reservoir.

The member for Victoria Park was not quite right in the point he was trying to make. He was right in connection with the matter of control, but not with the definition of artesian bores which does not equalise all underground water.

Clause put and passed.

Clauses 4 to 6 put and passed.

Clause 7: Section 57D added—

Mr. LAPHAM: I have already mentioned the point I am about to make to the Minister, but he does not seem to realise what I am driving at and what the Opposition is trying to overcome. The position could arise where dispensation was granted to a certain body by the board, but the person adjacent to the owner of the area that has been granted dispensation is not aware of the action taken by the board. He may have no knowledge that dispensation has been granted and, therefore, has no right of appeal to the board. Consequently, the position might arise that he could not take any action until he finds out some years later.

Mr. Ross Hutchinson: I cannot understand the honourable member. How close does he mean?

Mr. LAPHAM: I am referring to someone on a neighbouring property. One property may be granted dispensation and the owner would not have to abide by any of the by-laws applicable to other property owners in the area. There is no provision to inform the owners of adjacent properties of the dispensation and, consequently, such owners would have no knowledge of what was done.

Surely if dispensation is to be granted, the Act should state that the dispensation is advertised, say, for 14 days or some other appropriate time. There should be some method laid down to bring actions of the board to the notice of other people. This is quite necessary and, if it is not done, it is most unfair to adjacent owners in the same area. I consider a further paragraph (c) should be inserted in proposed new section 57D to cover the position. It should be worded in such a way as to enable a person to appeal against a decision by the board to relieve any other person of the obligation to observe any by-law.

This would mean that there would be the right of appeal against the refusal to grant dispensation, and also the right of appeal against the board when it had granted dispensation. This would give everybody concerned the right to have a say. It is not asking much. Candidly it is not asking anything at all to include the additional provision in the law, because it will not cause hardship to anyone. Its inclusion would simply cover the position of anyone who wanted to oppose dispensation granted by the board to any person or organisation.

Perhaps the appropriate amendment could be made in another place if the Minister agrees. This action would be quite satisfactory to me; or, alternatively, I should like his assurance that he will look at the proposed new section under discussion. To my mind the inclusion of an additional provision in proposed new section 57D is absolutely essential at this stage.

Mr. BERTRAM: I regret I do not have the Bill before me at the moment. With the qualification that I have not studied the Bill to any extent, I understand the member for Karrinyup to say that certain areas may be delineated by by-law, but that people in those areas may be granted dispensation, on application to the board, for certain reasons.

The member for Karrinyup and I cannot understand how the neighbour of a person who has applied for dispensation knows that such application has been made. Does he inquire each day whether applications for dispensation have been made; or what does he do? If he lives in a remote area, how does he tackle the problem? Does he send a telegram or make a trunkline call?

The member for Karrinyup feels that some public notice should be given of an application so that the world at large and immediate neighbours in particular may know there is something afoot, because until they know they cannot express their wishes on the matter.

The board could grant dispensation in quite good faith after taking all reasonable precautions. However, if board members do not have the knowledge of the immediate neighbour, perhaps it may grant a dispensation which it should not give. Further, a neighbour may not know of a dispensation which has been granted.

The board may not grant the dispensation and, in that case, the applicant may decide to take advantage of another provision in the measure which states that he may appeal to a magistrate of a local court. However, his neighbours, or other interested persons, do not know that an application has been made in the first instance; that the application has been refused; or that the person has applied to the Local Court. Consequently any objections which a neighbour might have would not be heard at the time of an appeal to the Local Court.

Of course that neighbour will complain some years later when his water supplies are contaminated. He will start to complain vociferously and it would be useless for him to be told that he could have rung the board. Quite rightly, he will maintain that he knew nothing of the events in question.

That is the position as I understand it and which I feel the member for Karrinyup is trying to convey. The honourable member seeks to overcome the position before it is too late. The alternative position is to write a provision into the law to the effect that a neighbour, or directly interested person, will be paid compensation if the board grants dispensation to any other person in consequence of which the neighbour or the directly interested person suffers a contamination in his water supply.

We cannot have it both ways. The alternative is for the neighbour, or the directly interested person, to be heard; and he cannot be heard unless he is given notice. This is not a new technique. If he is not heard he should be compensated. No stone should be left unturned to ensure that something which is rightfully his should not be taken away without him being heard.

I have made these remarks on my understanding of the Bill in its present form. Of course, if I do not understand the Bill in its present form, my argument may not apply.

If the facts as I have stated them are right, I repeat that in my view he should have either reasonable notice on each occasion, as one sees in so many other Acts,

or alternatively, not being heard and being given no opportunity to be heard, he should be compensated, and something should be written into the Act to this effect.

Mr. ROSS HUTCHINSON: I have heard a screen of words. It was interesting to hear the legal eagle from the opposite side trying to clarify the words used by the member for Karrinyup, but I am afraid he made confusion worse confounded. What disappoints me is that in the initial stages of his remarks it appeared the member for Mt. Hawthorn apparently understood the clause about dispensation from observance of by-laws and so on. Then he put a screen of legal jargon around this which just confused the whole issue.

Mr. Bickerton: What did the member for Mt. Hawthorn do that was wrong?

Mr. ROSS HUTCHINSON: Let us proceed with this. The board, in its very desirable undertaking of trying to control and prevent pollution, may declare an area which becomes subject to controls, but it is logical that the board should have discretion to exempt certain parts.

Mr. Lapham: That is right. They create pollution.

Mr. ROSS HUTCHINSON: Certain parts may be exempted, in the first place. Had we not gone beyond this point, it could have happened that persons would be aggrieved by decisions of the board. We have, therefore, put in the provisions for appeal. Listen to them—

> Nothing in any by-law prevents the Board, if it thinks fit, from granting to any person, upon his application to the Board, a dispensation from observance of any by-law.

If the neighbours about whom members were talking want dispensation, there is provision for them to go to the board and ask for it.

Mr. Lapham: But what happens if they do not want dispensation and they do not want anyone else to have dispensation? They do not want pollution of the water. How are they going to make application themselves?

Mr. ROSS HUTCHINSON: I have stated three or four times that the prime purpose of the Bill is to avoid contamination of water supplies. If these people came to the board and said that their water supply was contaminated, surely the board would know about this, and if it did not it could take the necessary action. There is a screen of words around this that makes no sense; and this lighthearted approach to a Bill of this quality does not reflect any credit upon those who pursue such foolish and nonsensical arguments.

Several members interjected.

The CHAIRMAN: Order! The Leader of the Opposition.

Mr. TONKIN: I resent the statement made by the Minister for Works that the inquiries being made from this side represented a lighthearted approach to this question.

Mr. Ross Hutchinson: So it would appear.

Mr. TONKIN: As a matter of fact, we are very concerned about certain aspects of this.

Mr. Ross Hutchinson: I am glad you came to your feet to try to straighten out your boys in this regard.

Mr. TONKIN: Firstly, I want to say that it is passing strange that a Minister who is noted most for interjecting in this Chamber should get so irritated when a few interjections come from this side.

Mr. Ross Hutchinson: It depends on the quality of the Opposition.

Mr. TONKIN: Now we can get down to the argument. The only person who can appeal at all is one who has first asked for dispensation and then been refused; nobody else.

Mr. Ross Hutchinson: But any person can apply; any person.

Mr. TONKIN: No. The only person who can appeal is one who has applied for dispensation and been refused.

Mr. Ross Hutchinson: Any person.

Mr. TONKIN: I assume that the by-laws will set out the period that will be allowed during which a person can make application for dispensation; there is nothing in the Bill. Is a person to be allowed one month, two months, or six months, or has the Minister not thought about that yet?

Mr. Ross Hutchinson: He will be given adequate time, and the Minister can give further dispensation to extend the time for appeal.

Mr. TONKIN: If I were to ask the Minister for a definition of "adequate time," he would say "time that is adequate."

Mr. Ross Hutchinson: No. I would say that if a person who is aggrieved goes out of time, that can be rectified by action of the Minister. I have done it on many occasions.

Mr. TONKIN: I do not see that in the Bill, either. I appreciate that there is a big difference in the capacity of an individual to lodge an appeal. If it is a big company, like one of Sir Halford Reddish's, or B.H.P., it will not hesitate to appeal if it is refused, but the small man will be inhibited because of the cost involved. We on this side are concerned that if the by-laws provide for a very limited time during which a person may make application for dispensation, dispensation may be granted before other people in the

area who are concerned about water pollution wake up to the fact that some big undertaking has been exempted, and there is no power in the legislation for them to do anything about it. We think that there should be some provision whereby persons who have not applied for dispensation should be able to object to dispensation being granted to somebody close by who, by having such dispensation, might cause pollution of the artesian water. That is what is concerning my colleagues.

Mr. Ross Hutchinson: I have just tried to show how foolish that is.

Mr. TONKIN: I know what the Minister tried to tell us but it is not clear what machinery is being provided to deal with that situation, because the only person who can appeal against a decision of the board one way or the other—

Mr. Ross Hutchinson: May I interrupt? I know the honourable member does not like my interjecting—

Mr. TONKIN: I do not mind at all.

Mr. Ross Hutchinson: Very well. Would anyone whose water is being polluted as a result of a dispensation by the board refrain from taking action?

Mr. TONKIN: What action can he take? That is what we want to know.

Mr. Ross Hutchinson: He can go to the board.

Mr. TONKIN: There is no machinery here to provide for that.

Mr. Ross Hutchinson: He does not need any machinery. That is in the unlikely event of this happening. The board's object is to avoid pollution and it would only grant dispensation if it were sure there would be no pollution. If it finds out from someone that there is pollution—

Mr. TONKIN: I wish I could be convinced of that. I can recall an instance when this Government changed the route of a railway line because a company objected; it would not have changed the route had an individual objected.

That is what is in my mind, and I can foresee that the board may believe that it should not grant dispensation to anybody; but that under certain circumstances it could be influenced by the power of the applicant. All we are asking is that there should be some machinery to provide definitely that any person who has not applied for dispensation but who objects to it being granted to somebody else should have the opportunity to be heard before the dispensation is granted.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

PUBLIC EDUCATION ENDOWMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th March.

MR. JAMIESON (Belmont) [8.12 p.m.]: This Bill has for its purpose several small amendments to the Public Education Endowment Act, which was originally passed in 1909 and had as its purpose certain ideals that were to my mind never carried out. Since that time the Act has been amended on only one occasion—I think it was in 1925—when provision was made to allow the trustees to lease land for a period greater than 21 years. This was done for the purpose of making available an area of land to the Cottesloe Golf Club, and that lease is still current to this day.

It is interesting to note that when the Act was introduced the then Premier (The Hon. N. J. Moore) had a few words to say during the debate. He was not the Minister in charge of the legislation, but he felt it important enough at the time to enter into the debate and I feel that these few words at the beginning of his contribution are worth repeating. On page 418 of the 1909 *Hansard* he said—

> The Bill was brought in—

Mr. Bovell: Who said it?

Mr. JAMIESON: The then Premier, The Hon. N. J. Moore. To continue—

> —as the result of a promise made in the pre-sessional speech. At the same time provision was made during the term of office of the present Minister for Works, when Minister for Education, to make certain reservations. This was two or three years ago, and as the result of a conversation with me as Minister for Lands, I arranged for certain areas to be reserved in different parts of the State. The outcome of that policy is that some lands have been set apart within the boundaries of town sites to the extent of 2,287 acres, totalling in value, it is estimated at the present time on an unimproved basis, £18,671. At the present time arrangements have been made whereby in every town site that is laid out certain reservations will be made in order to carry out the same principle. We have under consideration the reservation of something like 360 acres when each new town site is declared, and it is proposed to make this liberal reservation because we realise that although the value at the present time may not be very high, in the near future, in the event of financial stress, it will be possible to derive considerable revenue from these endowment lands.

He then went on to say that he thought this had already occurred in New Zealand, and to some extent in South Australia and other places.

An examination of the accounts and other information I have to hand indicates that the idea of the then Premier to keep adding to this endowment land did not, in effect, take place. We have heard as late as this evening from the Minister that there has been no sizeable contribution towards this trust—no significant vesting for 50 years. So it would appear we have not got very far with the intention originally put forward in the Parliament; that is, to enable education to look after itself to a certain extent, much the same as the University does from the endowment lands made available to its trustees.

It is more than passing strange that reference was made to the fact that the lands at that time were worth £18,671. That was the initial amount set aside; and, on looking at the total assets at the present time, it seems that no great amount has been added to it. Of course, some lands have been sold in the meantime, but the values do not seem to have increased enough to achieve the original object, let alone enter into what is proposed in this legislation.

I draw the attention of the Minister to the fact that according to the report of the trustees of the Public Education Endowment Trust for the year 1968, which was laid on the Table of the Legislative Assembly on the 28th October, 1969, the assets at that time seem to have been far in excess of what are held now. For instance, the report shows that the trust had an interest-bearing deposit in the Rural and Industries Bank of $250,000.

Mr. Lewis: Of course, that includes the sale of the Cottesloe land.

Mr. JAMIESON: No doubt this money has been used for various purposes already.

Mr. Lewis: It has not been used yet; that is proposed in the Bill.

Mr. JAMIESON: It was not included in the Minister's statement today.

Mr. Lewis: No, that is so.

Mr. JAMIESON: That is the point I am making; it seems that a large amount of money has been used for a purpose other than the basic purpose. The 1968 report shows that the money was being used principally for scholarships for children of civilian widows, scholarships for children of primary correspondence schools, post-junior grants, special emergency assistance grants and non-qualifying compassionate cases, amounting to the order of $8,580. In that year some 36 children were assisted in the various categories.

Mr. Lewis: We are continuing to do that.

Mr. JAMIESON: Then it would appear that the only large sum available is the sum referred to by the Minister as an amount accumulated from the sale of land which will now be used, I take it, for the purpose of providing accommodation for students at the Mt. Lawley Teachers' Training College. This a good move forward, particularly as so many students from the country are attending teachers' training colleges, and they must receive every assistance in finding suitable accommodation.

Having paid fairly close attention to the court listings over the last few years, I can well appreciate what the Government and others have in mind; that is, environmental situations. Some students having to fend for themselves away from home, find they become involved in some of the more unsavoury features of city life. If this can be avoided, I have no objection to the provision. I consider it is necessary to take such action to extend the provisions of the Act which the Minister indicated could have been considered initially, in view of the fact that the following provision, in section 9, already appears in the Act:—

> The rents, issues, profits, and proceeds of sale of all real and personal property vested in or acquired by the trustees, after payment of the expenses of and incidental to the administration of the trust, shall be paid into the Treasury, and may be invested in the names of the trustees in such securities as trustees are authorised by law to invest trust funds in their hands, or, with the approval of the Governor, in the purchase of other land to be held on the trust hereby created:
>
> Provided that the annual income of all such real and personal property and investments may be applied by the trustees towards the improvement of such property, and the payment of salaries and other expenditure in carrying out the provisions of the Acts in force for the time being relating to public education:
>
> Provided also that the proceeds of sale of any property or any moneys received by the trustees as premiums for the granting of leases, or raised by way of mortgage, may, with the approval of the Govenor but not otherwise, be applied by the trustees in the improvement of any property vested in them.

So it would appear that in view of the amounts of money and investments they have under their control, the trustees would not have the right to invest money in a project such as a college to accommodate trainee teachers.

However one of the most vital aspects of our education system is to train students efficiently and in the right kind of environment. We must lean more towards this type of training in the future if we are, successfully, to train the most suitable persons in this vocation.

One fault I do find is that there is mention only of female students being accommodated. Unfortunately the plight of the male student is often overlooked when the tender mercies are being applied to the female student. Nevertheless many of the male students who come to the metropolitan area from the country find themselves in much worse circumstances than female students. For example, usually they have to pay a greater amount for board than the female students. Possibly this is not always the case, but I think that usually this state of affairs does exist. They find it fairly hard to obtain reasonable and suitable accommodation and, as the Minister has explained, they finish up living in undesirable circumstances by having to share accommodation with other students, and finding that their dietary habits are broken and their general normal pattern of life has become complicated by having to adjust to a different way of living. Therefore, I consider that in addition to the provision of a girls' accommodation college, some consideration should be given to providing accommodation for male students.

I also notice that the college is to be used to conduct an in-service course for female students. Once again the male student who comes to the metropolitan area from the country for an in-service course has to fend for himself, and I do not think this is reasonable. We should provide facilities for both sexes of our teaching staff, particularly when our community is demanding more and more that women should be paid a salary equal to men for equal work. In the teaching service this is being done to a great extent. There is a slight difference in the amount that is paid as a recognised margin to male and female teachers, although both male and female teachers apply their particular skill on an equal basis.

Therefore I suggest there is need for more consideration to be given to the possibility of providing accommodation for male students. After the passing of this legislation the trustees will be able, more readily, to sell land vested in them to people interested in such land. The Minister pointed out previously that the practice of the trustees having to obtain approval for the sale of land through the Reserves Act was not always successful. Any person who was anxious to buy a tract of land held by the trustees, and who found himself in the position of having to wait six, nine, or 12 months for approval of the sale to be obtained, would probably give up in despair, obtain another block of land elsewhere, and so leave the trustees lamenting.

With this provision now before Parliament, the trustees will not find the selling of a piece of land so cumbersome, because they will not have to refer to the amount of money placed in their trust. In fact, it will be a much more efficient way of negotiating the sale of a tract of land. However, I suggest that the Government have a further look at the possibility of carrying out the original intention of the principal Act when it is creating townships and places where there is a reasonable amount of land, and where it can give thought to making available to these trustees more vestments of land which can be held and used for accommodation purposes.

One could well imagine the advantage of putting aside tracts of land for educational purposes with the advent of industrial areas being created in places such as Pinjarra and other centres. I suggest that the original intention was quite good, but it went awry somewhere along the line, because it was not fostered or promoted by the various Ministers of that time. The last time the trustees would have received any reasonable amount of assistance from the Government was in 1920, but from then on the various Ministers administering this trust do not seem to have had much success in making land available.

Ministers in more recent years apparently followed what their predecessors did in the 1920s when there should have been an availability of land, because they ceased to practise the system. I am not actually in a position to judge, but I suggest the system was not a bad one, and it is one that should be encouraged when creating towns in the north, in the eastern mining belt, and in other areas where one will find at some later stage that probably there will be the necessity to set up high school facilities that do not already exist. This applies in places such as Kambalda and other similar mining areas.

Surely this was the intention of the original legislation; namely, to assist in the provision of educational facilities beyond the primary standard. It is hoped we will return to the attitude previously adopted; that is, when subdivisions are being made for townsites some broad acres will be made available alongside the subdivision to the trustees so that they can be used to the best advantage of education in those areas.

According to the Minister's replies to questions this evening, there are some tracts of land that are very doubtful assets, and indeed some of them might well be transferred back to the Government so that they may be used for other purposes. It is not clear to me where all this land is situated. The Minister indicated that perhaps it would take a long while to locate and define all the many thousands of acres that are available. However, if it is found that some of this land is in areas that are no longer required and are not likely ever to be required because of the rapid movement and development that is taking place today, it would probably be better for the trustees

to surrender the land to the Crown with a view to having other areas granted to them in other parts of the State.

I support the measure because I feel that the provision of accommodation for country student teachers is long overdue, and because, as the Minister has indicated, there has been no Government assistance in this regard since about 1937. It is high time, therefore, that we got back to the stage of being able to provide for these people.

Through its various associated colleges the University these days is certainly making provision for country students to a greater extent than it did previously, and I feel it is time we gave the necessary impetus to a movement such as this to enable potential teachers from the country to be provided with accommodation. I am sure we would be more likely to attract students from the country if they were not worried and concerned as to where they would live in the city while completing their training.

In setting this example the Government might find other sources of revenue from the Treasury which would further augment the amount initially set aside for this purpose and ultimately provide the accommodation required for both male and female students.

MR. W. A. MANNING (Narrogin) [8.32 p.m.]: I support the second reading of the Bill because I think its intention is a good one. I would, however, like to raise one or two points concerning the activities of the trust of which I cannot approve.

Recently we dealt with a Bill establishing an industrial development authority in order to ensure the best use and economic development of industrial land. This indicates that we are concerned that the best use should be made of our land; that it should be used to the best advantage.

We find, however, that the Public Education Endowment Trust is making it exceedingly difficult, by its actions in regard to land which it holds, for this objective to be achieved.

As an example I would like to quote Reserve 12080 which is in the Narrogin town area and is controlled by the Narrogin Town Council. It is desired firstly that this area be replanned according to the advice of the town planner.

A proposal to replan the area to fit in with present-day needs and to use it as an industrial area, has been presented to the trust. The area consists of something like 20 to 25 acres in the town of Narrogin which, members will agree, is a fairly large area in the townsite. The trust, however, is not at all interested in the proposal to replan the area, despite the fact that town planning has become accepted procedure in recent years and, of course, we expect people to conform. The trust, however, has shown no inclination whatever to conform and it cannot be compelled to do so.

The second request made was that the lots available for replanning be made available for sale or lease without prolonged delay. I agree that the operation of this Bill will make it easier for the trust to sell land and I hope this privilege will be exercised, because the present attitude of the trust is that it does not desire to sell land. The trust feels that by leasing land for 21 years it will probably receive greater revenue than it would by selling such land. As we know, with the consent of the Minister the trust could lease land for 99 years if it wished to do so.

In the case of industrial land people do not want to lease for 21 years, because usually they have to approach the banks for finance and such a term does not provide a convenient sort of security.

Mr. Jamieson: That has been voided by the 1925 amendment.

Mr. W. A. MANNING: No. The position is that the trust has really refused these requests; it has shown no desire to sell and has indicated that it has no money to invest in replanning. It is an unusual situation. I would like to quote from a letter from the Minister to myself, dated the 23rd August, 1968. I might point out that it is five years since all this started. There are three points I would like to bring out. The first point contained in the letter reads—

> Any proposals to comply with the town planning scheme at this juncture could involve the Trust in considerable expense at a stage when no firm offer or negotiations concerning the purchase had been made or entered into.

That is the first point. The trust did not want to be involved in any expense in the replanning of the area; it did not want to invest its funds in that direction. The town council thinks the trust should take some action as the owner of the land. The second point raised by the Minister in his letter is—

> . . it is believed that the lands already leased do not fit within the boundaries of the proposed subdivision and thus complications could arise in obtaining Town Planning consent.

The trust has no desire to carry out any town planning and will not co-operate in this direction. Apparently the suggestions made do not fit in with the trust's actions regarding the land it has already leased. This undoubtedly proves that the more the trust is permitted to lease land, without planning according to the suggestions made by the town planner, the worse the situation will become.

The trust, however, is not prepared to take any notice of this aspect; it is not prepared to subdivide the land or even to discuss the matter. The third point in the Minister's letter reads—

> . . . the overriding consideration, as already stated, is whether the leasing of the land offers a better prospect financially to the Trust than a sale.

This is the thread of thinking right through the trust's intentions. All it is concerned about is the amount of profit it can make which, perhaps, is fair enough.

I do not know whether one can become overzealous in these matters but perhaps that is possible; perhaps it is possible to lose sight of a situation which arises around one, particularly in a semi-Government department.

I have here a letter addressed by the town clerk to the Minister for Education, dated the 11th September, 1968, from which I would like to read a couple of extracts. The first reads—

> . . . leases already granted and any that may follow the land in question will not be used to the full value and every building placed thereon will jeopardise the future economic subdivision and utilisation of the area as a whole.

Further in his letter the town clerk said—

> . . . I am asked to enquire if consideration would be given to selling the land to the Council at market value in order that it may do something about organising the orderly development thereof.

It will be noticed that the trust declined to take any part in the regional scheme; it took no notice of the scheme put before it in writing by the town planner; it merely said it had no money. This action was refused despite a deputation to the Minister and the trust. The trust continued to insist that it had no money to invest in replanning the area as desired because the demand was not there and it could not see a profit in the proposition. The town council could not accomplish anything and found itself in a state of complete despair. In order that these acres might be used wisely it decided to make an offer to buy the land and meet the requirements itself. This was the only alternative and the council was quite prepared to follow it up.

The latest reply I have from the Minister indicates his opinion, that all the council wants to do is to buy the land and make a profit on it. This whole thing would be funny if it were not so serious. The trust has already told us a thousand times that the matter of paramount importance to the trust is that it should be able to make money out of the proposition. Apparently nothing else matters to the trust. It was suggested that the trust subdivide and sell the land for industrial purposes. There is no doubt that this would cost the trust something initially. However, the trust did not think this was an investment and felt it would get nothing back from such a proposition because there was no demand in this direction. It is obvious there is no demand for a 21-year lease. The trust insisted there would be no return in it for the trust, so it insisted it would not do anything.

Now that the council has, in desperation, made an offer to take it over and to do something with it, the Minister's reply is that all the council wants to do is to make a profit. This is really a joke, except that to the Town of Narrogin the matter is serious.

The trust members refused to do anything with the land because they could see no profit in it; but as soon as somebody else wants to do the job they say that the town council wants to make a profit.

Those are the true facts of the case, and this is a serious matter as far as the town is concerned. The trust will not act. I suggest the Premier might take some action in this matter, because the body is producing revenue to the Government. I think it should have some regard for other aspects dealt with by the Government. As I have stated, the enactment of the Industrial Development (Resumption of Land) Act proves that something needs to be done in this area. Here we have the trust, under the authority of the Government and the Minister, acting contrary to what the industrial development authority wants to do.

Mr. Jamieson: Was this one of the original investments?

Mr. W. A. MANNING: Yes. The trust has held this for the best part of 70 years.

Mr. Jamieson: The Act goes back to 1909.

Mr. W. A. MANNING: It has never been anything else but endowment land. It has not been alienated, and nobody else has had control. Whatever may be the period this land has been held, none of it has been sold. A couple of leases have been arranged, and they have intruded partly on the plan; so the plan has had to be altered a little. Surely something should be done to draw up a plan to develop the land properly. I respect the good intentions of the trust, but it is lacking interest in the subject so it will not endeavour to assist in developing the land.

The introduction of this Bill provides me with an opportunity to bring the matter under notice. I feel it is high time the matter was resolved. I have been dealing with it for about five years without success, and now that I have brought it up I hope it will receive some attention.

MR. H. D. EVANS (Warren) [8.42 p.m.]: As my colleague, the member for Belmont, pointed out, the Public Education Endowment Act goes back to the year 1909. In September of that year the then Minister for Education (Mr. Nanson) announced the intention to endow this land; and it revolved around the cost of secondary education to the Administration.

At that stage secondary education was largely the prerogative of the churches. Apart from Perth Modern School, the various churches were, in the main, responsible for secondary education in Western Australia. However, the steady development of a secondary system of education increased the State's responsibilty in this regard; and it was to provide funds for future expansion and to offset the increasing costs that the education trust, in which certain lands could be vested, was set up. It involved the setting aside of some 360 acres of land for every new settlement that came into existence.

Perhaps, as the member for Belmont suggested, there could be twinges of regret tonight that such a system was not maintained. It certainly was sound, forward-looking legislation when it was introduced 60 years ago. This legislation had certain aims, and it was felt that returns from the sale or from the lease of this land could cover increases in education costs, especially in times of depression when the first stringencies to be applied by any Government would be in the field of education. It was never expected at any stage that the funds would cover the total costs of a secondary education system.

The then Premier (The Hon. N. J. Moore) supported the proposal, and at that time he was particularly concerned. He pointed out that the Education Vote in the year 1907 had risen to over £180,000, and he was alarmed that the cost to the State was, on present day value, some $370,000. Over the next couple of years lands were endowed, but subsequently in the next 50 years no further lands were vested. It was rather a process in reverse with an erosion of the lands which had been previously endowed. Of course, much of the land was not of very great value, and some of it was virtually worthless.

Sometimes the land was leased at a peppercorn rental, so that improvements by the lessee could be undertaken and in due course a rental revenue could be obtained. Of course, the funds were confined for use for a certain purpose; that is, for secondary education. The amount of revenue has never been great; and as the Minister pointed out it has fluctuated between $10,000 and $13,000. It has not exceeded $13,000. Obviously this amount cannot make a significant impact on the cost of secondary education in Western Australia today, but it has made a modest contribution.

These funds have enabled financial aid to be given to indigent and deserving children, and have enabled quite a number of them to continue with secondary education. These funds have also provided assistance to indigent children of civilian widows; to aboriginal children; and—as we heard tonight—to children receiving correspondence lessons, who otherwise would have been unable to carry on into the secondary education sphere.

The procedure that is observed in the allocation of these funds is that an advertisement is placed in a circular, and then the selection of applicants is made. This has been undertaken by the Director of Secondary Education and a member of the trust. I understand that frequently a full allocation is not made—that the number of applicants does not justify the expenditure of the revenue for that year—and that as a consequence the funds which have been invested in gilt-edge securities have accrued to some extent.

In my mind I feel some concern over the purpose for which these funds have been used in past years. As I feel some concern I appreciate the assurance of the Minister in one respect; and that is, the position will never arise in the future where some deserving child will not receive assistance because the funds are not available.

With the increase in our population, it follows axiomatically that the school population will increase. It can be assumed that the number of deserving children or necessitous cases will also increase. It is to be hoped that when this situation arises the Minister will be able to assure us that no deserving child will miss out on what otherwise would be his entitlement were the fund allowed to accrue.

The present objective of this fund is a worthy one; it is to establish accommodation for female student teachers from the country. This accommodation has been required for a long time, and as an adjunct to the Mt. Lawley Teachers' College it will be an acquisition to the State. We are told that in 1970 the female students who entered the teachers' college numbered 776, of whom 237 were from country areas. So the need for suitable accommodation is great; and by suitable accommodation I mean not only reasonably salubrious surroundings but an environment conducive to study, because this is an essential part of the training of student teachers.

The concern for suitable accommodation for children from country areas is increasing and it is not uncommon for families to

move to city areas purely because the accommodation problem of a child about to move to the metropolis is believed to be the overriding consideration.

I believe that the total of the fund at the moment is something over $300,000, and this has been raised largely through the recent sale of land. The members of the trust are men of integrity and are the Minister, the Director-General of Education, Mr. E. C. De'Luca, Mr. A. Ball, and Mr. R. Hartley. Despite the criticism raised by the member for Narrogin, I doubt whether he could find fault with the actual composition of this trust. The trust believes that a capital investment of this nature is highly desirable although the Act is rather in doubt on a point of legality. The member for Belmont has already read to us section 9 and it is obvious some doubt exists as to whether the funds can be used for the purpose for which they are being used. This amendment will put the priority for the use of these funds beyond any shadow of doubt.

Like the member for Belmont, I am happy to support this measure. I, too, regret that the initial concept of the legislation cannot be revived because it was certainly a worthy one. I would appreciate the Minister's comments in regard to the previous use of these funds, his views on indigent children, and the sources of finance which will be available in future years.

MR. LEWIS (Moore—Minister for Education) [8.52 p.m.]: I desire to thank those members who have contributed to this debate for their general support of the measure. The member for Belmont, who led the discussion, appears to have a fairly accurate conception of the origin of this trust and the responsibility of the trustees.

The member for Narrogin, however, took the opportunity, while commending the purposes of the Bill, to offer some criticism. He did not use the exact words, but he gave the impression that he feels the trustees have adopted a rather dog-in-the-manger attitude by not co-operating to the full extent desired by the Town Council of Narrogin. The honourable member referred to correspondence and particularly to a letter I had written to him on the 23rd August, 1968. In order that members should obtain a full appreciation of the situation, I think I should read more of the letter. It is as follows:—

> I think it is first necessary to advise you that the purpose of the Public Education Endowment Trust is to use the revenue obtained from lands vested in the Trust by government many years ago to provide financial assistance by way of scholarships and other grants for children who might otherwise be denied access to education.

This is a fact as members who have contributed to the debate tonight have endorsed. This has been the means of providing further education for some families in the very lowest income bracket who would otherwise have been denied the education. This helps dozens and dozens of youngsters and even nowadays we still receive applications from people who say, "I am unable to afford education for my youngster, even in a State school."

Mr. W. A. Manning: I am not objecting to that.

Mr. LEWIS: I admit that, but I am mentioning it in passing.

Mr. H. D. Evans: How many applications would you receive a year?

Mr. LEWIS: Not too many, but I suppose a dozen. The letter continues—

> There are other special emergency assistance grants for pre-Junior and post-Junior students.
>
> A summary of these is contained in the annual report of the Trustees of the Public Education Endowment Trust for 1967, which I presented to Parliament at the beginning of the session.
>
> It is not the purpose of the Trust to dispose of land if a better income can be obtained by leasing. Once land is sold the only return is from long term investments of the capital so obtained whereas leases can be reviewed on renewal and the rentals increased according to the then current market value.

Most leases are for 10 years. A few are for longer periods, but most are for 10 years, or possibly less. To continue—

> In regard to reserve 12080—

That is the Narrogin one. The letter goes on—

> —the Trustees are quite prepared to negotiate with the parties interested in purchasing it and they would then be in a better position to determine whether the proposed sale would be more beneficial financially than a long term lease.
>
> In the event of sale negotiations being favourable the Trustees would allow the proposed purchaser possession under a short term lease until formal approval for sale was obtained. Generally speaking these have to receive the approval of Parliament.

This is done in the Reserves Bill. To continue—

> As regard the value of this land as collateral security for borrowing purposes, it is considered—

I think that word should be "conceded"—

> —that a freehold title would be more favourably acceptable by banks. However, a long term lease such as the Trustees have power to grant (up to 21 years or longer periods with the consent of the Governor) would normally be adequate for security purposes.

> Any proposals to comply with the town planning scheme at this juncture could involve the Trust in considerable expense at a stage when no firm offer or negotiations concerning the purchase had been made or entered into. Furthermore, it is believed that the lands already leased do not fit within the boundaries of the proposed subdivision and thus complications could arise in obtaining Town Planning consent. However, the overriding consideration, as already stated, is whether the leasing of the land offers a better prospect financially to the Trust than a sale.

It was not a question that the trustees did not have the money to subdivide and to comply with the town plan. That has been done in other areas.

Mr. W. A. Manning: They said that.

Mr. LEWIS: No, they did not. We did this in Dalwallinu where there was a subdivision of land from which the trust was receiving no income whatever. No-one was interested in leasing it or buying it and so the Dalwallinu Shire Council submitted a proposal to the trust that the trustees should develop the area, have it subdivided, and then sold for business and residential purposes. In accordance with the town planning scheme inquiries were made and we were assured we would have no difficulty in disposing of the majority of the blocks so subdivided; and so the proposal was carried out. It cost money to develop, but nevertheless it was a business proposition. The area was the means of no income at all previously, but when it was subdivided and sold—and I believe practically all the blocks have been sold—the money was then invested for the furtherance of the purposes of the trust in providing these scholarships.

Mr. W. A. Manning: Why can't the same thing be done in Narrogin then?

Mr. LEWIS: In Narrogin the situation is different. We are already receiving some income by way of leases of the area, and, I repeat, it was a question of which would give the most benefit: selling the land and investing the capital—and of course we would receive the income on the investment—as against leasing, which is subject to review from time to time, and a means of getting a greater income than we would receive from the sale and investment.

This was not the final word. We invited the town council to meet us; or, I think, to put the matter correctly, members of the council met me by way of deputation. They also met the trust by way of deputation, and I wish to read the concluding notes of the deputation, which was on the 29th July, 1969. The second last paragraph reads as follows:—

> It was agreed that the Narrogin Council should submit in writing to the Trustees, details showing the cost of developing and subdividing the land in question together with details of prospective purchasers.

We have not heard anything since.

Mr. W. A. Manning: Sketches of a proposed subdivision were supplied in 1966.

Mr. LEWIS: The members of the Narrogin Council, when they left the deputation, agreed to submit further details in writing. We have not heard any more. Despite the so-called anxiety—and I am not questioning the member for Narrogin on this—if this matter is so urgent to the town of Narrogin it is a wonder we have not heard from the council in the period between last July and today.

Mr. W. A. Manning: How many times do we have to approach the trust?

Mr. LEWIS: I want to make some reference to one or two comments which have been made. Of course, it is nothing new for the department in Western Australia to provide accommodation for student teachers. In fact, I believe that when the Claremont Teachers' College was first established accommodation was provided for both male and female student teachers. However, with the growth of the college and the demand for accommodation for classrooms, the students had to find their own accommodation. Since that time the Government has not been able to provide residential accommodation for student teachers.

The member for Belmont and the member for Warren know—and I believe the member for Narrogin would also endorse this point—the accommodation problem has been a source of anxiety, particularly to country parents where 17-year-old and 18-year old girls leave their home environment and come to the big city. We do not know, but possibly over the years this could have been a deterrent to young people taking up teaching as a career. We now feel we can break through and afford, in this first instance, residential accommodation for perhaps some 60 female students. The accommodation might be extended to 80 students.

I appreciate the remarks of the member for Belmont when he said that we should not overlook male students. That is true, and I think the general trend is to provide halls of residence. As everyone knows, halls of residence are attached to the University for male and female students. I believe that the Institute of Technology is planning a hall of residence for its students who feel obliged to board in the metropolitan area for the purpose of studying at the institute.

I think it is wise that we should attack this problem on modest lines because we do not know, and we cannot guarantee, that there will be a full demand for the accommodation provided. From the experience gained with the first hostel we

can shape our future course. More accommodation can be provided, or the matter can remain as it is. It is also true that in addition to accommodating the student teachers we will be able to accommodate those attending in-service courses.

By and large, this is a relatively simple Bill and is for the two purposes I have indicated. Firstly, it is to enable the trustees to build on land that does not belong to them. However, it is specified that if the land is not owned by the trustees it must be land vested in the Minister for Education. Secondly, the Bill is to enable the trust to sell land without having to receive the approval of Parliament in the annual Reserves Bill, as has been the practice for many years. I commend the second reading of the measure.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BUILDING SOCIETIES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th March.

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [9.7 p.m.]: This Bill was introduced by the Minister for Lands last week and his brief was exceedingly brief. However, I have endeavoured to follow the points which he outlined to us, more particularly by reference to the legislation than by reference to his notes.

The general purpose of the Bill is to clarify and expedite the operations of the Building Societies Act, and this is to be commended because the building societies have made tremendous progress in regard to the financing of house-building operations in recent years. This applies particularly in the last couple of years since the societies introduced a scheme which must be playing havoc with savings banks. I refer to the payment of interest at the rate of 6 per cent. on a day-by-day balance basis. Because the funds are going towards the basic requirement of housing nobody would complain about that.

Some idea of the importance of the situation can be gained from the guess—and I should say the calculated guess—of the Registrar of Building Societies that a sum in excess of $100,000,000 will be advanced by building societies during the forthcoming financial year. That prognostication refers to the financial year which, currently, is rapidly slipping by.

It is not my intention to speak at length. I suppose a Bill dealing with building societies and housing lends itself to lengthy dissertation on the building society movement and the work that it is doing. However, as I have said, it is not my intention to embark upon an excursion of that nature.

In my view the Bill is more a Committee measure but in order that the Minister for Housing, who is now with us, will have some idea of my views in respect of some three or four clauses, it is my intention to give those clauses some attention now. I hope the Minister will be in a position to indicate to me that he agrees or otherwise. At least, I will give him some notice in case he feels it is necessary to refer these submissions to his advisers.

First of all, to put the record right, the Minister for Lands told us that the Bill had not been amended since 1961. By way of interjection, I corrected that date to 1962. This proved to be too much for the Minister for Lands who later amended the notes he was reading, which indicated that some substantial amendments had been made in 1961. The Minister thought that the year in that case should also be amended to 1962 to conform. However, had he known his subject—and I do not criticise him for this—he would have known that, although some amendments were made in 1962, the Act was substantially amended in 1961. Therefore, his notes were perfectly correct in the second instance. By some misfortune he was wrong in both cases. This observation, of course, has nothing to do with the merit of the Bill and what it seeks to do.

I draw the attention of the House to clause 4. At the present moment the Act requires that a building society shall arrange its affairs with a client so that the debt shall be discharged and all interest in connection with the advance shall be concluded within a period of 30 years. The Bill before us proposes that the term shall be extended to 40 years. I am pleased the Government has seen fit to embody such an extension in the legislation. I believe the amendment was recommended by the advisory committee; however, I am unable to understand why the period is to be 40 years.

I say that because very many persons who, ordinarily, would be able to go to the State Housing Commission do not do so because of the long waiting period. They are required, or virtually compelled, to go to the next best; namely, building societies. Under the schemes operated by the State Housing Commission, the period of repayment is 45 years. This applies to schemes operated under the War Service Homes Act, the Commonwealth-State Housing Agreement, and the State Housing Act. If the Government feels there is merit in extending the period why, for the sake of some consistency, has it not made the period conform to all the activities of the State Housing Commission?

If one likes to come down to niceties, I do not know why there is a necessity for a maximum period to be specified at all. Surely building societies know their own business and should have a certain amount of latitude. I have mentioned that the three schemes operated by the State Housing Commission all allow 45 years and I pose the question: Why is this not to apply to building societies as well? Indeed, under the War Service Homes Act, I understand an additional five years is allowed the widow when an ex-serviceman passes on; in other words, the period is increased from 45 to 50 years.

Having regard to the size of mortgages and the high cost of land these days, surely there is every merit in allowing the period of repayment to be as long as possible, but again at the discretion of building societies whose job it is to carry out individual transactions.

Unless I can be convinced by the Minister, it is my intention to move in Committee for the deletion of the word "forty" in the last line of the clause and the substitution of the words "forty-five" to make building society arrangements conform with those applicable to the schemes operated by the State Housing Commission.

I would like a little information on the following clause.

Mr. O'Neil: Clause 5?

Mr. GRAHAM: Yes. It provides that any permanent building society established hereafter will be required to have a members' share capital amounting to not less than $200,000, and that this shall remain for a period of 10 years from the date of the registration of that society.

There may be some good reason for this provision but I am unable to think of one. The 15 permanent societies which operate at the present time have had no such requirement placed upon them and I am unaware of any damage caused by them or of any danger to the financial stability of the societies. Why should Parliament impose a condition which conceivably could create certain hardships or difficulties unless there is a real reason for doing so? If the Minister can satisfy me on this point I will agree to the provision, but at the moment I feel inclined to vote against it.

I turn now to clause 9 which proposes a departure from the present process whereby loans can be granted to a director or an officer of a building society if a special resolution is carried by a meeting of the society. It is proposed that this requirement shall be left in respect of a director, but an officer may receive an advance from the society which employs him only if each of the directors of the society has approved in writing the making of the advance.

I regard this provision as somewhat impracticable. One can easily envisage a situation arising when one of the directors is in another State for a period of perhaps unknown duration. The director could be stricken with an illness for a period and be unable to comply with the provisions of the legislation. A person employed by the building society may qualify in every respect and may be entitled to receive an advance. However, until there is a document signed by each and every one of the directors then it will not be possible, under the proposed amendment, for an advance to be made in his favour. Such a provision could cause considerable delay and inconvenience simply because of the unworkable way of doing things which we, as a Parliament, will have introduced by the passage of the Bill in its present form.

Unless I can be persuaded to the contrary by the Minister, again it is my intention, at the Committee stage, to make provision whereby an officer of any society may receive an advance if a special resolution has been duly passed by the committee of management; in other words, at a properly constituted meeting of the directors. Surely that ought to be sufficient. The reason I say "a special resolution" is to ensure that an application by an officer will not be lost sight of or become unidentified because it is associated with, perhaps, 10, 20, or 50 other applications for advances.

This surely should meet the requirements if the directors are informed that one of their employees has a case before them. It could be dealt with on its merits instead of there being the necessity to proceed to a hospital or write to another part of the Commonwealth, or indeed another part of the world, in order to receive the written approval of each of the directors of the society. It would appear that in making these requirements we are getting a little caught up in red tape.

Those remarks apply also to clause 19, which is the next and final one to which I direct the attention of the House. I read the new provision—

> No person shall, by advertisement in any form, seek members, capital or deposits in or for a proposed society unless the contents of the advertisement have first been approved in writing by the Registrar.

This is supposed to be a private enterprise Government. I give it marks for being an A1 red tape Government, if it really insists upon this being done.

Every day of the week building societies are inserting advertisements offering 6 per cent. and more for varying periods, pointing out the attactiveness of it, and so on. These are responsible people who are in business on behalf of a lot of shareholders, or it may be a terminating society operating more or less for its own kith and kin, if I might use that all-embracing term. I can well imagine a public servant,

secluded in his air-conditioned office, going through every word, figure, and syllable of the draft that a building society proposes to insert as a half-page or full-page advertisement in one of the newspapers, or some messages that are to be broadcast or flashed on the television screen. I think this is the height of absurdity. I repeat that these are responsible people.

I notice that quite a number of the amendments have been placed in the Bill perhaps for not very good reasons, as stated by the Minister, except that they conform with the provisions of the Companies Act. It would be a strange state of affairs if before it could put an advertisement in the Press every registered company in Australia were required to have a draft of its advertisement vetted by a public servant in the Companies Office, or some office of that nature. If it is thought that some of these societies would go to excess, I would have no objection to the insertion of a provision as is contained in the Companies Act, with an appropriate penalty provided for any breach.

Building societies are not an innovation. Some of them have been in operation for very many years. I am not aware of any serious complaints against them since they have been in operation, and there are scores of them operating at the present time— most of them terminating societies, of course, but there is an ever-increasing number of permanent societies. Trust them; leave them alone; let us do our best to facilitate their methods of operation rather than bind them hand and foot and watch them as though we had some suspicions regarding their activities.

When introducing the Bill the Minister gave no indication of there being anything prejudicial to the interests of shareholders or those who received advances from building societies or anybody else. However, if there is some fear that there could be excesses in the matter of advertising, let there be a proper provision giving a very wide discretion to the registrar, so that if in his opinion the contents of an advertisement could be regarded as misleading, or grossly misleading, or something of that nature, he would be empowered to take certain action or arraign the offender before a court, but certainly not to require that every word, diagram, and figure in advertisements must be approved in writing by the registrar before they can appear.

If a building society wishes to capitalise upon a situation that develops, it could be the best part of a fortnight before what was proposed could be lawfully advertised after going through the procedures. To take a period that is reasonably handy, next Tuesday is a working day for everybody except public servants. A building society that wanted to race around with its advertisement to place it in Wednesday's issue of *The West Australian* newspaper would be unable so to do unless it submitted the advertisement on Thursday of this week. No doubt some employees will be knocking off early in some Government departments—on the eve of a holiday period five o'clock seems to come around more quickly than the sun wishes it to.

Mr. Bertram: Not only Government departments.

Mr. GRAHAM: I mentioned Government departments because the registrar is a Crown employee who would enjoy that extra holiday. There are other times of the year when there is a similar state of affairs.

I have mentioned these points so that the Minister may have some time to consider them. Perhaps he would agree to reporting progress later on when we get to the Committee stage, if we get as far as that. If he is able to satisfy me beforehand, we could go right through until the Committee stage is concluded. I have made my comments on the Bill, which I support, but I would like several improvements. There are two instances where I thing some unnecessary red tape is proposed and I should like some relaxation in that regard unless some very good and substantial reason is given for retaining the Bill in its present form.

MR. BERTRAM (Mt. Hawthorn) [9.27 p.m.]: I, too, support this Bill. That is surely not surprising because building societies, as I understand their history— and I do not think there has been any significant change in their purpose—were designed to assist the little people, and to assist them to co-operate with other little people so that they could acquire the homes in which they live, in their own right, in their own fee simple, in the fullness of time, and perhaps over a lengthy period of time. I will give my support to any measure that assists building societies, the formation of them, or the benefits and protection that flow from them. The little men in this context are, of course, the people who simply have not got sufficient means to acquire loans from other finance organisations but who can, from building societies, get loans which they can service, which they can meet, because of the interest and other terms which apply to the mortgage.

It is interesting to note that building society legislation in Western Australia dates back to 1863. For those who may be interested in the matter of building societies there is a very interesting contribution to a debate by the then Attorney-General, The Hon. T. P. Draper, which is to be found in *Hansard* of 1920, Vol. 1, at page 468 and following pages.

I am a little puzzled in a couple of directions regarding some remarks made by the Minister in his second reading

speech, and I propose to mention the matters and comment on them. For example, it is noted that the advisory committee which is set up under the Building Societies Act conferred with members of the Western Australian Permanent Building Societies Association, the Federation of Building Societies of Western Australia, and the Institute of Chartered Acountants (Western Australian Division), but it did not consult the Law Society. It seems to me that this Bill contains a good deal of law, and I should have thought the Law Society was the obvious body to consult.

Mr. O'Neil: I think the president of one of the associations was also the president of the Law Society, Mr. Wallace.

Mr. BERTRAM: I do not know that name. That may be the answer, but in any event I think this is a Bill which contains quite a bit of law which could be regarded in a sense as lawyers' law; yet, on the face of it, the lawyers were not consulted. The Law Society is consulted so often these days, and this makes my query perhaps a little more pertinent.

Once again we see in the second reading speech of the Minister a remark which is so apparent in measures which come before the House. The remark to which I refer is always something like this: "The Act will once again be brought into line with today's practices throughout the world." So we do not set the pace; we do in some directions, but in most we do not. Here we are going to catch up with all the front runners; we are not going to be in front of them, we are merely to catch up with the rest so that they may go ahead and break new ground, whereupon at some distant time perhaps we shall catch up again. But we shall not go to the front any more than we are prepared, apparently, to do so with regard to other legislation.

Like my deputy leader, I raise a query in respect of the requirement in the Bill that in future a permanent building society may not be registered unless $200,000 can be put up, and, having been put up, retained in the society being formed for a period of 10 years. As I understand the legislation at the moment, there is no such provision and never has been.

Mr. Graham: Never has been for 50 years.

Mr. BERTRAM: Surely the House should be given some cogent reasons if we are now going to go from nothing to $200,000. What particularly concerns me is that building societies are set up and operate for the benefit of the little people, and the little people will be ousted if they seek to set up a building society and are not able to find $200,000 in the first place.

Mr. W. A. Manning: This is to shut out the fly-by-nights.

Mr. BERTRAM: I do not object to people making a profit, provided there are adequate safeguards. This Bill provides for adequate safeguards—or purports to—because it contains provisions for auditors and the filing of accounts, and all sorts of other provisions, all good in their intention.

So on the one hand we are going to shut out the fly-by-nights, as suggested by the honourable member who interjected, when there have been no fly-by-nights in the history of building societies in Western Australia, and at the same time we are going to insert all sorts of provisions into the Act which have never been in it before to give added protection to the investors in, and shareholders of, building societies. That is not very convincing; it is contradictory and inconsistent. The sum of $200,000 is very substantial and we should be given a substantial reason for the introduction of this provision into the legislation.

I suspect in times gone by the advisory committee—I think that is the body which deals with registration—probably wanted to be satisfied as to the amount of initial capital, but I doubt whether the amount that was insisted upon then was $200,000 or anything like it. I am concerned about this figure because I am perturbed that it might oust certain people from setting up building societies. In other words, the strong ones are in and, as we so often see, there is a tendency for them to keep everybody else out. The logic of this is extremely simple; the fewer in the business, the more profit for them.

Mr. Graham: Can you think of any reasons why a person who was fly-by-night disposed would wish to get into building society activities? There is no inducement whatever.

Mr. O'Neil: The provision applies only to firms, not the co-operatives.

Mr. BERTRAM: That is so the terminating societies will not be affected; this is true. If there is an explanation, we should have it; and I would prefer that it should be given in the first place and then we would not waste time raising queries.

Unlike my deputy leader, I am not so concerned about the provisions regarding advertisements which are designed in the first place, I understand, to ensure that people who are about to form a building society, or who have just formed a building society, shall not in their initial zeal, or over-zeal, put out material to the public which is injurious to the public in the long term. This is indeed a departure from the general attitude of this Parliament; that is, to give advertising agencies an open slather, and to do nothing to protect the public. Even if there is something to be done in the near future, there seems to be a noticeable desire to procrastinate and prevaricate on the question.

I am all for a degree of control over advertising for many obvious reasons. Therefore, I am not against some attempt to curb advertising. When all is said and done, this provision is contained in the Companies Act by the requirement in regard to prospectuses and the like, and has been in that Act for many years. Is not that analagous to the measure before us now? Would anybody suggest that we should not have strict laws in respect of company prospectuses? Nobody would suggest that every member of the public could be protected, but at least we should make a reasonable attempt,. and that is all we can be expected to do.

What concerns me with regard to the provision relating to advertising is that when a building society places advertisements on television, the registrar, or one of his officers, must camp in front of a television set from the moment each channel commences and watch for the advertisements. Somebody else must peruse all the newspapers and so on, and if he is upset with the content of the advertisements, he can bar them. I think this is really what the provision says.

I am not one who believes in trying to do something after the event, because any fool can do that. In this Parliament we should always attempt to anticipate an event, which is not always easy to do. It is far more difficult to legislate in anticipation than it is to cure after the event.

In the likelihood of someone seeing the type of advertisement we see portrayed today, he would act upon it immediately. In other words, he would enter the building society as soon as possible the following day if it had displayed an advertisement inadvisedly. However, the discontinuance of the advertisement is not a complete remedy, because the man concerned has been separated from his money and there will be little opportunity of his getting it back. In any event, he will be put to inconvenience and expense in his endeavour to get it back. Therefore, I do not like that provision particularly. I would prefer, in a provision relating to advertising, to see something with a little more bite.

The reason I mentioned earlier that consultation should be made with the Law Society is that I consider some thought should be given at this juncture, contemporaneously with this measure before the House, to renovate section 38 of the Companies Act which deals with prospectuses and advertising issued by corporate bodies; because a building society happens to be a corporate body. According to the second reading speech made by the Minister, although it may have been accidental, that section of the Companies Act applies to building societies. It is still operative, but a new section is contemplated, so in future which section shall apply to a building society? Or will both sections apply, and in which priority?

On the question of accounts and audit, it would appear that the Minister may grant exemption from the proposed accounting and auditing provisions to a terminating society in those cases where it is appropriate. I should imagine there would be appropriate cases, but I would like the Minister to enlarge a little on that provision if he can.

I am aware, as I expect most members are, that building societies handle a great deal of ready cash. In fact, perhaps they handle more large sums of cash than most companies. I am also aware that most proprietary companies are not required, at law, to appoint auditors. However, I would be interested to know the appropriate situations in which a Minister would be justified in granting exemptions from the provisions relating to accounting and auditing as they will apply here to terminating societies.

We then return to a provision which we debated at length last year. On that occasion a similar provision was incorporated in the Geraldton Port Authority Bill. This provision relates to the obligation on a director of a building society to disclose the interests which he may have in other companies with which the building society contracts. Under the Bill before us a director is obliged to declare to the other directors of the building society that he has an interest in such and such a company and, furthermore, he is required to do this very promptly.

As I understand the position, this provision in the Bill is the same as the section in the Geraldton Port Authority legislation; namely, a director is merely required to make the disclosure. In the fullness of time some disgruntled director or shareholder, or both, could complain that director "A" had an interest in a company but had not disclosed it although he was required by law to do so. However, how could a shareholder or another director prove this? He would have no hope, so the provision would be best left out altogether if my argument is correct.

Mr. O'Neil: What is the relevant clause in the Bill?

Mr. BERTRAM: It is clause 8, on page 4. It is proposed to add a new section. The Companies Act recognises this position and does something about it. Subsection (7) of section 123 of the Companies Act, relating to the declaration by a director, reads as follows:—

> The secretary of the company shall record every declaration under this section in the minutes of the meeting at which it was made.

Is there anything unreasonable about that?

The declaration made by a director takes place at a meeting and is incorporated in the minutes. This is so vital that the people who sponsored this Bill have provided that if this is not done a penalty not exceeding $200 will be imposed. This is a matter which clearly should be minuted, and normally would be minuted, but it is not mandatory that it shall be minuted. Therefore, as I have said, a disgruntled person at some subsequent time would have absolutely no hope of proving what was actually a fact; he would only have some apparent rights but, in actual fact, no real rights. Therefore, at the Committee stage I propose to introduce an amendment to add a further subsection to proposed new section 12AB, which amendment will follow along the lines of the subsection I have just read from section 123 of the Companies Act.

Mr. O'Neil: I will agree to it.

Mr. BERTRAM: There is another matter which seems to be an inconsistency, although it is not a gross one, and the Minister may give some thought to it. It will be seen that a building society and a company are both corporate bodies. Within the next few years one building society will have assets of $1,000,000.

Mr. O'Neil: You mean $100,000,000.

Mr. BERTRAM: I am sorry; that is more like it. Anyway, it will have very substantial assets and it is a very large organisation. It is large in terms of a company; some companies would be quite infinitesimal compared to it. The only penalty in the Building Societies Act is a fine not exceeding $200, whereas in the Companies Act, under which a company with very few assets could be registered, the penalty is $1,000. That seems to be a gross inconsistency. Although I am not particularly keen on imposing penalties on anybody we should attempt to achieve some consistency and, of course, whether I like it or not, penalties in any legislation have to be provided.

Mr. O'Neil: In arbitration laws.

Mr. BERTRAM: Another matter to which I wish to draw attention is that, as it stands at present, section 15 of the Building Societies Act reads as follows:—

> Unless otherwise provided by the rules, a person under the age of twenty-one years may be a member of any society under this Act, and may execute all instruments and give all necessary acquittances; but during his nonage he shall not be competent to vote or hold any office in the society.

I was pleased to hear earlier in the day that another place has taken the view—quite rightly in my belief—that a person under the age of 21 years—one of 18 years of age—should be competent and qualified to make a will.

It seems to me that the section to which I refer specifically goes out of its way to give people under 21 years of age a greater competence at law to do the things I have mentioned, such as execute instruments, and so on. There are rather wide powers provided there to a person under 21 years of age. It then departs from that attitude and says, "during his nonage" he shall not be competent to hold any office in the society.

I do not think that in this state of our history we need to persist with the words "during his nonage," and during the Committee stage I propose to suggest to the Minister that we alter section 15 by striking out the words, "during his nonage," and substituting for them the words, "until he is 18 years of age."

I think that would make the position consistent and it would not harm any of the shareholders. If the shareholders do not want to give a person of 21 years of age an office in the company, that is up to them. He cannot impose himself on his fellow shareholders and members. So it seems to me that if we cannot acknowledge the under 21-year-age group—that is, the 18-year-age group—in a broad sphere as quickly as we ought to—perhaps because we are timid or for whatever other reason—then it must be done piecemeal by amending this clause to give the 18-year-olds an opportunity to do things which under the current Act they cannot do.

The provision in section 15 has been there for many years; since the time when people of 18 years of age did not have the knowledge or the capacity to look after their affairs as so many of them have today.

As I said earlier I support the measure in general terms. I am delighted the Minister should have indicated his acceptance of the amendment I mentioned earlier in my speech. Similarly, I hope he might give real thought to the acceptance of the amendment under section 15 which will only help, as I see it, the younger people. It is inevitable that it must come. We do not need to wait until 1980. Why not do it now? Instead of trailing the world, generally, it might be possible for us to hit the front in this direction and do something really worth while.

I support the measure subject to the comments I have made.

MR. O'NEIL (East Melville—Minister for Housing) [9.54 p.m.]: I woud like to thank members for their contributions and for their general support of the principles contained in the Bill to amend the Building Societies Act. I would also like to thank my colleague, the Minister for Lands, for undertaking the task of introducing the Bill on my behalf. If there was any brevity that could be criticised in the introductory speech, may I be permitted to take the blame?

In my concluding remarks I think I will be able to clear up most of the points raised by the Deputy Leader of the Opposition and the member for Mt. Hawthorn. It must be appreciated that the building society movement—or industry, if members wish to call it that—has grown substantially over the last few years. The rate of development of this very valuable adjunct which is assisting in the provision of home ownership in Western Australia was quite clearly indicated in the second reading speech. Members may have read some criticism that there appeared to be an industry developing apace which controlled more and more funds—and public funds at that—without the industry itself being adequately controlled; without the control provided, for example, under the Companies Act.

There has been constructive criticism by the Western Australian branch of the Society of Accountants and there has been a genuine interest in providing the industry with some control by the members of the movement itself—the Permanent Building Societies Association and the Terminating Building Societies Federation. Out of this concern and many deliberations have come these amendments to the Building Societies Act.

Perhaps it would be best if I were to deal with the various points raised by the Deputy Leader of the Opposition and if he could indicate to me that he is satisfied with my explanation perhaps we could proceed with the Bill to the Committee stage.

The Deputy Leader of the Opposition referred first of all to the extension of the term of loan from the present 30 years to the proposed 40 years. He questioned why we could not increase this to 45 years, as is the case with the various purchase provisions of the State Housing Act.

I would first like to point out that the reason for giving the building societies an option to increase the repayment term is in order to enable them to advance money to borrowers so that the borrowers themselves will have a lower monthly or fortnightly repayment. This does not guarantee, of course, that the building societies will in fact lend money over the full term which it is proposed to prescribe under the Building Societies Act.

To give an example, in this booklet, *Home*, on pages 14 and 15, there appears a list of 14 permanent building societies. The final column indicates the maximum repayment term in years over which those societies will advance loans.

I summarise this to indicate that only three societies will advance loans up to a maximum of 28 years; nine will advance loans to 25 years; one will advance loans to 20 years; and one will advance loans to 10 years.

It can be seen that at the moment no building society advances money up to the maximum provided in the Building Societies Act. It is perhaps a psychological approach which indicates little by little that there is a desire that the term of repayment of loan be extended. There is another feature with regard to the extension of the term, which is that even if building societies lend money for longer periods it may not have the effect we imagine it would.

For example, it has been pointed out to me by the registrar that the average life of a mortgage is between 8 and 10 years. This is rather surprising. This does not mean that the purchasers through the building society have acquired the home in that time or that they have purchased the property and discharged their liability to the building society.

Mr. Graham: I think inflation had a lot to do with this. What was a heavy burden is now a comparatively simple one.

Mr. O'NEIL: Quite frankly I have no objection to increasing the period to 45 years, but I would point out that it does not necessarily mean that loans from building societies will not be on the same term rate as loans from the State Housing Commission, which administers this as a matter of policy.

Mr. Graham: But if one or more building societies want to do this they will be able to?

Mr. O'NEIL: Yes.

Mr. Graham: And why not?

Mr. O'NEIL: Let me say that if the Deputy Leader of the Opposition likes to propose an amendment to increase the term rate to 45 years I have no objection.

Some reference was made to the provision in clause 5 which insists that prior to a permanent building society achieving registration it must produce evidence of the availability of some $200,000. For a long time this has been a policy requirement implemented by the advisory committee; and, in fact, it is one of the main qualifications that a permanent building society must have before it can become a member of the association. I believe there is adequate reason for this.

Let me say, as I indicated by interjection, that it does not apply to the terminating or the co-operative type of society. Let me say also that both permanent and terminating societies are subject to the receiving of home builders' account funds under the Commonwealth-State Housing Agreement. In normal circumstances, with the establishment of a terminating society the only starting fund the society has is an allocation from the home builders' account under that agreement; that is, the money paid to it by the commission.

The Government assists the terminating societies for perhaps two years; but, in the meantime, through the registrar pressure is exerted on the society to find finance of its own from banks or insurance companies, on the basis that it will continue to assist in a matching sense. This step is taken in an endeavour to get more money into this field to enable more people to procure their own homes.

While permanent societies have been receiving funds from the home builders' account they are becoming less and less dependent on this fund, because of the new field of 6 per cent. no-fixed-term savings bank type of operation. It could well be that permanent societies, which are not truly co-operative societies but profit-making organisations, as distinct from terminating societies, could, in fact, be established by a group of people without any real capital backing at all; and they could then use the hard-to-come-by State Housing Commission funds to establish themselves and to develop into very profitable and large organisations.

As a matter of fact, when the figure of the capital asset qualification was first mentioned it was suggested that it be $500,000. I think this is the figure which applies in New South Wales. I cannot see that this is an onerous requirement on people who set up permanent building societies which under the new scheme are savings bank types of institutions. These people are, in fact, able to establish themselves without calling on the Government and the State Housing Commission to set themselves up in substantial businesses. That explanation, for what is is worth, ought to satisfy members.

Mr. Graham: Where is the registrar given the power to insist before he registers a new building society? I refer to the requirement that its funds must be up to a certain amount. I cannot find it in the Act.

Mr. O'NEIL: That may well be. I cannot recall any recent applications for the establishment of new permanent building societies where this requirement has not been more than met; but I do know of at least one case where a permanent building society which had been defunct for many years was revived with little or no capital asset, and which called upon the State Government or the Minister for Housing to make an allocation of funds to it out of the home builders' account. We were in some difficulty, because we did not have the legal power to refuse it. This amendment clearly establishes that an organisation which purports to set itself up as a permanent building society must have some substance as well as cash.

Mr. Jamieson: That saved you from your friends.

Mr. O'NEIL: The member for Belmont is aware of the situation to which I am referring. Some reference was made to clause 9 regarding the need for the approval of all the directors of a building society to be given in respect of advances made to officers of the society. I queried this proposal when the matter was placed before me by the advisory committee because I was probably under the same misapprehension as the Deputy Leader of the Opposition. However, the officers of a building society comprise the secretary, the manager-secretary, or the general manager; they are very limited in number and, in fact, represent the top executive. The balance of the employees who work in a society and who make application for home building advances get them on the same basis as anybody else.

It was felt that the secretary or manager-secretary of a building society should have the approval of all the directors in respect of housing loan advances. I do not imagine that such an officer would be getting a loan every week. It is not an onerous responsibility to be placed on the secretary or manager-secretary.

Mr. Graham: What harm would there be for the committee to approve in the ordinary way?

Mr. O'NEIL: I cannot see any real objection to a meeting of the committee giving approval, especially when a quorum is present. I simply indicate to the Deputy Leader of the Opposition that rather than consider an amendment at the Committee stage I will give some thought to the matter. Why the request has been made specifically to obtain the written approval of all the directors I do not know, but I would like to obtain some further comment from the advisory committee if we are to have a change.

Mr. Graham: What about compromising on this by requiring either the written approval of all the directors or a special resolution of the committee of management—whichever one the society desires?

Mr. O'NEIL: I have an open mind on this question. I would like to have some advice on it before any change is made. I cannot imagine it is an onerous task for the secretary or manager-secretary of a building society—who probably would require only one advance in his term of office—to cover himself by obtaining the approval of all the directors.

Mr. Graham: It would be a pity if one of the directors was on a world tour, and his signature was not available.

Mr. O'NEIL: In those circumstances I think they would find a way around it. To be co-operative I undertake to have this matter examined further. In my own view I cannot see why a meeting of the committee could not approve these loans without the written consent of all the directors. I undertake to have this matter checked, and, if necessary, to have an amendment moved in another place.

Reference was made to clause 19 regarding the necessity to obtain the approval of the registrar with regard to advertising. I am indebted to the member for Mt. Hawthorn, because he explained one of the reasons this has been considered to be necessary. It is true that building societies as such come under the jurisdiction—if that is the right word—of the Companies Act in respect of advertising. The member for Mt. Hawthorn pointed to the need for control of prospectuses relating to companies which are issued. No one denies this. I say that the provisions of the Companies Act have not really been enforced in respect of the activities of building societies, especially in regard to their raising funds to lend out on home building.

With the introduction of the 6 per cent. no-fixed-term operation which is, in essence, a savings bank type of operation, I do not think it would be possible to draw up a prospectus indicating the way the society concerned intended to operate.

The Registrar of Companies (Mr. Macfarlane) has been in discussion on this very matter and has considered that this is, in fact, the best way of providing a protection to the public. In the ultimate the operations of building societies will cease to be covered by the Companies Act. The member for Mt. Hawthorn mentioned that if a member of the Law Society had been present during the drafting of this Bill he would have noticed this. We did notice it and the Registrar of Companies has indicated that amendments to the Companies Act will include the deletion of building societies from section 38, or whatever section it is. This is, in fact, a substitution of the control of advertising which presently comes under the Companies Act. Subsequently it will be deleted from the Companies Act. It may be that the proposed provisions are a little stricter than the requirements under the Companies Act.

It has been pointed out by the advisory committee and recognised by the Building Societies Association that this is a fairly important amendment and, quite frankly, the building societies themselves have co-operated fully with the registrar in respect of their advertising, particularly on television, which is essentially advertising for funds from the public. Some criticism was expressed that a certain building society was holding itself up as a Government-guaranteed trustee investment and that, in essence, that could be somewhat misleading to the gullible public; and I think that has been altered.

The building society movement itself has been co-operative in this and sees no objection to its activities in respect of attracting funds coming under the control of the Building Societies Act in this form in lieu of its being under the control of the Companies Act as at present. I think those remarks cover all the points raised by the Deputy Leader of the Opposition.

The member for Mt. Hawthorn went on further and referred to reasons for the Minister being able to grant exemptions in certain cases from the normal accounting and audit procedures which will be laid down fairly strictly in the Act. These procedures have been put into the Act at the request of the Institute of Chartered Accountants (W.A. Division) because it considered that the existing procedures although being followed out and although they seem to adequately cover the interests of the public, were not in fact a statutory requirement.

Many very small terminating co-operative societies operate now—members of Parliament are on them as well as local authorities and so on—and it may well be that those societies do not have the essential technical know-how to be able to meet all these requirements. That is about the only case I can think of. It may also be that instead of quarterly reports having to be submitted, only half-yearly or annual reports will be required, or something like this. It is really a clause which has been included to give some provision for a Minister to grant exemption from these requirements. However, I think members can rest assured that no Minister would take this action without referring the matter to the advisory committee itself which consists of the Registrar of the Building Societies, a representative of the permanent societies, a representative of the terminating societies and a member of the Institute of Valuers. However I will raise this matter—I think it is of a technical nature—with the registrar and the advisory committee and ask whether this could not be given further consideration.

It was also mentioned that the disclosure of interest by directors is of little value unless there is some method of ensuring it is or is not done, and that this ought to be recorded in the minutes. I have to admit that this was an omission because when the submission on this matter was taken to Cabinet it was further pointed out by Cabinet that the recording of this disclosure in the minutes was an absolute requirement. I must say that my instructions on this matter went astray and so I have no objection to accepting an amendment in respect of recording this matter in the minutes.

At this stage, too, I cannot see any reason objection to accepting the further amendment proposed by the member for Mt. Hawthorn. We have made provision for investment in these societies by people under age. Now that most permanent societies operate on a savings bank type of system, young people immediately leaving school can invest their $1 a week in a building society. I think we have clarified the legality of that situation in the Bill

I think we have already amended certain legislation to allow people of 18 to enter into contracts for possession of homes and the like and, quite frankly, I can see no reason why we do not step out and even allow voting powers and so on for 18-year-olds in respect of this particular operation.

With regard to penalties we hope these will never have to be imposed. I do not think we have had any trouble in building society operations to date and I trust the passage of this Bill will make such eventuality less likely. I cannot see much point in increasing this penalty which is currently, I think, only $100, or something like that. Therefore, whilst noting the remarks of the member for Mt. Hawthorn I do not think it is necessary to do anything further about penalties under the Act.

I believe I have covered most points raised by the two members who contributed to the debate, and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Neil (Minister for Housing) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 4 amended—

Mr. GRAHAM: First of all I want to acknowledge the generosity of the Minister concerning the various amendments foreshadowed and the questions raised. I think I have explained the reason for what I am about to move. I move an amendment—

> Page 2, line 21—Delete the word "forty" and substitute the word "forty-five".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 5 and 6 put and passed.

Clause 7: Section 12AA added—

Mr. BERTRAM: I intended to query this matter earlier. The clause deals with the retiring age, or the age limit for directors. The limit is 72 years but in certain instances a director can be re-elected after that age.

The clause is analogous to a similar section in the Companies Act. However, under the Companies Act, as I understand the situation, the reappointment requires the motion to be carried by three-fourths of those present at a general meeting. Under the provisions of this Bill a similar motion has to be carried by two-thirds of those present. Generally, I prefer three-fourths to two-thirds but, quite obviously, somebody who is 72 years of age thinks otherwise. I would like to hear the Minister's comments.

Mr. O'NEIL: I cannot say why it has been determined that two-thirds of the persons present at a meeting are required to vote for the reappointment of a director after the normal retirement age. I know the general principle was taken from the Companies Act. I think it is of academic interest whether the figure is two-thirds or three-fourths.

Clause put and passed.

Clause 8: Section 12AB added—

Mr. BERTRAM: I thank the Minister for indicating his acceptance of one, and perhaps two, of the amendments which I foreshadowed. It is good to have proposals given due credence and not just put aside. I move an amendment—

> Page 5—Insert after proposed new subsection (7) the following new subsection to stand as subsection (8):—
>
> (8) The Secretary of the society shall record every declaration under this section in the minutes of the meeting at which it is made.

Mr. O'NEIL: As I indicated in my second reading speech, I have no objection to this requirement. It was, in fact, an instruction but was somehow missed by the draftsman.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 9: Section 12B amended—

Mr. GRAHAM: Might I first of all point out that there has been an error in the numbering of the lines. I want to indicate clearly to the Minister the amendment I proposed to move. The Minister was good enough to say that he would have a look at the proposition I submitted and if there was no objection to the merit of my proposition he would have appropriate action taken when the Bill reached the Legislative Council. Had the Minister not been so co-operative I would have moved that in the third last line of the clause all words after the word "director" be deleted, and for the insertion, in lieu, of the words "except by special resolution duly passed by the committee of management."

That would then give effect to the proposition which I canvassed. I suggested, as a possible alternative, leaving it to the society to use one course or the other at its discretion by inserting at the end of the words I proposed to be inserted the word "or", and not deleting any words. Thus an alternative would be available to the building societies.

I have submitted my proposed amendment so that the Minister will have it in writing and no doubt he will obtain a copy of what has been said.

Clause put and passed.

Clauses 10 to 18 put and passed.

Clause 19: Section 24A added—

Mr. GRAHAM: It is not my intention to fight clause 19 to the bitter end; but, to some extent, it is necessary for me to say a few words in defence of my own honour.

It would appear, superficially, that the provisions of the clause apply only to a proposed society; in other words, one over which the registrar does not exercise any control and in connection with which some irresponsible people could start advertising for members, capital, deposits, and the rest of it. I would point out that subsection (4) of section 4 of the principal act provides, *inter alia*, that no company, society, association, partnership or body which consists of 10 or more persons and is capable of registration shall be formed or operate to carry on business in this State, unless it is registered.

Therefore, a proposed building society, even in its embryo state, is still required to be registered under the law. We can go a stage further to section 38 of the Building Societies Act. This points out that where the registrar is satisfied that a certificate of incorporation has been obtained for a building society by fraud or by mistake, or that any such society exists for an illegal purpose, or has after notice from the registrar violated any of the provisions of this Act, or is unable to commence business, or has ceased to exist, the registrar may, by writing under his hand, with the approval of the Minister, cancel the registration of the society, and so on.

Therefore, I still make the submission that control exists over these organisations—if I may call them that—even before they set up in business as building societies.

This brings me back to the point I stated at the outset: there seems no warrant for the procedure to require a building society to submit any form of advertisement to the registrar. The Bill does not envisage any exemptions to this procedure, I might add, but simply states—

> No person shall by advertisement in any form, seek members, capital or deposits in or for a proposed society—

Let me interpolate to say this is already covered by section 4 of the Building Societies Act. To continue—

> —unless the contents of the advertisement have first been approved in writing by the Registrar.

I repeat that every word in every advertisement must, first of all, be vetted by the registrar before the proposed building society is able to advertise. The term "advertising" is broad and the provision would cover every advertisement which appeared in a newspaper, booklet, or pamphlet, or which was broadcast over radio or shown on television. I think this is wrong and unnecessary. Further, I do not believe that the experience over 50 years of the operation of the Building Societies Act has proved that there is any warrant for it. The provision could be irksome and inconvenient, and it could interfere with the legitimate work which building societies want to do. The history of the building society movement is that the job the societies have done and sought to do has been exceedingly beneficial for the State.

Neither the Minister nor the member for Mt. Hawthorn, whom he acknowledged, has convinced me in respect of this matter. I hope the Minister will be able to be more conclusive so far as I am concerned. I have stated my protest and, as I have already indicated, I do not desire to occupy any more time of the Committee in making remarks on this point.

Mr. O'NEIL: I simply indicate to the Deputy Leader of the Opposition that his point of view will be made known to the advisory committee.

Clause put and passed.

Clauses 20 and 21 put and passed.

Clause 22: Section 34 repealed and re-enacted—

Mr. O'NEIL: The Clerk at the Table has brought to my notice the construction of line 11 on page 24 of the Bill where an additional "from" appears to be included. The line reads, "a society shall from within thirty days from the".

I understand that the first "from" is, in fact, a typographical error and, accordingly, I move an amendment—

> Page 24, line 11—Delete the word "from" where first appearing.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 23 to 29 put and passed.

New clause 15A—

Mr. BERTRAM: I move—

> Page 11—Insert after clause 15 the following new clause to stand as clause 15A:—
>
> > 15A. Section 15 of the principal Act is amended by deleting the words "during his nonage" in line 5 thereof, and substituting therefor the words "until he is 18 years of age".

Section 15, as it exists, gives certain powers not usually conferred by law upon people who are under 21 years of age. They can make and execute all instruments and give all necessary acquittances. It is a very wide power. It goes on to say—

> During his nonage he shall not be competent to vote or hold any office in the society.

I would like to modernise that section without having to wait for the rest of the world. In order that that may be done it

is necessary to delete the words "during his nonage", and I have moved accordingly.

The CHAIRMAN: It is a pity the honourable member did not hand this amendment in earlier so that we could check it. The only place where this could be inserted is in clause 10, which we have already passed. Clause 10 has already amended section 15 of the principal Act. The only stage at which the amendment could have been moved was when we were dealing with clause 10. At this stage of the proceedings I regret that I am unable to accept this amendment.

Title put and passed.

Bill reported with amendments.

ADJOURNMENT OF THE HOUSE

SIR DAVID BRAND (Greenough—Premier) [10.46 p.m.]: I move—

That the House do now adjourn.

With your permission, Mr. Speaker, might I remind the House that it is proposed we should rise between 4 and 5 o'clock on Thursday—4 o'clock would be an acceptable time. It is not proposed that we should sit in the week following Easter. I suggest that we will sit on Thursday nights upon resuming after Easter. Therefore, I advise members to clear their Thursday nights in order that we might shorten the session as much as possible.

Question put and passed.

House adjourned at 10.47 p.m.

Legislative Council

Wednesday, the 25th March, 1970

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

QUESTION WITHOUT NOTICE

RUBBISH

Perth Shire Dump

The Hon. W. F. WILLESEE, to the the Minister for Health:

I apologise for the length of my question, but as we are not sitting tomorrow, this is my only opportunity to obtain an early reply. Referring to the rubbish dump of the Perth Shire, bordering Woodrow Avenue, Dianella, inspected by Dr. Snow recently—

(1) Is the Minister aware that after the bulldozers leave the site, further rubbish is dumped up to the hour of midnight?

(2) This is contrary to the situation which existed during the visit by Dr. Snow when he inspected the site?

(3) Will the Minister take immediate action to have an alternative dump created for Perth Shire ratepayers to use in view of the obvious disadvantage of the present location which is fronting a street of newly built homes?

(4) Will the Minister take action immediately to have the existing dump closed as soon as possible in view of the high residential content in the area?

(5) Is it not normal procedure to fill low-lying areas with rubbish—in areas of isolation, without housing?

The Hon. G. C. MacKINNON replied:

Mr. Willesee rang me this afternoon to give me some notice of this question. I was not able to gain as much information as I would like, but I have an answer for him.

(1) and (2) As a matter of fact, in company with Dr. Snow, I paid an unscheduled visit to the rubbish dump at noon today. At this time one bulldozer was working effectively covering all rubbish dumped, almost as soon as it was put in position.

I am not aware that rubbish is dumped after the bulldozer leaves, up to midnight, although I have been told that this is so. Of course, this would be contrary to standard practice and, if it is so, should be stopped by the local authority.

(3) to (5) Whereas many refuse disposal sites are, in fact, remote from residential areas, as Mr. Willesee suggests, a number have been successfully established in built-up areas. With proper control of dumping and covering, and the reasonable co-operation of the public, this has been achieved with a minimum of disturbance to adjacent landholders. There are tremendous advantages to the ratepayers in the system now in use. Swampy or otherwise quite useless land can be converted at minimum cost to useful parks, playing fields, and the like. It is estimated