

areas in the Commonwealth for the production of all types of cereals, meat, and wool.

The question of iron ore should be kept in its proper perspective and at the present time it is only a means to an end. It means we will have an export trade with our Asian neighbours; but those who have been privileged to see the work being done in the metropolitan markets in regard to vegetables produced in the Geraldton area will realise the enormous potential there is for the products of the district. They will be of benefit not only to Geraldton but also to the State as a whole once we can establish markets in the east and if ships can call regularly at the port of Geraldton.

Geraldton is a port with a hinterland of potential wealth in many fields of production, but it is imperative that we have better port facilities of every kind. This, in conjunction with a reliable water supply, would be a real help with decentralisation. I repeat: The money spent at Gladstone in Queensland could have been more profitably spent, in my view, at Geraldton, and the benefits would be twofold. Once we established an abattoir in Geraldton, and the port facilities were improved, we would be able to export considerable quantities of meat and other produce.

I commend to the State Parliament the motion I have moved, and I consider a vote for it would be a vote for progress and prosperity not only for the Geraldton district but also for the State as a whole. To my mind there is a principle attached to this; and that is, we should have more financial assistance from the Commonwealth Government to help develop the State. The Commonwealth controls the purse-strings and the State Government, which is always in the forefront in talking about what it is trying to do about decentralisation, has an opportunity to prove its sincerity in this respect by making Geraldton a bigger, better, and busier port. It is looked upon as the gateway to the north. The Minister for Industrial Development has used those words time and time again over the last two or three years, and the Government has an opportunity to prove its worth in this regard by supporting the motion I have moved.

I hope I have made myself clear with the quotes I have read from the newspapers, and I have tried to point out to the Government what should be done. This is not a political move but one which is designed to help the district of Geraldton and the State generally.

Debate adjourned, on motion by Mr. Wild (Minister for Works).

House adjourned at 10.43 p.m.

Legislative Council

Thursday, the 19th September, 1963

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The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

QUESTION WITHOUT NOTICE

LOCAL GOVERNMENT ACT

Rectification of Anomaly

The Hon. F. R. H. LAVERY asked the Minister for Local Government:

In view of the subject matter raised by The Hon. R. Thompson as recorded on page 185 of the *Parliamentary Debates* of the 13th August, 1963, in regard to the anomaly existing in respect of sections 45 and 109 of the Local

Government Act, is it his intention to rectify the anomaly during this session?

The Hon. L. A. LOGAN replied:

Having had no notice of this question, naturally enough I did not know exactly what the question would be. However, I can inform the honourable member that my department has been trying to overcome the anomaly; but, to date, a suitable answer has not been found. When it is it will be among the amendments that are proposed to be made to the Local Government Act this session.

QUESTIONS ON NOTICE

MENTALLY DISTURBED PRISONERS

Accommodation and Supervision on Release

1. The Hon. R. F. HUTCHISON asked the Minister for Mines:

(1) What happens to mentally retarded and mentally disturbed persons, who have served a term of imprisonment, when they are released from prison?

(2) Are hostels available for accommodation of these persons?

(3) If so, are such hostels subject to supervision?

The Hon. A. F. GRIFFITH replied:

(1) This depends on the nature and degree of illness. If it were severe he would be admitted to a psychiatric hospital, but in less acute cases he would be referred to an outpatient clinic such as the Havelock Clinic or public hospital clinics.

(2) and (3) No; but other provision is made in our psychiatric hospitals.

ASSEMBLY AND COUNCIL DISTRICTS

Enrolment Figures

2. The Hon. J. G. HISLOP asked the Minister for Justice:

(1) What are the respective enrolment figures at the present time for—

(a) Legislative Assembly districts; and

(b) Legislative Council provinces?

(2) What were the respective enrolment figures immediately following the passing of the Electoral Districts Act of 1947 for—

(a) Legislative Assembly districts; and

(b) Legislative Council provinces?

The Hon. A. F. GRIFFITH replied:

The information sought by the honourable member is contained in the attached schedule—

(1) (a)—LEGISLATIVE ASSEMBLY.

Present Enrolments 31/8/1963.

Metropolitan Area—

Balcatta	11,979
Bayswater	12,433
Beeloo	11,415
Belmont	11,198
Canning	10,493
Claremont	10,177
Cockburn	10,732
Cottesloe	10,668
East Melville	11,843
Fremantle	11,489
Karrinyup	12,007
Maylands	10,827
Melville	11,352
Mt. Hawthorn	11,138
Mt. Lawley	10,895
Nedlands	10,967
Perth	11,094
South Perth	11,282
Subiaco	11,153
Swan	11,261
Victoria Park	10,911
Wembley	11,550
Total	246,864

Agricultural, Mining, and Pastoral Area—

Albany	6,338
Avon	4,819
Blackwood	5,112
Boulder-Eyre	5,715
Bunbury	5,835
Collie	5,202
Dale	6,024
Darling Range	6,570
Geraldton	5,907
Greenough	4,970
Kalgoorlie	5,831
Katanning	5,183
Merredin-Yilgarn	4,989
Moore	5,285
Mt. Marshall	4,944
Murchison	5,430
Murray	5,449
Narrogin	5,275
Northam	5,714
Roe	5,737
Stirling	5,151
Toodyay	5,442
Vasse	5,259
Warren	5,303
Wellington	5,843
Total	137,327

North-West Area—

Gascoyne	1,674
Kimberley	1,808
Pilbara	1,432
Total	4,914

Total Enrolment.

Metropolitan Area	246,864
Agricultural, Mining, and Pastoral Area	137,327
North-West Area	4,914
Total	389,105

(1) (b)—LEGISLATIVE
COUNCIL.Enrolments as at 31/8/1963.
Metropolitan Area.

Metropolitan Province—

Balcatta	4,479
Claremont	4,480
Cottesloe	4,291
Karrinyup	4,686
Mt. Hawthorn	4,409
Nedlands	4,850
Perth	3,040
Subiaco	4,264
Wembley	5,731
Total	40,230

Suburban Province—

Bayswater	6,342
Beeloo	5,453
Belmont	4,956
Maylands	5,214
Mt. Lawley	4,994
South Perth	5,600
Swan	5,068
Victoria Park	5,486
Total	43,113

West Province—

Canning	4,696
Cockburn	4,749
East Melville	6,520
Fremantle	5,142
Melville	5,743
Total	26,850

Total—Metropolitan
Area

110,193

Agricultural, Mining, and
Pastoral Area.

Central Province—

Avon	1,627
Dale	2,790
Darling Range	3,204
Mt. Marshall	2,025
Northam	1,766
Toodyay	2,053
Total	13,465

Midland Province—

Geraldton	1,760
Greenough	1,918
Moore	2,145
Total	5,823

North-East Province—

Kalgoorlie	2,885
Murchison	2,590
Total	5,475

South Province—

Albany	2,271
Katanning	1,844
Narrogin	1,959
Roe	2,180
Stirling	2,020
Total	10,274

South-East Province—

Boulder-Eyre	3,575
Merredin-Yilgarn	2,127
Total	5,702

South-West Province—

Blackwood	1,938
Bunbury	2,216
Collie	2,089
Murray	2,291
Vasse	2,139
Warren	1,649
Wellington	1,988
Total	14,310

Total—Agricultural,
Mining, and Pastoral
Area

55,049

North-West Area.

North Province—

Gascoyne	784
Kimberley	593
Pilbara	523
Total	1,900

Grand Total—All
Provinces

167,142

(2) (a)—LEGISLATIVE
ASSEMBLY.Enrolment as at the date of Pro-
clamation on the 7th April, 1948,
for the Redistribution of Boun-
daries.

Metropolitan Area—

Canning	15,459
Claremont	9,193
Fremantle	9,815
Fremantle, North-East	8,253
Fremantle, South	9,548
Guildford-Midland	7,917
Leederville	11,404
Maylands	9,620
Middle Swan	12,817
Mt. Hawthorn	15,237
Nedlands	14,631
Perth	8,072
Perth, East	7,930
Perth, North	6,621
Perth, West	6,958
Subiaco	8,132
Victoria Park	10,441
Total	172,048

Agricultural, Mining, and Pastoral Area—

Albany	4,698
Avon	3,455
Beverley	3,618
Boulder	3,329
Brownhill-Ivanhoe	4,262
Bunbury	5,959
Collie	5,305
Forrest	3,627
Geraldton	4,456
Greenough	4,643
Hannans	3,314
Irwin-Moore	3,323
Kalgoorlie	4,566
Kanowna	3,153
Katanning	5,316
Mt. Magnet	1,784
Mt. Marshall	3,613
Murchison	2,476
Murray-Wellington	5,856
Nelson	5,954
Northam	4,524
Pingelly	3,698
Sussex	4,393
Swan	7,962
Toodyay	5,108
Wagin	3,893
Williams-Narrogin	3,106
Yilgarn-Coolgardie	2,139
York	2,586

Total	120,116
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North-West Area—

Gascoyne	1,104
Kimberley	1,052
Pilbara	609
Roebourne	475

Total	3,240
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Total Enrolment.

Metropolitan Area	172,048
Agricultural, Mining, and Pastoral Area	120,116
North-West Area	3,240
Total	295,404

(2) (b)—LEGISLATIVE COUNCIL.

Enrolment as at the 31st March, 1948.

Metropolitan Area—

Metropolitan	7,247
Metropolitan-Suburban	29,080
West	11,323

Total—Metropolitan Area	47,650
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Agricultural, Mining and Pastoral Area—

Central (now Midland)	5,166
East (now Central)	8,714
North-East	5,279
South (now South-East)	3,770
South-East (now South)	6,851
South-West	8,551

Total—Agricultural, Mining, and Pastoral Area	38,331
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North-West Area—

North	878
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Total—All Provinces	86,859
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PSYCHIATRIC CLINICS*Establishment in Prisons*

3. The Hon. R. F. HUTCHISON asked the Minister for Mines:

Will the Government give consideration to the establishment of modern psychiatric clinics in prisons, so that mentally disturbed and sex offenders may receive the benefit of group therapy?

The Hon. A. F. GRIFFITH replied:

The Mental Health Services have always provided a psychiatric service to the Prisons Department and cases of this nature would be covered by this particular service. The question of improvement is under consideration. Whether group therapy would be beneficial would be determined by the psychiatrist treating the individual.

METROPOLITAN REGION PLAN*Alterations to Maps after Tabling: Ministerial Statement*

THE HON. L. A. LOGAN (Midland—Minister for Town Planning) [2.34 p.m.]: Mr. President, yesterday I was asked whether I was aware that alterations had been made to the regional scheme which is now tabled. In replying that I was not aware of this I undertook to find out what had occurred. I have now ascertained that through the excess zeal of a departmental officer, quite wrongly and without authority, he corrected certain errors which had been detected in the course of checking maps of the region scheme.

Before explaining exactly what these alterations were and seeking the indulgence of the House in restoring the scheme map to its original form before this unfortunate and ill-judged step was taken, I wish to point out the legal significance of the action.

Section 32 (1) (b) of the Metropolitan Region Town Planning Scheme Act provides that the scheme, with the report of

the authority on the objections made to it, shall be laid before each House of Parliament within six sitting days of the House next following the date of publication of the scheme in the *Gazette*.

There is no requirement in the Act that the scheme should remain tabled for twenty-one days or for any other period. The scheme was in fact originally correctly tabled, so that as a matter of law, the requirements of the Act have been complied with. In fact, alterations were made to the scheme by an officer of the Town Planning Department without my knowledge or authority. But in a legal sense it is immaterial that they happen to have been made by a departmental officer. It would be the same legal effect so far as the scheme procedure is concerned, if the alterations had been made mischievously by an intruder.

Nevertheless, I share the concern which I am sure members feel at the confusion which these alterations may have caused. The officer concerned had the best of intentions—to ensure that each House should be fully aware of what was intended in the region scheme—but unfortunately he went the wrong way about it. Leaving aside, for a moment, the question of what was done in the House in an attempt to correct the errors, the House should be aware of how the errors occurred in the first place.

The scheme comprises, as members will be aware, a set of twenty-eight quite intricately coloured and drawn maps with a good deal of fairly minute detail. The requirements of tabling a set in each House, deposit of a copy for inspection at the public office in the Town Planning Department, submission of a copy to the Executive Council, submission of a copy to me as Minister, and working on another copy in preparatory work for printing, entailed the production by hand of six copies in all—or one hundred and sixty-eight sheets.

Up to six draughtsmen were working on this for many months directed and supervised by a senior officer in the department. In spite of the greatest care in checking, draughting discrepancies were discovered at a late stage in the work after copies had been tabled. I think in work of this nature and of this magnitude it is very hard indeed, if not almost impossible, to avoid minor drafting errors.

The officer concerned took it upon himself to decide that the best thing to do in the circumstances was to correct both the tabled copies so that they, and the copy to which the Governor had given his approval, and the scheme as adopted and submitted to me by the authority, were all exactly in accord.

In deciding to do this he no doubt had in mind that in the operation of the region scheme the scheme map is not in itself critical. For technical reasons, including the scale of the scheme map, the degree

of detail shown on it, and the broadly expressed form of the regional proposals, the scheme has written into it provisions under which the boundaries of reservations and the extent of reservations can be varied from time to time as executive actions by the region planning authority, with the endorsement of the Minister.

So far as the zoning provisions in the region scheme are concerned, the same degree of control of development is applied initially whatever zone is delineated in the scheme. There is an essential next stage of the plan when the metropolitan local authorities prepare their more detailed town planning schemes within the region scheme framework.

Specifically, the alterations made were as follows:—

- A. Map 23. An area south-east of Serpentine in the Shire of Serpentine-Jarrahdale, including Crown Reserve A8651, Loc. 289, CG6 and Loc. 93 shown as in the rural zone instead of in the reserve.
- B. Map 25 (adjoining A above). An area including Crown Reserve 8651 and 21904 and Loc. 1713 shown as in the rural zone instead of in the reserve.
- C. Map 13. An area bounded by Division Street, the proposed marshalling yards, the proposed Welshpool Road deviation and the Riverton-Welshpool Highway reserve at Welshpool shown as a reservation for railway purposes instead of being part of the industrial zone.
- D. Map 4. An area at Rivervale bounded by Goodwood Parade, Orrong Road and Claude Street shown as being within the urban zone instead of the industrial zone.
- E. Map 27. An area bounded by Stuart Street, Lake Street, Newcastle Street and Palmerston Street, Perth, shown as being in the urban zone instead of the industrial zone.

The foregoing items are for clarity illustrated on maps tabled, each of which is a section of the scheme map, which show by colour in the map the scheme as originally tabled and by transparent overlay the correction which was made in each case.

In order to restore the situation it is highly desirable—indeed I believe members will agree with me if I say it is essential—that the corrections be deleted and the scheme map restored to the form in which it was originally tabled. I therefore plead the indulgence of the House in agreeing to the withdrawal of the subject documents so that they may be restored to their original form. In doing so I must express on behalf of my department my profound regret at this unfortunate occurrence.

If the House agrees to this submission, the documents will be returned to the House at the next sitting, duly restored and certified as the scheme maps originally tabled. I am not sure whether, and if so, to what extent, difficulties may have been created by the changing of any of the plans, but I will instruct that a responsible officer of the department be available to members to discuss any consequences which may have arisen and to ensure that the need for action by the region planning authority is recorded if there is any possibility of adverse effect on property owners. In conclusion I ask leave to move in the direction I have indicated.

Leave granted.

The Hon. L. A. LOGAN: I move—

That the plans be withdrawn and restored to their original form.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [2.43 p.m.]: The moving of this motion avoids the necessity for my asking you, Mr. President, for leave to make a statement, following the Minister's statement. I wish to make it very clear that on my own behalf I follow entirely the reasoning of the Minister, and cast no aspersions or slur upon anybody; but I am anxious, with the Minister, and I am sure with the House, that the right thing should be done.

I am anxious on more than one count, not merely because of the importance of these documents, but because unless this matter is corrected absolutely in a procedural form, all sorts of things can happen inadvertently in regard to papers tabled at any time. Things of a most dangerous nature could happen. It is fortunate, indeed, that these plans, at the point of my raising the question, have not the force of law, and that we can remedy the position at this stage.

The Minister could, and perhaps should, go a little further than he has suggested without detriment or prejudice to the position of the department or to the promulgation of the plans. I mean that the plans as now altered, in whatever form, may not be wholly correct. These plans have been altered in certain respects—alterations which have not been signed and certified—as described by the Minister. They may not be wholly correct without a basic comparison with the master plan from which the designs were altered.

I would suggest, indeed I would go so far as to ask you, Mr. President, that a ruling be given on this point: whether or not it would be preferable to have the plans withdrawn wholly, to be signed and resubmitted, so that the same form of requirement of 21 days, under the Act and under the Standing Orders of this House, be adhered to.

I am not prepared to agree with the legal interpretation of the requirements for developing the plans, nor do I consider that to be sufficient, or that the plans may be taken away after they have been tabled for the required period. I do not hold for one moment with the legal opinion given by the Minister, because this matter is governed by you, Mr. President, and comes under the control of your staff; that is, what is to happen to papers after they are tabled.

Once papers have been tabled they became the property of this House, and they remain its property for the essential time, whether or not there is a period placed on their lodgment. At this juncture I would not like to curb discussion on the motion by other members, and I am prepared to let the point I raised rest, in case other members wish to speak to the motion.

THE HON. H. K. WATSON (Metropolitan) [2.47 p.m.]: As I understand the purpose of the motion moved by the Minister it is to withdraw the plans which at present lie on the Table of the House, and to substitute in lieu thereof documents identical with the plans which were originally placed on the table.

The Hon. L. A. Logan: No, to restore them to the original form.

The Hon. H. K. WATSON: That is the same thing, and I have expressed the position correctly. As against that, if I understand the Minister correctly, the difficulties with which we are faced arise from the fact that the master plan—I am not sure if that was the plan retained in the town planning office or the one which was approved by Executive Council, and the Minister can enlighten me on that point when he replies—has not been identified. One plan must be the master plan.

I understand the document which was tabled in this House a fortnight ago was not in complete accord with the master plan. That being so, I submit on a technicality the plan has never been tabled. In this respect I find myself in agreement with Mr. Wise. It would seem to me, if I understand the facts aright, that what has been done was void *ab initio*. The proper action of the Minister would be to table the actual plan that was originally determined as the master plan.

The Minister may say that of the six plans—none of which was the same as another, or some of which were different from the others—the one that happened to land on the Table of the House is the correct one. If that is so, there may be something in his argument that legally the plans have been incorrectly tabled. However, I believe that the plans on the table are not identical with the

master plan and therefore have not been properly tabled. I would like the Minister to deal with this question in his reply.

Point of Order

The PRESIDENT (The Hon. L. C. Diver): Order! I would like to direct the attention of the Minister and members to the fact that it would perhaps facilitate discussion on this matter if the Minister sought the leave of the House to discuss this motion. Otherwise, without notice of motion, this matter cannot be discussed further.

The Hon. L. A. LOGAN: If that is the case, I ask the indulgence of the House for the motion I moved to be debated.

Leave granted.

Debate (on motion) Resumed

THE HON. G. C. MacKINNON (South-West) [2.52 p.m.]: Several questions occur to me on this matter, the first being: What will the situation be if we defeat this motion?

The Hon. A. F. Griffith: Don't even contemplate it!

The Hon. G. C. MacKINNON: I suppose if we did, the papers would be regarded as having never been placed on the Table of the House.

The Hon. L. A. Logan: They have been, legally laid on the Table of the House.

The Hon. G. C. MacKINNON: I find myself in agreement with Mr. Watson on the point he raised. There are, as the Minister said, six copies. I am wondering how we would ascertain that this had been returned to its original state without making a very careful detailed analysis of the plans. Of course, if the Minister told us that they had, in fact, gone back to their original state, we would accept his word for it. To ascertain the situation we would have to compare it with the master plan.

It would seem to me that the correct procedure would be to ascertain and designate the master plan, which would be the one which would lie on the Table of the House. I am a bit inclined to agree with what was said by the previous speakers, and that is that to make this absolutely clear the easiest solution might be to commence the whole process over again.

THE HON. A. L. LOTON (South) [2.54 p.m.]: I think that would be the right move. I suggest the Minister ask leave of the House to withdraw the plan and then start off next Tuesday by presenting a new plan and go through the same process he adopted when he laid the present one on the table. I think that is the easiest and quickest way for all concerned. There would be no doubt in the mind of anyone, because the plan would be tabled on Tuesday, the such-and-such day of September.

The Hon. H. R. Robinson: Brought right up to date.

The Hon. A. L. LOTON: Yes. Then any objection raised will be raised on the plan which was tabled on such-and-such a date, and not on the plan tabled previously. I would make that suggestion to the Minister.

Points of Order

The Hon. F. J. S. WISE: I realise I do not have the right to speak, and I do not want to embarrass the Minister; but I wish to ask for a ruling. Would it be better to ask for it now or wait until the Minister has replied?

The PRESIDENT (The Hon. L. C. Diver): Perhaps it may facilitate proceedings if I allow the Minister to reply.

The Hon. H. K. WATSON: On a point of order, would it be permissible to adjourn the debate?

The PRESIDENT (The Hon. L. C. Diver): I think so.

Several members interjected.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. F. J. S. WISE: My question to you, Sir, would be along the lines of the original point I raised in regard to starting *de novo*. I am worried about the legal aspect. If the Minister is prepared to remove the plan and start from the beginning, I would have no objection.

Debate (on motion) Resumed

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [2.56 p.m.]: I do not want to buy in where angels fear to tread, for fear of hampering the situation rather than helping it. However, I would like to say that when Mr. Logan laid these papers on the Table of the House, he made an explanation. Members will recall that he said—

I lay on the Table of the House the report and plan of the Metropolitan Region Town Planning Scheme in accordance with—

Then he quoted the section. Concurrently in another place the Minister representing the Minister for Town Planning made a similar statement. However, they both cannot at the same time lay "the" plan on the table. So, in fact, we do not get the plan, assuming there is only one; we get a signed copy of the plan, the same situation applying as applies to all the other documents laid on the Table of the House here and in another place.

The Hon. H. K. Watson: Yes, provided this is a signed copy and not a signed half-baked copy.

The Hon. A. F. GRIFFITH: We do not expect this sort of thing to happen. I am only trying to help the situation. I would

like to mention that naturally enough similar questions were asked in another place, but the matter has been dealt with and I believe the explanation given by the Minister there this afternoon has been accepted.

Mr. Logan is only too anxious to do the right thing, but I thought I would mention that it is quite obvious that the plan cannot be laid on the table in two places at the same time. There must be copies.

THE HON. L. A. LOGAN (Midland—Minister for Town Planning) (2.59 p.m.): The question raised by Mr. Wise was quite relevant to the case; but the first thing we did this morning was to go to the Solicitor-General to seek his advice.

Legally the scheme has been tabled. The question raised by Mr. Watson is this: The master plan that we talked about was the one presented to the public for exhibition. These six maps which I mentioned have been taken from that scheme, but this map here, together with the one which was laid on the table in another place and the one which was presented to the Governor in Executive-Council, is the legal scheme.

They were signed as such by the chairman of the Metropolitan Region Town Planning Authority and were laid on the Table of the House by me in accordance with the Act. They were also tabled on my behalf by Mr. Lewis (Minister for Education) in another place. So legally this is the scheme, not the master plan which is hanging in the office of the Town Planning Department.

To give members some idea of what the amendments were, I have an overlay to show how the alterations were made. In the first one a small area was changed from light green to dark green. On the next plan it was changed from light brown to purple. The third one had a small area changed again from light green to dark green, and on the last one two very small areas were changed, one from light grey and one from light green to purple.

That is the extent of the alterations that have been made, and if the House agrees to my recommendations these alterations, which are shown on the overlay, will be corrected on the scheme plans and they will then be back to their original form and as they were laid on the Table of the House.

I can assure Mr. Wise that legally it is quite all right. It is the scheme which I have tabled; the scheme is not the so-called master plan which is hanging in the office of the department.

The Hon. F. J. S. Wise: But those plans are all signed and endorsed by the chairman.

The Hon. L. A. LOGAN: That is so.

The Hon. F. J. S. Wise: Not the alterations.

The Hon. L. A. LOGAN: That is why I am asking members to agree to my proposal.

The Hon. F. J. S. Wise: The chairman has not even seen the alterations so how can you know that they are all right.

The Hon. L. A. LOGAN: Who, the chairman of the authority?

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

The Hon. L. A. LOGAN: He knows all about it; he has been advised of it.

The Hon. G. C. MacKinnon: You will remove all the alterations?

The Hon. L. A. LOGAN: Yes, and restore it to the original form in which it was laid on the Table of the House, and which is legally correct.

The Hon. F. J. S. Wise: Wouldn't it be more legally correct if the plans were withdrawn and retabled?

The Hon. L. A. LOGAN: All I want to do is the right thing. The legal information I have received is that there was nothing wrong with it, and another place has accepted the resolution which was moved there in exactly the same terms as the motion moved here. Apparently members in another place were satisfied with the legal aspect, and I think in this instance it would be wise for the House to accept my recommendation.

Nobody is more upset that I am that such a thing has happened, and to think I have an officer who did not have enough nous to realise that he should not do these things. As I said earlier, he was only trying to do the right thing from his point of view, but I do not want any further delay with the scheme. Legally it is quite all right and I do not think we should impose any further delay. I crave the indulgence of the House to accept the resolution I have submitted.

Point of Order

The Hon. F. J. S. WISE: Mr. President, on a point of order, I repeat: I cannot agree that the information, as expressed both in this Chamber and in another place, on the legal point, is the correct interpretation of the requirements of this House which, in this matter, are paramount. The papers should have been properly tabled but the papers have since been interfered with—they have been altered—and they are not the same plans. No erasure of any matter on those plans, or of material that has been added, can restore them to the original form, strictly. I suggest there may be some confusion between the legal ruling and Standing Order No. 340.

I ask you, Mr. President, for a ruling: In your opinion, Sir, would it not more satisfactorily satisfy the needs of this

situation if the plans were wholly withdrawn and fresh plans tabled on a fresh motion?

The PRESIDENT (The Hon. L. C. Diver): I will give a ruling on the point of order on the next day of sitting.

The Hon. F. J. S. WISE: Thank you, Mr. President.

LEGISLATIVE COUNCIL PROVINCES

Redistribution and Adult Franchise: Motion

THE HON. J. G. HISLOP (Metropolitan) [3.6 p.m.]: I move—

That this House expresses the opinion that there should be a redistribution of the provinces of the Legislative Council of Western Australia, which would involve amendment to the Electoral Districts Act of 1947 which should be introduced into the Parliament of Western Australia, such amendment or amendments to provide that the Electoral Commissioners appointed under the Act shall redistribute the fifty Legislative Assembly districts into electoral provinces, containing complete and contiguous Legislative Assembly districts so as to provide a more equitable distribution of Legislative Council provinces than obtains at the present time; and that contingent upon a redistribution of the provinces of the Legislative Council of Western Australia as aforesaid and not otherwise, this House expresses the opinion that future elections for the Legislative Council could be conducted upon the basis of adult franchise with compulsory enrolment and compulsory voting; and to that end, this House requests the Government to forthwith introduce legislation to give effect to the provisions and amendments contained within this motion.

I move this motion as a personal responsibility, and under such conditions I would like to review the past, somewhat, using some of my own personal feelings during the last few years as the basis for some discussion in relation to my action.

When I first came into this House the distribution of the franchise was something that concerned me considerably, because it was so different from anything I had ever thought of in a Parliament. I realised that first of all it was a method of Government which had been given to us in past years, and that the franchise and method or representation depended considerably on the size of the State, the small nature of the population, and the conditions of travel within the State. I realised that these conditions would continue for some

years. It appeared to be reasonable and conditions as they had existed for so long were continued.

However, in 1947, an amendment to the Electoral Districts Act was passed but there was no change in the franchise. The redistribution which took place was quite interesting, and the figures regarding the numbers within electorates make interesting reading, hurried though my reading of the figures has been.

Firstly, in regard to seats in the metropolitan area in the Legislative Assembly, at that stage there were a great number of variations. The figures varied from 8,000 to 12,800, and corrections were necessary. However, the enrolments for the metropolitan provinces were particularly interesting. I realised, when I came into this House, that the enrolment for the Metropolitan Province, which I represented, was a little over 6,000. It was almost a pocket borough, as it would be known in Great Britain; and even on the 31st March, 1948—which is the date for which the figures are given—seven years after I had become a member for the Metropolitan Province, the enrolment had grown to only 7,247. But there were at that time in the Metropolitan-Suburban Province 29,000 and in the West Province 11,000 people, enrolled. So even in those days the enrolment for the provinces was well out of proportion; it was not at all equitable. These figures gave a total of 47,650 people enrolled.

If we go back to the Metropolitan Province figures as they stand at the 31st August, 1963, we find that the Metropolitan Province has grown to 40,230 electors; the Suburban Province to 43,000, and the West Province to 26,000 electors. So the metropolitan area has been increased considerably to match up with the Suburban and West Provinces, and has more than doubled itself in size. Whereas in 1948 there was a total of 47,650 on the metropolitan provinces rolls, there is at the 31st August, 1963, 110,000 odd.

That gives some indication of the rate of the proportionate increase, and shows, with the various small changes, that the franchise has also been widened. In 1947-48 the war period was barely over, and migration was continuing at a rapid rate. From then on I must admit that I had some personal misgivings about the franchise for this House, and also about its representation. In my opinion, had it not been for inflation the change I am suggesting now must have come very much earlier; because when we look at this question of 7s. rent, it means nothing at all today, but when it was first introduced it had a real monetary value; but it has long since disappeared.

Then from about 1957 onwards the growth of the metropolis was phenomenal. In all this period I have felt that at some

time or other there would have to be a radical change both in the franchise and the representation within this Chamber. I never felt that any piecemeal attack on it would be of any real value. It might have contributed something to one or other of the parties, but it would never place the franchise of this Council on a sound basis.

At no time previously had I felt that the atmosphere or climate of this Chamber was such as to experience the wide review I have suggested in this motion. But I was very interested when discussing Mrs. Hutchison's Bill last week to find that as I proceeded to speak and to say what I was in favour of, Mrs. Hutchison said to me, "Why don't you introduce it?" When I discussed the question of redistribution, Mr. Ron Thompson said, "You can have redistribution if that is what you want." I was also interested in the number of speakers who referred to the Senate and its franchise as being a satisfactory arrangement.

I believe that what I have suggested meets the conditions for the widening of the franchise, compulsory enrolment, and compulsory voting, and would relatively place this Council in the same atmosphere as the Federal Senate. Of course, the authority of the two Houses differs considerably, because the members of the Senate are elected for the whole of the State, whereas the members of this House are elected for only portion of the State, representing a province.

But on the whole it could act in the same way as the Senate or a House of review, because it would have the vote of persons qualified to vote within the State. I really believe that any minor move must either be suspect or a failure. In order to assist members, I believe that a completely unfettered review by the Electoral Commission is the only honest thing for me to suggest.

Members will note that in my motion I have not made any distinction between the various parts of the State, because possibly the commissioners will have enough common knowledge of the State and its interests to see that distances, areas, and population, will have to be taken into account in what I call the basis of equality.

When one looks at the figures of the Legislative Council enrolments as at the 31st August, 1963, one finds that the Central Province figures show 13,000 people enrolled; the Midland districts 5,800, the North-East-Kalgoorlie, Murchison, 5,400; the South Province 10,274; the South-East Province, 5,700; and the South-West Province 14,000. Those are all in disproportion to a considerable degree. Yet their disproportion has not altered very considerably, from the times of 1948 when the figures varied from 3,700 in the South Province—which is now the South-East Province—to 8,500 enrolments in the

South-West Province. The North Province comprised 878 enrolments in 1948, and 1,900 as at the 31st August this year. The total enrolments of all provinces is 167,000.

If I am any judge of figures, if we agree to adult franchise with compulsory enrolment, that figure of 167,000 will rise to about 400,000. A complete redistribution of the area would then, I think, be the only way to tackle it.

The Hon. A. L. Loton: You would have to abolish plural voting.

The Hon. J. G. HISLOP: That would go with adult franchise. We could not have plural voting with adult franchise. I do not think there is any necessity for plural voting now. It has lost the advantages it had for those who possessed it. This redistribution could be done by taking the Assembly roll and dividing it up into equal figures with contiguous areas.

The Hon. A. F. Griffith: Those Council figures you gave from the reply I gave to the question you asked do not necessarily mean a great deal, because it depends where the enrolment has taken place.

The Hon. J. G. HISLOP: That is so.

The Hon. F. D. Willmott: The Assembly figures for those areas would be more effective.

The Hon. J. G. HISLOP: Very well. We can take it that on the 31st August, 1963, there was very little variation, if any, in the Assembly seats in the metropolitan area. The lowest is 10,177 and the highest 12,433, and there are 12 that hold 11,000 odd. In the agricultural, mining, and pastoral areas, again the figures are fairly even: Albany, 6,000; Darling Range, 6,500; and Dale, 6,024. The lowest figure is 4,944 for Mt. Marshall, followed by Merredin-Yilgarn with 4,989.

These electoral enrolments are, today, very evenly proportioned in the north-west area. In the Gascoyne, Kimberley, and Pilbara electorates there are 4,940. The total enrolment for the metropolitan area is 246,000, whereas there are 110,000 on the Council rolls. In the pastoral area there are 137,000 Assembly electors, while the total on the Council rolls is 55,000. In the north-west area the figures are 4,900 as against 1,900.

Therefore, the figures would rise to somewhere about 400,000. The figures I have quoted add up to 389,000. This would give a very much greater representation in this House for the areas within the State. I do not think I have to make a long statement about this because members can easily understand what is at stake in the motion I have moved.

In reaching towards a conclusion I desire to emphasise again that this motion gives no party privileges of any sort whatsoever. I have no idea what will happen under this scheme and, for that matter, neither

does anybody else. An electoral commission will be appointed—it is an impartial body—and will make its decision; and I do not think anybody in this House can hazard a guess as to what will happen. Maybe some of us will have more difficult seats to fight, and maybe some will have easier seats to fight, but it will mean that the representation of the people of the State in this House will be a much more just one.

I believe that the present franchise is of an archaic character, but I am not tempted to make any partial changes, because in this motion it is essential that there be a redistribution of seats at the same time as an alteration is made to the franchise. The making of a partial attack on either the franchise or representation does not interest me at all. I believe that if something is to be done it should be done on a wholesale scale looking at the interests of the population of the State, the interests of the State itself, and the permanence of this House as a legislative body.

Each one of us will have an opportunity to look at this matter, not on a personal basis, but on a basis of State interest. I think the climate is propitious for this motion because within a short time Parliament House will be completed and we will have a new parliamentary home, the type of which we have never known before. In a building of this kind, work and interest will be sustained by the members. In addition to that, the opening of the new Parliament House might well be performed by Her Majesty the Queen Mother when she visits this State next year. There is no doubt whatever that Parliament House in Western Australia will be the finest Parliament House in Australia; and if it is opened by Her Majesty the Queen Mother, we should have a new Legislative Council with a different outlook upon the whole of the needs of the community taking shape for the first time.

I am of the opinion that considerable interest has been created in the minds of members in regard to this motion; and with the climate obviously favourable to a change in this House; and with a most propitious moment arriving in the near future, I think this is an opportune time for a full discussion on the motion I have just moved.

Debate adjourned, on motion by The Hon. L. A. Logan (Minister for Local Government).

BILLS (2): INTRODUCTION AND FIRST READING

1. Constitution Acts Amendment and Revision Bill.
2. Constitution Act Amendment Bill.

Bills introduced, on motions by The Hon. A. F. Griffith (Minister for Justice), and read a first time.

MOTOR VEHICLE DRIVERS INSTRUCTORS BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

REGULATIONS: PRECEDENCE OF MOTIONS FOR DISALLOWANCE

President's Ruling: Reconsideration

THE HON. G. C. MACKINNON (South-West) [3.30 p.m.]: I rise in connection with the first two rulings which were given by you, Sir, yesterday, and with which I thoroughly agree. We find that the motion to deal with the "Town Planning and Development Act—Disallowance of Regulations," which was adjourned until the 24th September, occupies position No. 1 on the notice paper.

I do not question that under Standing Orders that is the correct position which it should occupy. The point I wish to raise is that this particular motion was adjourned by a vote of this House until the 24th September; and as a result of the action which has been taken by the Minister, I feel that a precedent has been set whereby the Minister could move forward on the notice paper a motion which had been adjourned to a future date.

I am fully aware that the position in which we find ourselves is correct. But what I query is the method by which we have accomplished this. In order to completely clarify the position, and to ensure that no such precedent is established, I am going to request, with all due respect to you, Sir, that you withdraw your instruction of last night to the Minister and request the Minister to move as follows:—

That the motion introduced by The Hon. R. Thompson headed "Town Planning and Development Act: Disallowance of Regulations", which was adjourned by vote of this House to the 24th September, 1963, be regarded henceforth as Item No. 1 on the notice paper for each day of sitting until resolved.

That would accomplish exactly the same purpose. In other words, it would appear on the notice paper.

The Hon. F. J. S. Wise: It should be adjourned from day to day? Is that your thought?

The Hon. G. C. MacKINNON: No. I merely put that in at the end of my suggestion. Under our Standing Orders we would not be able to adjourn it from day to day. My sole point in raising this matter is that there is ample proof under Privy Council rules that if this Parliament votes on a matter, it must abide by that vote. The vote becomes an accomplished

fact. In other words, we can do no wrong unless the wrong is drawn to our attention and corrected.

We have, in effect, voted for a motion to be brought up on the 24th September, and, without a vote from this House correcting the position, the Minister has seen fit to bring the motion up today, which is not the 24th September.

The Hon. A. F. Griffith: You know why I saw fit.

The Hon. G. C. MacKINNON: I am not arguing that point. That does not enter into this discussion at all. My point is, purely and simply, that at some time in the future a Minister might do precisely the same thing and may quote as his precedent the action which was taken here today.

The Hon. H. K. Watson: You mean, not solely on regulations, but on Bills, or anything else?

The Hon. G. C. MacKINNON: Yes. All I ask is that we regularise the position by voting for the motion to appear as Standing Orders demand it should appear, and as the President ruled it should appear in his first ruling yesterday. It is purely a procedural matter to correct an error, or oversight which has crept into this House; and this is the first time it has been done.

I therefore request, Sir, that you withdraw your second ruling of last night and ask that the Minister move a motion in line with the one I have suggested.

The PRESIDENT (The Hon. L. C. Diver): Mr. MacKinnon requests that I withdraw my second ruling which I gave last night concerning where this item should appear on the notice paper.

Having had an opportunity for second thoughts on this matter, it might well have been neater had I requested the Minister last night to move that the House restore the item to position No. 1 on the notice paper. Consequently, I do so at this juncture, without altering what I said last night. If the Minister will move at this stage that the item be moved to position No. 1 on the notice paper, then I think no mistake can be made in the future.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [3.38 p.m.]: I move—

That the motion introduced by The Hon. R. Thompson headed "Town Planning and Development Act—Disallowance of Regulations" which was adjourned by the vote of this House to the 24th September, 1963, does appear henceforth as item No. 1 on the Notice Paper for each day of sitting until resolved.

Question put and passed.

BUNBURY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [3.39 p.m.]: I move—

That the Bill be now read a second time.

This Bill grants similar borrowing powers to the Bunbury Harbour Board as are contained in the current Bill to amend the Albany Harbour Board Act. The granting of borrowing powers to a harbour authority was successfully augmented by the Fremantle Harbour Trust after the passing of the 1960 legislation. The State has been advantaged through the passing of that legislation, and, as a consequence, it is considered appropriate that the Bunbury Harbour Board should be enabled to borrow money from outside sources.

Capital for the construction of harbour works at both Bunbury and Albany is by way of loan funds allocated to the Public Works Department. That procedure will continue when this Bill passes into an Act, but fund raising for these projects will be augmented as circumstances require, although not necessarily every year, through the new borrowing power proposed in this measure.

The present demands on loan moneys to meet important works being carried out in some of our outports constitute a substantial drain on the State's funds. The provision of berths at Bunbury, Esperance, and Geraldton are cases in point.

Upon the passing of this measure, the Bunbury Harbour Board will be enabled to take advantage of semi-governmental borrowing facilities in this State under provisions identical with those which were incorporated in the Fremantle Harbour Trust Act Amendment Act in 1960 and the current Albany Harbour Board Act Amendment Bill.

Debate adjourned, on motion by The Hon. W. F. Willesee.

ALBANY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [3.41 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to enable the Albany Harbour Board to take advantage of semi-governmental borrowing facilities in this State.

It is not intended that this power to borrow will be used every year. There is, however, at the present time a very big drain on the State's funds in providing

berths at the ports of Bunbury, Esperance, and Geraldton. The proposed power to borrow, subject to the Governor's approval, will be used according to the circumstances prevailing at any particular time.

The empowering of a harbour authority to borrow has already proved of advantage to the State. That is in the case of the Fremantle Harbour Trust, which is now authorised to borrow money other than from the State's Treasury. The authority was given to the Fremantle Harbour Trust in 1960 and it is considered appropriate to give similar power to the harbour boards of Albany and Bunbury. This Bill deals with the Albany Harbour Board.

Both the Albany and Bunbury harbour boards have the construction of their capital works financed from loan funds allocated to the Public Works Department. It is not proposed to alter that system but rather to augment it by enabling the raising of money from outside sources.

Debate adjourned, on motion by The Hon. W. F. Willesee.

STAMP ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [3.42 p.m.]: I move—

That the Bill be now read a second time.

When Parliament passed the Dairy Cattle Industry Compensation Act in 1960, there was established in the Treasury an account called the Dairy Cattle Industry (Butter Fat) Compensation Fund.

The main source of revenue for the building up of this fund was provided by way of a stamp duty, as contained in the Stamp Act Amendment Act (No. 2) of 1960. The rate of duty was set at twopence for every pound and also for any fractional part of a pound of the amount of the purchase money in respect of any butterfat sold.

By the 30th June last, there was a net balance of £48,940 remaining to the credit of the fund. £20,000 of that money has been invested. The fund has been maintained in such a healthy condition that it was possible to increase the maximum amount of compensation payable for tuberculin reactors from £35 to £40 per head as from the 1st October, 1962.

It is pleasing to be able to say that one of the contributory factors in this regard is the lower incidence of disease, which, in early testing, was found to be less than expected. There has accordingly been a reduction in the claims against the fund.

It has, therefore, been decided to reduce the rate of stamp duty to one penny in the pound. The stamp duty, as previously mentioned, is at present a statutory duty

of twopence in the pound and, consequently, an amendment of the Stamp Act is necessary to enable the proposed reduction in duty to be put into effect. It is not proposed to alter the figure of twopence in the pound at present standing in the Act; but, upon the passing of this measure, that figure will become the maximum rate of stamp duty which may be levied.

The decision to reduce the rate of stamp duty will be facilitated by the insertion after the figure of twopence, the following words:—

or such amount being not more than twopence as the Governor may, from time to time, by Proclamation declare.

The Director of Agriculture controls the fund and the passing of the measure will enable such changes to be made in the rate of stamp duty required to be assessed from time to time up to a maximum of twopence without further recourse to amendment of the Stamp Act.

The actual reduction in the incidence of tuberculosis is disclosed by the following figures. The overall percentage of reactors established by test during the period August, 1961, to the end of June, 1963, was .705, representing 902 beasts of a total of 127,909 tested. As against that percentage, the 49,726 cattle tested during the financial year ended the 30th June, 1963, produced only 229 reactors, which was a percentage of .46.

It is this large reduction which has enabled the increase in the maximum compensation payable and, also, the proposed reduction in the Stamp Duty to be levied, whilst, at the same time, it is expected that contributions to the fund on the penny-in-the-pound basis will be sufficient for it to be maintained in a sound position.

Debate adjourned, on motion by The Hon. N. E. Baxter.

Sitting suspended from 3.45 to 4.6 p.m.

PIG INDUSTRY COMPENSATION ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [4.7 p.m.]: I move—

That the Bill be now read a second time.

The pig raising industry in this State was sorely beset by the ravages of disease from about the year 1935. As a result, many hard-working people, whose livelihood depended on the success of their sties, were in a desperate plight on account of the heavy losses sustained. Some were put out of business altogether. The trouble continued into the early war years and with the failure of the industry to promote

successfully a compensation scheme of its own, the Government introduced the Pig Industry Compensation Bill of 1942.

That measure was designed largely on compensation legislation which had existed in New South Wales, Victoria, and South Australia. Losses in those States had also been heavy and, as a consequence, in all the States where pig compensation Acts were in force, full compensation was paid only where pigs were found to be healthy after having been condemned as suffering from a specified disease.

It was logical that a similar principle should be adopted in our own legislation. Compensation under the Act has been to the full market value in cases where the pig is found to be free from disease after destruction, but restricted to three-quarters of the market value, if, after destruction, the pig is found to be diseased. The Pig Industry Compensation Fund in this State has been in a very healthy condition for some years past, no doubt reflecting the improved conditions in the industry.

As at the 30th March last, for instance, there was a compensation investment reserve of £100,000. This reserve has been in existence since the 30th June, 1961. From June, 1959, to June, 1961, the investment reserve was £60,000. The fund itself was in credit at the end of March, 1963, to the extent of £27,655. Comparative figures since 1959 are as follows:—

30th June, 1959—	£24,882.
30th June, 1960—	£39,882.
30th June, 1961—	£13,229.
30th June, 1962—	£21,334.

It would seem quite reasonable to assume that the fund, which has been in such a buoyant state, especially over the past five years, should be used to better advantage in alleviating the suffering of contributors who are beset by disease in their swine from time to time. The industry has consequently requested the payment of compensation at full market value for all pigs destroyed when suspected of being diseased.

The purpose of this Bill is to implement the Government's agreement to accede to that request. The relative provision is contained in clause 3 which seeks to amend subsection (1) of section 7 of the Act. Furthermore, an amendment is proposed to subsection (2) of section 7. The effect of this amendment is to delete the reference to the payment of compensation of three-quarters of the market value of a pig which has died of swine fever, swine erysipelas, or paratyphoid, as provision is now to be made in subsection (1); and, secondly, to delete from the Act the limit of £24 now deemed to be the maximum market value which may be paid on any pig.

The new subsection (2) to be inserted authorises the Governor, upon the recommendation of the Minister, to assess

annually the maximum amount of compensation payable in respect of the destruction or death of any pig. The passing of this measure will avoid the necessity of the Minister having to legislate on each occasion on which it is necessary to alter the assessed market value.

A further advantage to the industry, if this Bill is passed, will come about through the Governor being enabled to assess a market value at a figure equivalent to the market value of a stud pig, so enabling the owner of a stud pig, which is destroyed or dies because of disease, being fully recompensed. It is pointed out in this connection that a greater contribution is made to the fund from the sale of stud pigs because of their greater market value. The decision to pay full market value is, accordingly, quite equitable.

Debate adjourned, on motion by The Hon. A. L. Loton.

BEE INDUSTRY COMPENSATION ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [4.12 p.m.]: I move—

That the Bill be now read a second time.

A fund called the Beekeepers' Compensation Fund is kept at the Treasury and is administered by a committee appointed under the Bee Industry Compensation Act of 1953. The fund has been in operation since January, 1955, and is maintained by contributions received from beekeepers per medium of a licence fee.

The licence fee is prescribed by the committee each year and may not exceed an amount of 6d. per hive for every hive to the number shown in the beekeeper's application for registration or renewal of registration. From the inception of the fund, the committee set the licence fee at one penny per hive and that rate has been maintained. Such limited funds as accumulate are invested in bonds.

The fund is of modest proportions. Revenue during the year 1960-61 amounted to £234. No levy was imposed in 1961-62 for the reason that the fund stood at £1,000, which is the maximum amount at which it may be permitted to stand at any time in accordance with section 11 of the Act. Income from investments in 1961-62 brought in £41 and in 1962-63, when a levy was again made, the revenue was £226.

Expenditure on compensation amounted to £240 in 1960-61, £42 only in 1961-62 and in respect of 1962-63, no less than £986 has already been paid in compensation owing to a severe outbreak of disease. It is quite likely compensation in respect of that year will amount eventually to a figure in the vicinity of £1,300. In order to meet its

commitments, the committee has already cashed all bonds and may have to have recourse to the provisions of section 7 of the Act, under which a call may be made on the Treasurer for an advance. The amount of compensation payable in respect of a claim is limited to two-thirds of the value of the property at the time it is destroyed.

In respect of compensation for expense incurred by a beekeeper in disinfecting infected articles, the amount to be paid shall not exceed two-thirds of that expense or two-thirds of the value of the property at the time it is disinfected, whichever is the lesser. The main purpose of this Bill is to enable compensation to be paid at the full market value of property required to be destroyed in the interests of the industry. All circumstances considered, it is not unreasonable to assume a beekeeper should be entitled to be properly and fully compensated and that is what this Bill proposes.

Further, as to compensation by way of refund of the expense incurred by a beekeeper in disinfecting bee combs, hives, beekeepers' appliances, and other infected articles pursuant to direction under section 10 of the Act, it is proposed to increase the compensation to a figure equivalent to the actual expense incurred instead of two-thirds of that expense, as at present, with the proviso that such recompense shall not exceed two-thirds of the value of the property at the time it was disinfected.

Another important amendment affecting the payment of compensation is contained in clause 6. The purpose of this amendment is to safeguard the fund against claims for compensation in respect of the destruction or disinfection of property brought into the State, but about which the committee is not satisfied that at the time the property was brought into the State it was free from disease. That is in paragraph (a) of proposed new subsection (2) of section 12.

Paragraph (b) of the same subsection releases the committee from any obligation to pay compensation in respect of property destroyed or disinfected because of a disease which occurred by reason of the failure of the beekeeper to observe the provisions of the Act.

Paragraph (c) would, on the passing of this measure, release the committee from obligation to pay any compensation claim submitted by a beekeeper who had not paid all licence fees due.

The remaining clauses in the Bill contain a few minor amendments, such as a requirement for a statutory declaration for verification of documents or information required by the committee; the definition of "colony of bees" in preference to references to "hives"; and the repealing of the interpretation of "disease" for the

reason that there is a suitable cross reference interpretation of "disease" in the current Beekeepers Bill.

The amending Bill has been concisely presented and is quite a small piece of legislation, and its introduction during this session is timely in view of the resurgence of disease, which has been afflicting the industry for some time past.

Debate adjourned, on motion by The Hon. N. E. Baxter.

OFFENDERS PROBATION AND PAROLE BILL

Second Reading

Debate resumed, from the 18th September, on the following motion by The Hon. A. F. Griffith (Minister for Justice):—

That the Bill be now read a second time.

THE HON. J. DOLAN (West) [4.18 p.m.]: I support the Bill, because I consider it to be a step in the right direction. It is completely in line with modern and progressive thinking. Similar institutions have been in operation in the other States of the Commonwealth. On perusing the annual reports of the parole boards of Victoria and South Australia I found a number of features which could benefit us if they were effected in Western Australia.

There are a few aspects of this subject of which no mention is made in the Bill, and I feel that a few words on them will not be misplaced. The first feature relates to the qualification of probationary officers or parole officers. Gradually in Victoria and South Australia steps are being taken which lead to the hope that it will be only a matter of a few years when every parole officer will hold a Diploma in Social Studies of the University of Melbourne or the University of Adelaide.

Members will appreciate that the success or failure of this new reform depends almost entirely upon the ability of the parole officers who will be entrusted with the task of putting the men on their way to rehabilitation. Not only are the parole officers in the States I mentioned expected to hold a diploma in social studies, but provision is made for the training of cadet parole officers. They will undergo training at the University, while, at the same time, receiving practical training in association with parole officers already appointed.

Another point which I would like the Minister to bear in mind is that gradually in South Australia and Victoria the work of parole officers has been overloaded to the extent that they cannot do the work thoroughly. I give two examples: In a period of eight years the number of

parolees placed under the care of the male probationary officer in South Australia rose from 57 to 81. That is an unwieldy number for one officer, and he is prevented from doing the job satisfactorily. In a matter of six years the case loads of the female probationary officer rose from 21 to 44, or more than doubled.

I suggest such a large increase presents a problem, similar to the problem to be found in schools with over-size classes. It is impossible to do the job properly, unless a set ratio of cases or parolees to an officer is maintained.

The Hon. A. F. Griffith: I am conscious of that. One of the difficulties is to get parole officers with the necessary qualifications.

The Hon. J. DOLAN: I understand that. Members will appreciate that an increase in the number of probationary officers eventually will bring down the cases under their care to a reasonable figure. So the Bill will serve the function for which it is being introduced.

The Hon. A. F. Griffith: It is no use appointing such officers just for the sake of appointing them. We must have the men qualified to do the job.

The Hon. J. DOLAN: I am not concerned with the present method of operation. I am merely pointing out some aspects on which we might achieve success. Now that a move in the right direction has been made, it would be a pity if some of the points I am referring to should operate against the system to the extent that it might fail.

The main aim of placing prisoners on parole or probation is to ultimately re-establish them in the community as good citizens, and this is a worth-while aim. There are two major goals: Firstly, we should realise that society must be protected. In this respect, I refer to a case which occurred in New South Wales comparatively recently and involved one Leonard Keith Lawson, who originally had been sentenced to life imprisonment. Later his sentence was reduced to 14 years, and he was paroled at the end of seven years. Owing to the diseased nature of his mind—something which the parole officer could not have anticipated—within a few months of being released he strangled a young girl of 16 years of age. If it is at all possible we should prevent that sort of thing; it is a matter for which no provision can be made when the person concerned has a diseased mind.

We should make sure that in the composition of the proposed board, people with infinite experience in handling these types of individuals are selected, so that happenings, such as the one I referred to just now, will not occur.

The treatment of offenders and parolees is not merely supervision and keeping them under control; it is the same sort of supervision as is exercised in schools. A school teacher is more than a supervisor or controller. Probationary officers have to attempt to work for a change in the attitude of offenders, so that their social, emotional, and personal defects will eventually be lessened, and they will become good citizens.

During the second reading debate I did not hear any mention of the number of parolees who are likely to be involved. So by inspecting the reports of the other States we may get some idea of the big problem ahead. For the year ended the 30th June, 1962, there were in South Australia 311 prisoners who were granted parole. Added to 485 males and 88 females, who were already on probation, the total comes to 884, and this is a considerable number. The supervision of them will involve a large number of probationary and parole officers, and that takes me back to the first point I made: We need people who are thoroughly trained in social studies and social reforms so that they can perform their task with credit and with some reasonable assurance of success.

I presume that in Western Australia we will start very slowly; that the number released during the first year will be small; and that gradually release on parole will be accelerated. For that reason provision must be made to have the men already trained to take over the supervision of the increased number of parolees.

I notice one very interesting feature in the reports of the other States. It is customary for parole officers to examine the case history of prisoners so that they can present reliable reports to the board. The possible cases examined numbered 686, and it was revealed that 86 per cent. of them had not passed beyond the primary stage of education and only 6 per cent. had reached the Intermediate or Leaving standard, or had successfully passed their trade tests to become efficient tradesmen.

That leads me to put this query to members: Is there any relationship between the incidence of crime and the lack of education? The figures would suggest there is such a relationship, and there we have a first-rate problem for which we will have to formulate plans in the future.

Let us consider how successful these parolees have been. Of the 5,721 cases in Victoria, only 70 per cent. of people released on parole got through their probationary period successfully; in other words, 30 per cent. of the parolees fell by the wayside; and, by reason of committing another offence or committing a wrongful act during their probation, they were returned to prison.

There is another side to this problem. Most of the people who are on parole were convicted, in the first place, of offences against property. They could not overcome the temptation of putting their hands on the property of other people. Sometimes they were in the frame of mind that they were a little unlucky to be apprehended, and when they were released on parole there was always the temptation to have another go. When they fell by the wayside they were returned to prison.

This is where trained parole officers come in. They appreciate that such people deserve another chance, even though they had been on parole and missed out through committing an offence which resulted in their being returned to prison. These people should not be condemned to the extent that they should not be given another chance. They must be shown that the chances of getting away with it are remote; and as soon as they realise that, there will be a better hope that some day they will be rehabilitated.

The question of employment has been raised, and it has been revealed that when men are paroled the fact that they are missing out on employment does have a very serious effect as far as putting them on the wrong path is concerned. Let me go back to an earlier point again. As revealed by figures from South Australia, 86 per cent. of the people in prison have received no more than a primary education. Consequently, when they come on to the labour market on parole, they are faced with the same trouble which all unskilled labour faces. If there is a recession of any kind they are the first people to lose their jobs. That is where the danger comes in. They are released from prison and obtain a job, and then suddenly there is a slight recession and they are the first men put off so that once again they feel there is a social injustice working against them.

The Hon. F. J. S. Wise: There is a stigma on them all the time.

The Hon. J. DOLAN: Yes, and they feel it. They are very conscious of it, and believe the world is against them. That is when they commit the next offence and are back where they started. From that point of view, I would suggest that public bodies and Government institutions should always be prepared to give these men a trial and set an example to the community. By so doing they will ensure the success of this reform—and that is what we are all aiming for.

Of course, very valuable prisoners' aid societies have done wonderful work in other States. We have similar bodies here. They might provide a man with ready cash in order that he may go somewhere to obtain employment; or if someone is in need of a little help with his family

problems, this is readily given. Sometimes the people being released might need meals or beds, and from that point of view these prisoners' aid societies perform a very useful service.

There is only one thing I would say about them, and that is that they must be careful never to become patronising or condemnatory. As soon as they do, the whole social reform breaks down. These people are very sensitive and they feel they cannot get a go without having to receive a lecture. I remember one fellow who once stopped me in the street and said, "Can you spare me a couple of bob, Jerry—and no lectures?" That is the attitude they have. While receiving the help they do not want to be given a lecture.

The Hon. H. K. Watson: Did you say "Can I give you a lecture without a couple of bob?"

The Hon. J. DOLAN: I would now like to refer to a comment made by Mr. MacKinnon. He said that sometimes parents have to be a little severe with their children. On this point I would like to draw the attention of members to the structure of part of the human body. If we realise that the contour of persons is nicely rounded in places, while the parents' hands are nicely hollowed, we must admit that it is obvious that physically we are created for the day when the hand has to be applied to the part of the body where it is most urgently needed.

I would make one suggestion to members, and the Minister, before I close. About 18 months ago in Victoria the need arose for a handbook to be produced for those on parole. We all know the value of carrying a handbook with us to guide us when we strike some difficulty in life. The preparation by a competent authority of a handbook for those on parole would be a big help when they encounter certain difficulties.

There again, I would say that the handbook should be practical and contain no suggestion whatever of patronage. It must point out to those men ways in which they can help themselves. Once a man starts to help himself and ceases to feel self-pity, he has an excellent chance of rehabilitation.

I commend the Bill to members. It will have far-reaching results in the community, and will be a distinct advantage in giving some of our less fortunate citizens a chance of rehabilitation in order that they might become good citizens. I support the Bill.

THE HON. A. F. GRIFFITH (Suburban—Minister for Justice) [4.36 p.m.]: I am naturally very pleased with the reception of this Bill. I am grateful, too, for the various suggestions made by a number of those who have contributed to the debate. I do not intend at this stage, because I do

not think members would expect me to, to answer in detail all the questions that have been raised.

The Hon. F. R. H. Lavery: They can be answered in Committee.

The Hon. A. F. GRIFFITH: As Mr. Lavery suggests, because of the substantial support the Bill has received, it now becomes a Committee measure. Probably I will be questioned to some considerable extent in respect of various clauses in the Bill.

However, I would like to make brief comment on the matter of the chairmanship of the parole board. Before I do this I would like to say that there has been a tendency during the course of the remarks of some members to become—not purposely but unintentionally—a little confused with the expressions “probation” and “parole.”

Probation is one thing and parole is another. The move to provide for the courts to place a person on probation is, I think, a very good one indeed. It is one which has received in various parts of the world the support of the judges of many courts. If the person put on probation accepts the probation in the manner in which it is intended—and that is to help him rather than do anything else—it could save him from the set of circumstances just mentioned by Mr. Dolan. The idea of probation is that if a person is convicted of a crime for which in the opinion of the judge he should not be in prison because he is not criminal in outlook or intent, he can—by being placed on probation—serve his sentence while still being at large in the community.

Parole on the other hand will offer us a greater problem. The reasons foreshadowed in this Bill for a judge to be the chairman are twofold. Firstly, in the States of Australia, as far as I have been able to ascertain, where parole boards are in existence, they have a judge as chairman. I think that is the principal reason. The second reason is that the man who is the chairman of the board must have a knowledge of the law; and it is infinitely desirable that he have some knowledge of criminology. In other words, he must have an ability to understand the prisoner with whom he is dealing, because he has to decide whether that person shall be, under certain conditions, returned to the community.

It has been suggested that a judge may sit in judgment upon a man, and then subsequently he may be the chairman of the parole board which has to decide the pros and cons and make a decision as to whether that person is a fit and proper person to place on parole. Judges have, of course, trained legal minds. They have to put on a number of coats—if I may use that expression—at times. It is not unusual for a judge in a criminal court to sit

in a court of criminal appeal to hear a case against a sentence which he himself passed.

I am not going to say that this will be the case with regard to the parole board, but it will be difficult to do otherwise in our State because we are small in population in comparison with some of the other States. We have not the great call on judges which we would have if our population was larger. The only effective way in which we could avoid this would be to arrange for the judge who was the chairman of the parole board not to sit in the Criminal Court. There may be certain difficulties attached to that; but I venture to suggest that this is worth a trial, even if it has to be on the basis that the judge who is chairman of the board is, in fact, a judge who may sit sometimes in the Criminal Court.

The Hon. H. K. Watson: Or who may have convicted the person who is up for parole.

The Hon. A. F. GRIFFITH: That is true. But if we are going to have a judge—and I repeat that the two fundamental principles are that he shall have a knowledge of law and some understanding, the more the better, of the criminal—how can we get a judge who will be aloof if he has before him for parole a person he sentenced 10, 15, or 20 years ago?

The Hon. R. Thompson: Does the judge in the Arbitration Court sit on criminal cases?

The Hon. A. F. GRIFFITH: I do not think he generally does, but he can be called upon. I think the Chief Justice has called upon the President of the Arbitration Court—who is a Supreme Court judge—to help out on certain occasions, but I do not know how many times.

The Hon. J. M. Thomson: The judges in the Eastern States and the other parts of the world are sometimes just judges of equity or divorce—there is a difference between the two—and such a judge could possibly be the chairman of the board in the Eastern States. The main thing is he should not be a judge of the criminal court.

The Hon. G. C. MacKinnon: Was that an interjection or a second reading speech?

The Hon. A. F. GRIFFITH: As brief as it was, it was a helpful interjection.

The Hon. J. M. Thompson: It was meant to be.

The Hon. A. F. GRIFFITH: I was not intending to be sarcastic. That could be the case in other places, but, I repeat, that we have such a small population, compared with these other places. Mr. Justice Barry, the chairman of the Victorian Court, does not sit in the Criminal Court. The chairman of the board in New South Wales is a retired district judge. I do not know

how many judges there are in New South Wales, but I would think it would be something like 100.

The Hon. F. J. S. Wise: But there are specialist judges, as Mr. Jack Thomson stated.

The Hon. A. F. GRIFFITH: Yes; but although we have increased the number of judges to deal with the provision of circuit courts, we cannot look that far ahead at this time, because we do not have a retired judge who could take on this function. A great deal of the success of this board will depend upon the chairman, but he will have sitting on the board with him four other people who will guide him; and, in my experience of the Victorian board, and seeing it in operation, the chairman does not make any arbitrary decision.

While I was there he consulted with the other people who were on the board with him. There was the Comptroller-General of Prisons; and the other members were well chosen to fulfil their function as members of the board; and, I repeat, it was not a matter of the chairman making an arbitrary decision. He did not say, "We will deal with this fellow in this way." He made a decision after consultation with other members of the board, and I think members will find that that is what will happen here.

Mr. Dolan asked what number of people will be put on parole in Western Australia. We have only some 700-odd persons in prison. I did hear a figure of 3,000 or 4,000 mentioned somewhere, but I do not think that is right.

The Hon. F. R. H. Lavery: It referred to convictions—4,000 in a year.

The Hon. A. F. GRIFFITH: Is that what it was? We have about 700 prisoners, and I assure members it will be my desire initially to see the board step cautiously, even if it takes a little longer to make progress.

In respect of the parole officers and probation officers, they will prove a problem for us. In Victoria the type of young person who takes on the job, generally speaking—although probably not in all cases—has social science qualifications, and in that State the Public Service Commissioner has given a classification to the position which makes it worth while for young men to follow it as a career.

When I had the fortunate experience of being able to sit in the room where the board was operating, I was struck by the youthful appearance of the parole officers who came in and gave an account of the activities, or a report on people who were out on parole under their jurisdiction. These people are young in age as well as in appearance, and I remarked subsequently that I thought they appeared to be very young to accept such responsibility. In fact they were young, but the Government in that State has made this a type

of career course; and I hope that in consultation with the Public Service Commissioner—and members will notice in the Bill that these officers are to be appointed under the Public Service Act—when it comes to classifying these officers we will be able to offer a similar career opportunity.

How many applications we will get, how many we will need, and how many people are likely to be on parole in the first 12 months I could not possibly say at this point of time. I imagine the work of the board in the first 12 months will be quite considerable.

The Hon. F. R. H. Lavery: It will take over the Indeterminate Sentences Board?

The Hon. A. F. GRIFFITH: Yes, it will take over that board's activities.

The Hon. F. R. H. Lavery: It has about 87.

The Hon. A. F. GRIFFITH: I have already said what a great job the Indeterminate Sentences Board has done, and it has done that job within limitations. I hasten again to say that society owes this board, and Mr. Glew, who has been the chairman of it for so long, and his colleagues on the board, a considerable debt of gratitude for the work that has been done.

Mr. Lavery raised a point about the Royal prerogative. Of course, that must never be departed from, in my opinion, in legislation of this nature. I think, if I remember rightly, he hoped the Minister would still exercise the Royal prerogative wherever necessary. I wish to make it perfectly plain that with the inauguration of this board I, so long as I am Minister, will not usurp its functions.

The Hon. F. R. H. Lavery: That is what I thought.

The Hon. A. F. GRIFFITH: I am not going to do that, because if Parliament sees fit to set up a board and charge it with the responsibility which Parliament will expect it to accept, then I do not think it is right for the Minister to interfere with the operations of the board by saying, "In this case I will make a recommendation to His Excellency because the circumstances are so exceptional that they warrant it."

The Hon. F. R. H. Lavery: Would it be possible for fellows like ourselves to make approaches to this board the same as we do to the Minister for Justice?

The Hon. A. F. GRIFFITH: I hope that is something that will not be done. I find myself in a most unenviable position at times.

The Hon. F. R. H. Lavery: It would not be political then.

The Hon. A. F. GRIFFITH: It is sometimes not intended to be political now, I am sure, but can be construed as political.

The Hon. F. R. H. Lavery: I know.

The Hon. A. F. GRIFFITH: I have to have regard for the approaches made by members of Parliament and, believe me, I get dozens and dozens of them. I have regard for those approaches but I treat the applications without favour in any way whatever.

The Hon. F. R. H. Lavery: I think you are to be complimented on that.

The Hon. A. F. GRIFFITH: I know sometimes, whether they say it or not, I must incur their displeasure because I am not prepared to make recommendations in the case of certain prisoners. I hope the activities of this board will remain unfettered and it will not be subjected to political influence or persuasion in any way. I feel that will be the position.

The Hon. J. M. Thomson: The present board is not.

The Hon. A. F. GRIFFITH: No, I do not think it is.

The Hon. J. M. Thomson: And it never has been.

The Hon. A. F. GRIFFITH: No, but I believe this will be a much preferable situation to the one which exists at the present time.

I believe this to be quite a courageous step, and I think Parliament will be conscious of the fact that it is assisting with, or taking part in, what is a courageous social reform. If it works out successfully I hope somebody along the line will remember that the Minister for Justice in 1963 introduced the Bill. If it does not work out successfully, of course I know what the situation will be.

The Hon. F. J. S. Wise: These things are so easily forgotten.

The Hon. A. F. GRIFFITH: It was ever thus! Nevertheless, I am not here for that purpose. I brought this Bill before Parliament with the concurrence and assistance of my colleague, the Chief Secretary (Mr. Ross Hutchinson) who, incidentally, I believe, as Minister, was responsible for one of the most forward moves this State has seen for a long period of time in the building of the Karnet Rehabilitation Centre. That was an excellent social reform and a great move forward, and this Bill has been brought forward with that Minister's assistance and concurrence.

The question of rehabilitation committees was also mentioned. In my view these organisations can be of considerable assistance, particularly to those who are on parole. I have been notified that a committee has been recently formed and I wish it well in its endeavours. When the board gets into operation, I hope the committee will be able to render it considerable assistance.

As I said when I introduced the Bill, the Act will come into effect on a date to be proclaimed. We must do that because before the legislation is proclaimed we must make sure that we have working material to ensure that from the day it starts the machinery is there to enable it to work smoothly.

The Hon. F. R. H. Lavery: Have you any date in mind?

The Hon. A. F. GRIFFITH: No, not at this point of time, because if I forecast a date now circumstances in the future might not enable me to fulfil that promise, and that is not a good thing.

I thank members for their support of the legislation. I believe not only is it the duty of members of Parliament to support measures of this nature but it is also their duty to help it along in its operation. Mr. Lavery said he thought it may be a long time before it was amended. May I say that I do not expect it will be a long time. As far as I am concerned this is trial legislation, and I do not want the Press to get hold of the wrong idea when I say that.

The Hon. F. J. S. Wise: They wont; they are not here.

The Hon. A. F. GRIFFITH: No; they will not get the wrong idea unless they subsequently read *Hansard*. In saying this is trial legislation, I mean the processes that will be employed in legislation of this nature will undergo a trial.

The Hon. F. J. S. Wise: The proceedings here nowadays are almost *in camera*.

The Hon. A. F. GRIFFITH: Not always. I feel sure amendments will have to be made in the course of time, and it may well be that even in the next session of Parliament we will find it necessary to introduce amendments to cover certain provisions which are not in this Bill and which need tidying up.

Question put and passed.

Bill read a second time.

CRIMINAL CODE AMENDMENT BILL

Second Reading

Debate resumed, from the 18th September, on the following motion by The Hon. A. F. Griffith (Minister for Justice):—

That the Bill be now read a second time.

THE HON. F. R. H. LAVERY (West) [4.58 p.m.]: As the Minister said, this is a small Bill consequential on the measure that we have just dealt with, and it really takes sections 666, 667, and 668 from the Criminal Code and enables them to be re-enacted in the parole Bill.

On having a look through the Bill I find nothing wrong with it and I offer our support because, although it has only

three clauses, it is consequential on a Bill that we have agreed to and one against which we cannot argue. I support the measure.

Question put and passed.

Bill read a second time.

PRISONS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 18th September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. F. R. H. LAVERY (West) [5 p.m.]: The amendments proposed in this Bill are again consequential to the passing of those contained in the Offenders Probation and Parole Bill. In supporting the Bill there is one point I would like to mention. It deals with the regulation for the administration of reformatory prisons, and the addition of the words "institution for the reception of convicted inebriates." That is something we require. We do not have sufficient centres for the incarceration of heavy drinkers, and I think we can support the relevant clause in the Bill.

I want to support the remarks of the Minister in connection with the Indeterminate Sentences Board, and to compliment that body for the very wonderful work it has carried on for such a long time. I very often feel that when honours are bestowed by Her Majesty the people who have served on this board should be considered. I have no doubt that some of the people who receive honours have earned them, but there are a number of social workers in this State, such as those who have served on the Indeterminate Sentences Board, who also deserve some recognition.

Question put and passed.

Bill read a second time.

COMPANIES ACT AMENDMENT BILL

In Committee, etc.

Resumed from the 18th September. The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. H. K. Watson in charge of the Bill.

New clause 2—

The CHAIRMAN: Progress was reported after the new clause had been partly considered.

The Hon. H. K. WATSON: Since the Minister moved his amendment I have given a lot of thought to the question, and I still feel that in the apparent conflict between the rights and powers of this Chamber and the wishes of some extra-parliamentary body known as the Standing Committee of Attorneys-General, the Minister is inclined to a consideration of that

committee's views rather than to the feelings of this Chamber. The Bill is one which should reach the Statute book as soon as possible; and, after a lot of thought, but with considerable reluctance, I am prepared not to oppose the new clause moved by the Minister.

I would express the hope that, although the Act will then be an Act which is to come into operation on a date to be fixed by proclamation, the same principle will apply as the Minister mentioned a moment ago in respect of the parole Bill—that the date of proclamation will not be unduly delayed.

The Hon. A. F. GRIFFITH: After hearing those remarks I feel that I am the one who will be on probation. I appreciate Mr. Watson's attitude, and I can assure him that this matter will be on the agenda for consideration at the next meeting, when it will be fully considered. If it is acceptable I will, generally speaking, hasten to have it proclaimed as soon as I can.

Contrary to the thoughts of Mr. Watson, however, the determinations of the Standing Committee of Attorney's-General do not mean more to me than the determinations of this Chamber. As a matter of fact the reverse is the case. I very often find myself in conflict with the opinion Mr. Watson thinks I have.

Ministers, however, do get together on uniform legislation and plan a basis on which to present a Bill to their respective Parliaments for the common good. This is not done by me only in respect of the Crown Law Department because I happen to have control of the Companies Act, but it is also done in connection with other Ministers. It was done, for instance, in connection with the Firearms and Guns Act. But with a matter like that one does not have the same difficulty one has with the Companies Act. The Ministers' officers draft proposals which are considered by the Ministers, and these are brought to our respective Parliaments on a uniform basis in the hope that they will be acceptable.

I am conscious of the fact that there is an inclination to expect the Parliament of Western Australia or some other State to say, "Here it is. You have to accept this because it is uniform." That worries me, because I do not want to usurp the authority of this Parliament in any way. But with the common good in mind I do not know how else we can approach matters of uniform legislation. We hope to be able to gain some uniformity in respect of the sale of human blood legislation, and also in regard to the Moneylenders Act. But at times, because of the particular circumstances, there is a desire to do the very thing that Mr. Watson wants to do now. That makes it very difficult. If each State acted unilaterally, uniformity would go before we could say Jack Robinson.

I do not think we should follow uniformity just for the sake of it. We should strive for uniformity where it will serve the best purpose for most of the people, irrespective of any political approach to the problem. I thought I would express those thoughts, because there will be other occasions when Ministers will introduce Bills and say they have the concurrence of the other States. They may deal with health, fisheries, town planning, and so on, and the Minister controlling the portfolio, in his wisdom, may think there should be uniform legislation for the good of the people of Australia.

I assure Mr. Watson I will not postpone the proclamation of this measure for 50 years merely that it may be defeated. I will do my best with the Attorneys-General in the other States.

The Hon. F. J. S. WISE: I understand Mr. Watson has no objection to the deferment of the coming into operation of this legislation to a date to be fixed by proclamation. Believing the *bona fides* of the Minister, I wonder whether—following the approval of the Attorneys-General—it lies within the scope of the Act to bring this about by regulation, and, by so doing, put this into effect many months before Parliament met, if the decision of the Ministers was made many months prior to the meeting of Parliament. With his knowledge of the Companies Act, Mr. Watson could tell me whether it could be done by regulation under the Act.

The Hon. H. K. WATSON: I am afraid it cannot. There is no scope in the direction indicated by Mr. Wise.

The Hon. A. F. Griffith: You mean it cannot be done by regulation.

The Hon. H. K. WATSON: That is so. This is an amendment to the Act and nothing else. During the past week there has been a discussion on a letter received from Mr. T. J. Hughes. There is one paragraph in that letter with which I agree wholeheartedly. It reads as follows:—

When the Legislature loses its independence to the Executive, and endorses without question the will of the Executive, democracy fails.

This Parliament is the supreme legislative body of Western Australia, and it will be a sorry day for this State when it allows its power to be usurped by the executive, much less by a committee of interstate Attorneys-General; or whatever they may be.

The Hon. A. R. JONES: I think the Minister mentioned that the Attorneys-General will be holding a meeting in the near future. I wonder if he could tell the Committee when that meeting will be held.

The Hon. A. F. Griffith: From memory I think the meeting will be held on the 5th and the 6th of December.

New clause put and passed.

Title put and passed.

Bill reported with an amendment.

House adjourned at 5.17 p.m.

Legislative Assembly

Thursday, the 19th September, 1963

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