

Under the present provisions of the Act, the arbitrator is empowered only to determine claims and applications submitted to him under the Act. The accent in the procedures prescribed by the Act is on negotiation and conciliation, and this is desirable. However, should a dispute occur during the negotiations, the arbitrator has no power to intervene.

The amendments contained in the Bill authorise the arbitrator to call compulsory conferences at the request of the parties or at his own discretion. The arbitrator may examine the parties to the dispute and may make such suggestions and recommendations as he considers desirable for effecting a reconciliation between the parties and for preventing and settling disputes. The Government believes that the amendments contained in this Bill will improve Public Service arbitration legislation and industrial relations procedures. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. W. F. Willesee (Leader of the Opposition).

House adjourned at 11.20 p.m.

Legislative Assembly

Tuesday, the 10th November, 1970

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

BILLS (6): INTRODUCTION AND FIRST READING

1. Land Tax Assessment Act Amendment Bill.

Bill introduced, on motion by Sir David Brand (Treasurer), and read a first time.

2. Abattoirs Act Amendment Bill.

3. Marketing of Eggs Act Amendment Bill.

Bills introduced, on motions by Mr. Nalder (Minister for Agriculture), and read a first time.

4. Judges' Salaries and Pensions Act Amendment Bill.

5. District Court of Western Australia Act Amendment Bill (No. 2).

Bills introduced, on motions by Mr. Court (Minister for Industrial Development), and read a first time.

6. Reserves Bill.

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

QUESTIONS (12): ON NOTICE

MINERAL LEASES

Garden Island

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

- (1) What companies or persons other than subsidiaries of Broken Hill Proprietary Co. Ltd. have been granted mineral leases on Garden Island?
- (2) What companies or persons have lodged applications for mineral leases the granting of which is under consideration?

Mr. BOVELL replied:

- (1) and (2) None. Garden Island is Commonwealth property and no State titles can be granted thereon under the Mining Act.

2.

ROADS

State Expenditure

Mr. TONKIN, to the Minister for Works:

Will he supply the amounts and the sources respectively from which such amounts were obtained to make up the total of \$17,072,000 which the State will provide from its own resources for expenditure on roads this financial year?

Mr. ROSS HUTCHINSON replied:

The estimated total is \$17,072,000 and is derived from the following sources—

Motor Vehicle Licence Fees:		\$
Metropolitan	...	7,512,000
Country	4,820,000
Drivers' licences	715,000
Overload permits	130,000
Road Maintenance Contribution Fund	3,800,000
Road and Air Transport Commission	...	95,000
		\$17,072,000

3.

PINE PLANTING

Balingup

Mr. KITNEY, to the Minister for Forests:

- (1) Is he aware that a meeting of more than 100 people at Balingup recently expressed strong disapproval of the department's method of buying farm land for pine planting?
- (2) In view of the concern expressed, will he make a statement as to the department's future needs and

intentions relating to the purchase of farm land in the Balingup area for the purpose of pine planting?

Mr. BOVELL replied:

(1) Yes.

(2) Australian imports of forests products approximate \$200,000,000 annually, second only to the cost of imports of fuel and oil. It is therefore necessary in the national interest to increase availability in Australia of timber supplies.

Purchase of suitable land on the open market for cultivation of *pinus radiata* is vital to the nation's needs.

Soils in Western Australia suitable for growing *pinus radiata* are extremely limited. The Blackwood River valley and its tributaries are generally suitable for this purpose, and land available there on the open market will be considered for purchase.

4. INDUSTRIAL DEVELOPMENT

Fruit Factory, Armadale: Establishment

Mr. RUSHTON, to the Minister for Industrial Development:

(1) Without impairing the Government's decentralisation programme for Manjimup, will the department investigate the feasibility of establishing a canning and/or fruit extract factory at Armadale in the main to process fruit and vegetables from the hills districts?

(2) Will he report to the House any information already held in this regard?

(3) Recognising the large mixed workforce building up in the Armadale corridor and adjacent areas, what other opportunities will offer themselves for these people?

Mr. COURT replied:

(1) The Department of Industrial Development, in co-operation with the Department of Agriculture, The Fruit Growers' Association and private industry, is investigating the feasibility of establishing a canning industry in Western Australia to undertake the processing of fruit for the 1972 season onwards.

The study group has no fixed ideas on the location of the proposed factory at this stage and I see no reason why Armadale cannot be given consideration along with other locations throughout the south-west of the State.

It is not essential nor desirable that all of this type of industry be concentrated in one area.

It is possible a greater emphasis could exist on a particular type of production and processing in one area as compared with another.

I should add that the 1972 reference, of course, does not have any bearing on the processing of the 1971 peach crop which is already provided for elsewhere.

(2) The feasibility study has only just commenced and no conclusions have yet been reached.

(3) Armadale is approximately 18 miles from the G.P.O., Perth, and is part of the metropolitan area. Its proximity to the city enables workers in the area to commute to employment anywhere within the metropolitan area.

In particular there is a good road connection to Kwinana via Thomas Road, which enables workers to travel to employment in this area where industry is expanding.

However, the importance of short commuting distances is understood and we are constantly seeking industries which lend themselves to establishment in or near this district.

5. POINT PERON-GARDEN ISLAND CAUSEWAY

Tabling of Preliminary Plan

Mr. JAMIESON, to the Premier:

(1) Would he lay on the Table of the House a copy of the preliminary plan of a causeway to Garden Island as envisaged in 1968?

(2) Had the Commonwealth Government been approached on this matter at the time of the original pronouncement by him?

(3) Was it not envisaged that extensions of the Fremantle Port Authority would take place as part of the development on Garden Island?

Sir DAVID BRAND replied:

(1) Yes. The original plan was prepared by the Fremantle Port Authority in March, 1966.

(2) No.

(3) The Authority's plan envisaged the ultimate development of the eastern shore of Garden Island for port purposes, initially in Carreening Cove and ultimately in the long term progressively along the island foreshore.

The plan was tabled.

6. SEWERAGE AND DRAINAGE SCHEME *Cannington*

Mr. BATEMAN, to the Minister for Water Supplies:

- (1) Have plans been drawn up by the Metropolitan Water Board in conjunction with the Canning Shire Council outlining a comprehensive drainage and sewerage scheme to be installed in the low lying areas of Cannington?
- (2) If "Yes" will he outline plans?
- (3) If "No" could he give reasons why?

Mr. ROSS HUTCHINSON replied:

- (1) to (3) The Metropolitan Water Board has drawn up comprehensive schematic plans for the sewerage and main drainage of the whole of the Canning Shire and communicated these to the shire council. Detailed plans will depend upon decisions regarding redevelopment, etc.

At the present time a small section of the shire is served by the sewerage system which flows through Welshpool and Victoria Park and a small area in the vicinity of Lynwood is served by the Canning Vale treatment works. The plans envisage that the whole of the Canning Shire north of the Canning River, including that at present served through the Welshpool system, will be served through the main sewer flowing directly to Woodman Point treatment works. This sewer will also serve that portion of the shire south of the river and west of the area served by the Canning Vale works. The provision of this sewer is the key to the whole sewerage development. It is expected to be completed in 1973.

The system feeding this main sewer will require a large number of small pumping stations. It is the location of these and the detailed reticulation system feeding them which will require more study at the appropriate time.

Pumping stations and reticulation will be provided successively following the completion of the construction of the main sewer.

7. CANNING AND GOSNELLS SHIRES

Rates: Reduction or Exemption

Mr. BATEMAN, to the Minister representing the Minister for Local Government:

In view of the hardships being experienced by young couples who are prevented from building on

their blocks because of regulations imposed on them by the shire councils of Canning and Gosnells, which stipulate deep sewerage and drainage is a prior requirement, will he recommend that the respective shires reduce their rates or grant exemption of such rates to those affected, until such time as essential services are provided?

Mr. NALDER replied:

No. Rating is based on valuation of properties and appeal rights exist.

8. CANNING AND GOSNELLS SHIRES

Sewerage and Drainage

Mr. BATEMAN, to the Minister for Water Supplies:

- (1) Is he aware that young couples desirous of building homes on their blocks within the shires of Canning and Gosnells are prevented from doing so because of shire council regulations stipulating deep sewerage and drainage as a prior requirement?
- (2) As these couples are obliged to continue to pay rates and taxes on this land until such work is carried out, will he advise what plans his department may have to correct the situation?

Mr. ROSS HUTCHINSON replied:

- (1) and (2) The answer to the question posed so far as it concerns the Canning Shire has been given in the answer to today's question 6.

With regard to the Shire of Gosnells, the board and the shire in association have prepared a plan which will provide, in due course, for the sewerage of the whole of the shire. The sewerage system will be based on a sewage treatment works to be established on the board's land in the vicinity of Lake Ballanup and this should be available by the end of 1973.

In the meantime some new developed areas will be served by a temporary package plant sited near the corner of Warton Road and Moss Street.

The Shire of Gosnells handles most of the drainage problems within its area. However, it is intended that work will be carried out by the board on two of its main drains in the current financial year.

9. DENTAL SERVICES

Dependants of People on Low Incomes

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

- (1) With respect to children of dependants of—
 - (a) invalid pensioners;
 - (b) war service pensioners,
 will he advise what dental services are obtained from the Liddell Clinic and Perth Dental Clinic free of charge?
- (2) For children of persons on the State basic wage, what charge, if any, is made for each of the following services:—
 - (a) X-rays;
 - (b) extractions;
 - (c) fillings;
 - (d) orthodontic treatment?

Mr. ROSS HUTCHINSON replied:

- (1) Dental treatment would be free to children financially dependent upon either:—

(i) Invalid pensioner

(ii) War service pensioner when the total income of the pensioner does not exceed these amounts:—

Pensioner plus 1 child—\$20.40 per week

Pensioner plus 2 children—\$26.40 p.w.

Pensioner plus 6 children—\$51.60 per week.

Pensioner plus 7 children—\$60.00 per week.

- (2) Fees for treatment are based on an accepted Government rate but the fee charged is calculated at a percentage of that rate ranging through from 80 per cent., 60 per cent, 50 per cent, 40 per cent, 30 per cent, 20 per cent to free treatment, when the combination of three factors are assessed. These are:

(a) Number of dependants in the family unit.

(b) The total weekly income of the person financially responsible for the family.

(c) The particular treatment given; i.e.—fillings may be one surface or multiple surface, amalgam, porcelain, silicate or gold inlay.

It would be possible to assess a fee for the services listed only in specific cases where full details of the three factors above are known.

10. SWAN PORTLAND CEMENT COMPANY

Emission of Pollutants

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

- (1) Is it true that the emissions of pollutants from Swan Portland Cement Co. have not reached the target standards as ordered by the air pollution control council?
- (2) If not, will he advise the House the present position pertaining, and any other relevant information?

Mr. ROSS HUTCHINSON replied:

- (1) No. This statement is false.

(2) On the contrary it is true that Swan Portland Cement has reduced the emission of dust to concentrations well within the target standards set by the Air Pollution Control Council. These were:—

(i) that the company would have dust arresting equipment in operation before the 30th June, 1970;

(ii) that the equipment would reduce the emission to 0.2 gr. per cu. ft.

Concerning these—

(i) by early May, two months before the target date, the company had installed an electrostatic precipitator;

(ii) the readings for dust emission since the installation of this equipment are:—

13th May—0.02 gr. per cu. ft.

19th May—0.03 gr. per cu. ft.

16th June—0.02 gr. per cu. ft.

4th August—0.02 gr. per cu. ft.

The highest reading is less than one-sixth of the target emission; three out of four are one-tenth of the target emission.

11. INTERNATIONAL CONVENTIONS

Government Action

Mr. HARMAN, to the Premier:

What action has been taken, and is proposed by him, so that the Federal Government can proceed to ratify the international covenant on economic, social and cultural rights and the international convention on the elimination of all forms of racial discrimination?

Sir DAVID BRAND replied:

I know of nothing to indicate that Commonwealth ratification of either of the conventions which

the honourable member has mentioned is waiting on action by the State Government.

We have given written assurance to the Commonwealth that we will do what may be necessary to see that the requirements of both conventions are met in this State.

12. GOVERNMENT AUTHORITIES

Employees' Representative

Mr. FLETCHER, to the Premier:

What Government and/or semi-Government authorities, other than the State Electricity Commission, have employees' representatives thereon?

Sir DAVID BRAND replied:

Hon. Minister for Industrial Development and the North-West:

Board of Management of the Charcoal Iron and Steel Industry.

Hon. Minister for Education and Native Welfare:

State School Teachers' Tribunal.
Board of Secondary Education.
Council of the Western Australian Institute of Technology.

Hon. Minister for Mines and Justice:

Coal Mine Workers' Pensions Tribunal.
Coal Miners' Welfare Fund.
W.A. Coal Industry Tribunal.
Coal Mining Board of Reference.
Coal Miners' Accident Relief Fund.
Mine Workers' Relief Fund.

Hon. Minister for Works and Water Supplies:

Builders' Registration Board of Western Australia.

Hon. Chief Secretary and Minister for Police and Traffic:

Police Appeal Board.
Prison Officers' Appeal Board.

Hon. Minister for Health and Fisheries and Fauna:

Appeal Board constituted under Part VI of the Mental Health (Administration) Regulations 1965.

QUESTIONS (5): WITHOUT NOTICE

1. INSURANCE COMPANIES

Failure: Protection of Insured Persons

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

(1) Is he able to give any indication as to when a decision is likely to be reached between the Common-

wealth and States on uniform action to protect insured persons from the loss resulting from the failure of insurers?

(2) If a considerable time may elapse, is he prepared to recommend to the Government that unilateral action be taken in the meantime?

(3) As Motor Marine and General Insurance Co. Ltd. appears to be prepared to negotiate with other companies, has the Government looked into the possibility of getting the S.G.I.O. to interest itself with a view to helping in the existing situation?

(4) Does he propose to hold an inquiry into the operations of Motor Marine and General Insurance Co. Ltd. in this State in view of the fact that it was receiving premiums right up to the time of its announced decision to wind up its affairs?

Mr. COURT replied:

I thank the Leader of the Opposition, on behalf of my colleague, the Minister for Justice, for the notice he gave of the question so that an answer could be prepared. The answer is as follows:—

(1) No. The Commonwealth is considering proposals which will be referred to the States.

(2) Consideration will be given to State legislation if there is any undue delay.

(3) The S.G.I.O. has by extension of its normal trading hours afforded clients of M.M.G. the opportunity to effect insurance with it.

(4) The Companies Office is making inquiries and consideration for further action to have a formal investigation will be made when results of the inquiries will be known.

2.

SCANLEN'S GUM

Emergency Telephone Number

Mr. HARMAN, to the Minister for Labour:

(1) Has his attention been drawn to a card stating, "Dial 000 for no answer," included in a packet of Scanlen's gum, and listed as No. 25 in a series of 33, with the footnote, "Have fun with Scanlen's Gum"?

(2) If so, what action has he taken?

(3) If not, will he investigate the matter?

Mr. O'NEIL replied:

- (1) to (3) I thank the honourable member for giving notice of his intention to ask the question. The matter of the card had been brought to my notice prior to his indication. I am not sure that this matter comes under my control. I can visualise rather serious consequences if children do abide by the instruction and dial the emergency number which is supplied by the P.M.G.'s Department, but in order that the matter can be investigated to ascertain whether this is a breach of P.M.G. regulations or any other regulations, perhaps the honourable member might hand the card to my colleague, the Minister for Police.

3. SLEEPERS

Loading at Kwinana

Mr. TONKIN, to the Minister for Industrial Development:

- (1) Why are 30,000 sleepers from Bunning Brothers Pty. Ltd., Bunbury, being railed to Kwinana to be loaded into an iron ore ship?
- (2) Who is meeting the cost involved in altering the sizes of the bundles of sleepers for loading on main line trucks?
- (3) Is a concession freight rate being granted by the Railways Department?
- (4) Will wharfage be paid on the iron ore ship when loading the sleepers at B.H.P. wharf, Kwinana?
- (5) Is he aware of the possible effect of the proposed operation on the level of guaranteed work which governs the employment of water-side labour at Bunbury?
- (6) Will he endeavour to have the sleepers loaded at Bunbury?

Mr. COURT replied:

I thank the Leader of the Opposition for notice of the question to enable me to obtain some information. The answers are as follows:—

- (1) The sleepers are required in Pilbara and are being railed to Kwinana because the vessel scheduled to transport them is not calling at Bunbury. The sale of the sleepers was made on the basis of free on rail Bunbury.
- (2) Cost of bundling the sleepers is included in the price. I am advised that the sleepers are only being bundled once, the size being to suit loading on to rail wagons.

(3) No.

(4) Yes.

(5) Yes. I am advised the volume of work at Bunbury is such that waterside workers can obtain better than the guaranteed minimum.

(6) I will confer with my colleagues, the Ministers for Works and Transport. But I should state that if the sleepers were loaded at Bunbury the buyer would be involved in additional costs, and the interests of the Western Australian timber industry are thus involved through higher landed costs of jarrah sleepers at Port Hedland. Members will recall that recently I answered a question on the subject of the importation of sleepers for the extension of a railway in Pilbara. These sleepers were imported because of the substantial landed cost differential compared with locally produced sleepers. This is substantially tied up with transport costs.

4.

ABORIGINAL

Hotel: Refusal of Service

Mr. GRAHAM, to the Minister for Native Welfare:

- (1) Has his attention been drawn to the case reported in this morning's *The West Australian* of an Aboriginal having been refused service in a city hotel, and the reaction of the bairmaid in tendering her resignation because of her indignation at the situation?
- (2) If so, with what result?
- (3) If not, will he investigate the matter in order to ascertain whether the licensee has in any way disregarded the requirements of the law?

Mr. LEWIS replied:

- (1) to (3) I have seen the newspaper article and my first reaction was one of commendation of the way in which the Aboriginal concerned took the refusal to supply him with the counter lunch and the liquor. I have not called for a report on this matter but I am quite prepared to do so. I do not know whether or not the licensee concerned has breached the Act. This would have to be the subject of further investigation.

Mr. Graham: You will undertake that?

Mr. LEWIS: I am quite prepared to make the investigation.

5. **SCHOOL TEACHERS***Drugs for Students: Recommendation*

Mr. McPHARLIN, to the Minister for Education:

I apologise to the Minister for not giving him prior notice of this question. It is a matter which I think is of considerable importance, in that in *The Sunday Times* there was a report that school teachers had recommended the use of certain drugs to some of the students. I ask the Minister if he will make inquiries and obtain a report on this matter?

Mr. LEWIS replied:

I did see a newspaper article—I think it was last weekend—on this matter, and in the course of the article I read that the matter had been referred to the relieving Director-General of Education, who had stated that he would make inquiries. I do not think this alleged advice by teachers to students to take drugs is widespread. I certainly have not heard of it before. I now await the further report from the director-general.

NICKEL REFINERY (WESTERN MINING CORPORATION LIMITED) AGREEMENT ACT AMENDMENT BILL

Tabling of Plan and Nickel Matte

MR. COURT (Nedlands—Minister for Industrial Development) [4.59 p.m.]: When I was speaking on the second reading of the Nickel Refinery (Western Mining Corporation Limited) Agreement Act Amendment Bill, I undertook to obtain some information regarding nickel matte. When I was speaking I used the word "powder." I was groping for the word "granulated."

May I table a sample of granulated nickel matte, and explain that it is possible to have it in ingot form as well as in granulated form. I also table the plan marked "X" referred to in the agreement.

The sample of nickel matte and the plan were tabled.

INTERPRETATION ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 5th November.

MR. BERTRAM (Mt. Hawthorn) [5.00 p.m.]: I support the measure. It becomes necessary because of the enactment of the Commonwealth Citizenship Act of 1969. The reasons for the introduction of the Bill can be found on page 1904 of the current edition of *Hansard*. There is not much more for me to say apart from

mentioning the fact that the Commonwealth Act has had the effect that certain citizens can no longer be deemed to be British subjects. When the Federal Statute is proclaimed they will be regarded merely as persons who will have the status of a British subject.

In order to preserve that status of these people under our own State laws, it is necessary that this amendment be made to the Interpretation Act. We have been assured by the Minister that it will do nothing more than preserve the *status quo* of people who to date have been deemed to be British subjects. For that reason, I support the measure. We have also been told that other States have already done what we are now in the process of doing here. I can see no harm resulting from the Bill; in fact, I can see only good.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.04 p.m.]: I move—

That the Bill be now read a third time.

In doing so, I thank the member for Mt. Hawthorn for his support of the Bill and his assistance in facilitating its quick passage.

Question put and passed.

Bill read a third time and passed.

LAND TAX ASSESSMENT ACT AMENDMENT BILL

Second Reading

SIR DAVID BRAND (Greenough—Treasurer) [5.06 p.m.]: I move—

That the Bill be now read a second time.

This is one of the measures which I announced when bringing down the Budget for this year. As explained at that time, it was intended to take action to limit the increases in land and metropolitan region tax assessments arising from revaluations by providing further concessions.

The purpose of this Bill is, therefore, to provide these and other concessions to taxpayers. In addition, provision has been made for the commissioner to assist taxpayers in financial difficulties by deferring the collection of land taxes in certain cases. The concessions proposed are—

To increase the present exemption of \$6,000 provided for improved land to \$10,000, and extend the tapered exemption for values up to \$50,000.

To empower the commissioner to apply a ceiling value to land defined as rural land and apply this concession retrospectively to the 1969-70 assessments.

To treat defined unimproved rural land as improved land for purposes of the Act and, therefore, tax it on the lower improved land tax scale.

To tax unimproved rural land which is later rezoned, on the lower improved scale until approval to develop it is obtained or for a maximum period of three years.

To extend the exemption from land taxes of land used for primary production to land so used in cities or towns.

To permit the assessment of "home units" for land taxes on broadly the same basis as ordinary residences and thus enable the tapered exemption to apply to individual units.

To rebate by 50 per cent. certain land used for forestry purposes.

Before dealing with each of these concessions in turn, I draw the attention of members to the copies of the explanatory notes which are now being circulated with copies of this Bill. These explanatory notes set out in some detail the operation of each clause, together with examples of the application and effects of the provisions, and therefore I do not propose to go into a great deal of detail in this speech. I trust the notes will prove to be of assistance.

For some years there has been a shortage of valuers and for this reason it has not been possible to provide revaluations at regular short intervals. As a result, following revaluations in recent years, there have been substantial increases in the land taxes and rates levied. These increases are most severe on land of between four to 10 acres, classified rural, where it is in close proximity to land zoned for urban use and the value of which is affected by the value of the urban land.

Since taking over the valuation work, efforts have been made to overcome the shortage of personnel but, unfortunately, there are few qualified persons available. I understand the shortage is Australia-wide. The Government, therefore, has instituted a training scheme and currently has 21 valuers-in-training. However, it takes trainees some years to gain qualifications and experience, so it will be some time before the benefits of this scheme are available.

An improved valuation cycle, coupled with more stable land prices, will no doubt overcome the problem in the future, but, in the meantime, some relief from sudden

increases in values and high values assessed on rural land is necessary. The Bill provides for this in three ways—

Firstly, by increasing the present exemption of \$6,000 to \$10,000 for improved properties, and extending the existing tapered concession from \$18,000 to \$50,000.

Secondly, by empowering the commissioner, with the approval of the Treasurer, to determine a ceiling value per acre to be applied to rural land.

Thirdly, by deeming unimproved rural land to be improved land for purposes of the Act and so qualify it for assessment at the lower improved scale. This is because, unlike land zoned for other uses and purposes, rural land cannot be subdivided for residential purposes and can be developed only for very limited uses.

It is proposed that the extension of concessions for improved land shall apply for the current and future years of assessment.

Provision is made for the ceiling value, which is to be determined at \$1,500 per acre, to be applied for 1969-1970 as well as the current year of assessment. This figure will be reviewed for future years. Where the application of the ceiling value reduces paid assessments, refunds will be made and, in cases where assessments have issued but have not been paid, a reassessment will be processed and sent to the taxpayer concerned.

The concession of deeming unimproved rural land to be improved land is to be applied to the current and future years of assessment. In order to apply the proposed concessions to rural land, a definition of this type of land needs to be inserted into the Land Tax Assessment Act. There are provisions in the Bill for this purpose.

For the metropolitan region, classification of land as rural under the metropolitan region scheme is used, unless that land—

has been classified or rezoned by a town planning or local authority for some other use or purpose;

or is approved for subdivision into lots of one acre or less;

or is approved under the provisions of the region scheme for development for some other use;

or is being used for some other purpose, except for the owner's place of residence.

For the remainder of the State, all land is to be defined as rural unless that land has its use changed in a similar way to that which I have described for land in the metropolitan region.

The other land uses which exclude land from the definition of rural land for the purposes of the Land Tax Assessment Act

are residences, flats, trade, businesses, industry, and commerce. Full details of these provisions and their effect are given in the notes accompanying the Bill.

Another situation which often results in heavy tax assessments is the rezoning of rural land for urban or other purposes. Under the arrangements so far described, while land remains in the rural classification, the assessments will be held at a reasonable level. However, on rezoning, unless action is taken, it will be assessed on full valuation at the relatively high unimproved rate of land tax. Therefore, provision is made in this Bill that when, in future, land is rezoned from its rural category, the ceiling value will cease to operate, but the lower improved land tax rate may still be applied.

Subject to application by the owner, assessments at this lower rate of tax will continue to issue until approval is obtained to subdivide or develop the land, or the land is used for some other purpose than its previous rural character allowed. If this does not occur within three years then, at the expiration of that period, the concession will cease to apply. This will give owners a reasonable period in which to take action to use the land in accordance with its zoning before the higher tax rate is levied.

Taken together and coupled with the removal of rating for vermin and noxious weeds, the concessions I have briefly described will meet the problems of small rural landholders facing increasingly heavy land taxes and rate assessments. They will also give further relief to owners of improved properties.

Under the existing law, if land is used for primary production as defined in the Act, it is granted exemption from land taxes. However, if the land used in this way is within the boundaries of towns and cities as defined in the Local Government Act, then it is not eligible for this exemption. Under these provisions, when areas become towns or cities and land within the area is being used, and continues to be used, for, say, market gardening, the exemption from land tax that owners of the land enjoy would be removed. This is not desirable and local authorities have made representations to have the restriction removed. The Bill contains a provision for this purpose.

However, in order to ensure that the exemption cannot be used as a means of tax avoidance and is restricted to land properly used for primary production, it is proposed that in the metropolitan region the exemption shall apply only to defined rural land, or land which is otherwise classified, where the users gain a substantial part of their income from the use of that land for primary production.

In the last few years many persons have acquired properties known as home units instead of conventional houses. These

units are located in buildings ranging from duplex houses to multi-storied constructions. They have one thing in common in that they are erected on one piece of land. The title to this land is generally held in one of three ways. These are—

- under strata title arrangements;
- by tenants in common; or
- by a limited company as the single owner.

Owners of land under the strata title system receive separate assessments for land taxes, where applicable, based on the value of their respective shares in the land. This is possible because they hold separate registered titles and they, therefore, can be treated on the same basis for land tax purposes as the owners of land on which ordinary dwellinghouses are erected.

However, the owners of home units held under the other types of title receive one assessment based on the whole of the value of the land on which the units are erected. The amount of tax so assessed must then be paid by them on an agreed shared basis. The introduction of a tapered exemption from land taxes for improved properties has highlighted this situation.

Under the existing land tax legislation, those who own units under strata titles enjoy the concessions, but those who own units held under the other types of title generally do not. This is because the value of the land in most cases is beyond the limits of the concession. In some cases they cannot convert to strata titles without considerable expenditure and in other cases the owners may not wish to do so.

We have already received many representations to allow these home unit owners to participate in the concessions currently available under the provisions of the Land Tax Assessment Act and I have no doubt that with the extension of these concessions, many more will become concerned.

The provisions in the Bill now before the House are designed to place all home unit owners who desire it, as closely as is practical, in the same position as owners of conventional dwellinghouses. Because of the nature of the landholding, a portion of the land value has to be assigned to each owner. Home units also have to be clearly defined to ensure the concession is not applied to buildings erected as business propositions for renting, such as offices or flats.

It is also necessary that each group of owners who directly or indirectly own the land on which the units are erected, apply for the concession. This is necessary, because it cannot be applied to only part of the land in the one title. Full details of the requirements and their operation are set out in the notes on the Bill which have been circulated.

In amendments to the principal Act in recent years increased land tax has been levied on unimproved land. One of the types of land included in this category is freehold land held by owners for forestry purposes, in that it is used to supply natural timber for milling. In view of the desirability of encouraging the use of this land for forestry and at the same time ensuring a reasonable contribution to revenue, provision is made in the Bill to provide a 50 per cent. rebate of the tax levied under the higher unimproved scale.

Owners of forestry land will need to apply for this concession so that the land can be identified. They will also need to obtain a certificate from the Conservator of Forests which ensures the concession is only given to owners of land used for *bona fide* forestry purposes. The concession is to apply from the 1970-71 assessment year.

There is one other provision made in this Bill. This is to meet cases of financial difficulty being encountered by some taxpayers whose land value has been substantially increased but who are unable, through no fault of their own, to proceed with subdivision or development of their land.

Currently the Act provides power to defer taxes, but this is only used for short periods or arranging payment by instalments. It is proposed to extend this section to allow the commissioner, in appropriate cases, to provide extended periods of deferment and, where necessary, to adjust these periods to meet changing circumstances. Power for the commissioner to charge interest in appropriate cases is to be provided so as to preserve equity as between taxpayers.

It is estimated that the proposed concessions, together with the reduction in collections arising from the delay in issuing assessments for this year, will result in revenue collections for 1970-71 being \$1,600,000 less than would otherwise have been expected, and provision has been made in the Budget accordingly.

This concludes my survey of the provisions contained in the Bill now before the House. They are designed to give relief where needed but, at the same time, to preserve the principle of imposing land tax as one of the means of encouraging the development of land for its proper uses.

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

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.22 p.m.]: I move—

That the Bill be now read a second time.

This is a brief Bill which proposes to increase the salaries of judges of the Supreme Court and to amend the conditions under which they are entitled to receive pensions. A complementary Bill is being introduced to deal with judges of the District Court.

For the benefit of members, attention is drawn to the date of the last adjustment of judicial salaries; namely, the 1st January, 1969. It has been customary to review these salaries about every two years, but in view of the changes which have taken place recently in South Australia, it seems the time is appropriate for some adjustment to be made in Western Australia. For some years the decisions of the Queensland and the South Australian Governments have been taken into account when determining salaries in this State. The proposed salaries are related to South Australia.

Mention might be made that the salaries paid to judges of the superior courts are the only ones which remain to be fixed under Act of Parliament. However, it has been long considered, and there seems to be no reason to change the practice, that Parliament should be the authority in this matter.

Presently the Chief Justice of this State receives a salary of \$18,000 per annum; the Senior Puisne Judge, \$16,500; and puisne judges, \$16,000. The new rates proposed are \$21,600 for the Chief Justice; \$19,800 for the Senior Puisne Judge; and \$19,200 for puisne judges. The arrangement for the Senior Puisne Judge to receive a higher rate than puisne judges has been in practice since 1955 and there is no reason for any change.

The Chief Justice of South Australia receives a salary of \$23,000, and puisne judges, \$21,000. However, they are required to contribute to their pensions from 5 per cent. to 8.3 per cent. of salary, whilst those in Western Australia do not make any contribution.

The net salaries payable in South Australia are, therefore—

Chief Justice from \$21,091 to \$21,850.

Puisne judges from \$19,257 to \$19,950.

The proposed rates in Western Australia can be considered as comparable. Present salaries payable in Queensland are—

Chief Justice, \$19,500 plus an allowance of \$1,000.

Puisne Judges \$17,700.

These are much higher than the existing rates in Western Australia.

Provision is made for an amendment to the rate of pension payable in the case of invalidity, or widow's pension where a judge has served for less than 10 years.

The present scale provides that where a judge retires by reason of invalidity, the pension payable is equal to 14 per cent. of

his salary if his period of service is less than two years. Where the period of service exceeds two years, the pension entitlement is 14 per cent. of his salary plus 4 per cent. for each completed year of service, other than the first year, but so that his pension does not exceed 50 per cent. of his salary.

Concern has been expressed at the benefits available in the early years of service. Therefore, it is proposed that if retirement occurs before completion of six years' service, a pension at a rate equal to 30 per cent. of salary will be payable and in any other case 30 per cent. of salary plus 4 per cent. for each completed year in excess of five years but not exceeding 50 per cent. in all. A widow of a deceased judge is entitled to receive 50 per cent. of the amount of the pension to which such judge would be entitled.

An amendment is proposed to provide that where any retired judge is entitled to a pension under any other State scheme, the pension payable by reason of service as a judge will be reduced by the amount of the State's share of the amount of such other pension. Provision is being made to similarly reduce a widow's pension.

It is essential that the level of salaries and benefits must be maintained at a point where the right people will be prepared to accept appointment to the important position of judge. For this reason I commend the Bill to the House.

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

BILLS (11): ASSENT

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

1. Fauna Conservation Act Amendment Bill.
2. Petroleum (Submerged Lands) Act Amendment Bill.
3. Eastern Goldfields Transport Board Act Amendment Bill (No. 2).
4. Railways Discontinuance and Land Revestment Bill.
5. Western Australian Institute of Technology Act Amendment Bill.
6. Builders' Registration Act Amendment Bill.
7. Painters' Registration Act Amendment Bill.
8. Traffic Act Amendment Bill.
9. Government Railways Act Amendment Bill.
10. Auctioneers Act Amendment Bill.
11. Western Australian Marine Act Amendment Bill.

BILLS (2): MESSAGES

Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the following Bill:—

1. Nickel Refinery (Western Mining Corporation Limited) Agreement Act Amendment Bill.

Message from the Lieutenant-Governor received and read recommending appropriations for the purposes of the following Bill:—

2. Judges' Salaries and Pensions Act Amendment Bill.

DISTRICT COURT OF WESTERN AUSTRALIA ACT AMENDMENT BILL (No. 2)

Message: Appropriations

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

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.33 p.m.]: I move—

That the Bill be now read a second time.

This is a complementary measure to the Bill which has been introduced to increase the salaries and benefits of Supreme Court judges.

Although the appointments to the offices of District Court judges were made only in March this year, it is reasonable to review the salaries which were fixed when the Act was passed in 1969. It is the practice in other States for salaries of District Court judges to be reviewed at the same time as those of Supreme Court judges. There is no good reason not to apply the same practice in Western Australia.

The same rate of increase as proposed for Supreme Court judges is suggested for District Court judges. This means that the Chairman of Judges would be entitled to \$17,400 instead of \$14,500, and the judges \$16,200 in lieu of \$13,500 per annum. The new rates are considered to attract the persons required for the office.

An amendment similar to that in the Judges' Salaries and Pensions Act Amendment Bill has been included to provide that a judge entitled to a pension under the Superannuation and Family Benefits Act will not receive the State's share of that pension. It would be undesirable to require the State to meet not only the State's contribution of pension under the Superannuation and Family Benefits Act, but also the pension wholly provided by the State under the Judges' Salaries and Pensions Act.

As the new court has been in operation for seven months it would be appropriate to inform the House that the results to

date are more than satisfactory. Since the court commenced, 600 matters have been received and 56 transferred from the Supreme Court. Of these, 194 have been disposed of by the court.

District Court judges have been engaged also in criminal cases and matters before the Third Party Claims Tribunal. The establishment of the new court has enabled the Supreme Court to cope with increased work in other fields and obviated the need for the appointment of a commissioner whilst a judge was absent on long service leave. Their appointment enabling them to act as Chairman of the Third Party Claims Tribunal has reduced any delays which would be occasioned by the need for the previous chairman to carry out the other functions under the Motor Vehicle (Third Party Insurance) Act which do not require the services of the lay members of the tribunal. I commend the Bill to the House.

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

VERMIN ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [5.38 p.m.]: I move—

That the Bill be now read a second time.

It has been announced by the Premier that the State vermin and noxious weeds rates are to be abolished and in future the operations of the Agriculture Protection Board are to be financed from Consolidated Revenue.

The Government has been concerned for some time about the situation in the farming community. Every member in this House will agree that difficulties have arisen that cannot be blamed on any particular Government; that is, either the State Government or the Commonwealth Government. The rural community is facing difficulties because of problems about which we all know; that is, poor wool prices and the effect of drought conditions; and, although wheat quotas have not had an effect up to this stage, certainly they will have an effect in the coming year.

Mr. H. D. Evans: And meat prices.

Mr. NALDER: The consumer is not affected by meat prices.

Mr. Gayfer: We are affected if we cannot get our stock killed.

Mr. NALDER: That interjection highlights the present unfortunate situation.

The position of the farming community has been considered by the Government and this action has been taken to relieve, in some small way, some of the responsibilities which have been borne by farmers over the years. The amount involved will be approximately \$800,000, and this will be

a relief to all farmers in the agricultural areas by reducing, at least to some small extent, the expenditure farmers are called upon to bear.

Legislation is therefore necessary to amend the relevant Acts concerned to allow the rates to be abolished and become effective from the 1st July, 1970. The Acts concerned are the Vermin Act, 1918-1970, the Noxious Weeds Act, 1950-1970, and the Agriculture Protection Board Act, 1950-1964.

The proposed legislation is complementary to the three Acts to give effect to the abolishment of the rates and also to enable the provision of funds to the Agriculture Protection Board for its operations. These funds will be paid into the board's trust fund from where the board will distribute to respective vermin and noxious weed funds in accordance with its budget. This will allow the board some flexibility in being able to direct available funds to meet changing or emergency situations. The board has, in the past, prepared an annual budget and on this has based the amount of vermin and noxious weed rates. In the future its budget will be presented in the form of the normal Government estimate procedure for parliamentary approval.

This particular Bill is for an Act to amend the Vermin Act. The preliminary clause provides for necessary amendments to the title of the Act. The date of the coming into operation of the proposed legislation has been made the 30th June, 1970, because the rate for the year commencing on the 1st July, 1970, would be imposed on the person who owned the property on the 30th June, 1970.

The main amendment in this Bill is to section 103, subsection (1). This has the effect of abolishing the vermin rate for 1970-71 and afterwards. At the same time the existing provisions are left intact up to that year to enable the collection of arrears and amending assessments. I commend the Bill to the House.

Debate adjourned, on motion by Mr. McIver.

NOXIOUS WEEDS ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [5.44 p.m.]: I move—

That the Bill be now read a second time.

This Bill is designed to abolish the noxious weed rate for 1970-71 and afterwards. For the very same reason that I outlined in my introduction of the Vermin Tax Act Amendment Bill, it is intended to relieve the farmer of the payment of the noxious weed rate.

The preliminary clause provides for the necessary amendments to the title of the Act. The date of the coming into operation of the proposed legislation has been made the 30th June, 1970, because the rate for the year commencing the 1st July, 1970, would be imposed on the person who owned the property on the 30th June, 1970.

The main amendment in this Bill is to section 48A of the principal Act, subsection (1). This has the effect of abolishing the noxious weed rate for 1970-71, and afterwards. At the same time, the existing provisions are left intact up to that year to enable the collection of arrears and amendments to assessments. In other words, the same reasons which applied for the amendments to the Vermin Act apply for the amendments to the Noxious Weeds Act. I therefore commend the legislation to the House.

Debate adjourned, on motion by Mr. Sewell.

AGRICULTURE PROTECTION BOARD ACT AMENDMENT BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [5.47 p.m.]: I move—

That the Bill be now read a second time.

This Bill is for an Act to amend the Agriculture Protection Board Act, 1950-1964. The preliminary clause provides for the necessary amendments to the title of the Act.

An amendment to section 8 of the principal Act is designed to enable the board to distribute funds received from Consolidated Revenue for expenditure on vermin and noxious weed control as required. I might mention at this point that the operations of the Agriculture Protection Board will not be interfered with in any way. Some questions may be asked as to how the legislation will affect the activity of the board and whether it will cause any alteration in relation to the board's activities in respect of vermin and noxious weeds. I want to make it quite clear that the amending Bills will not interfere in any way with the responsibility of the Agriculture Protection Board. The board will continue to look after problems of vermin and noxious weeds in various parts of the State.

It is only right for me to say that everybody—members of Parliament, farmers, and pastoralists—have been emphatic on the value of the activities of the board. I want to indicate that we appreciate the work done by the board and to emphasise that the amendments mentioned will not in any depreciate the board's work and the responsibility on its shoulders. I think further comments are quite unnecessary, except to emphasise that the legislation

will not interfere in any way with the responsibility of what is an important board.

Section 9, subsection (1) (b), of the principal Act already provides for payments to the protection fund from Consolidated Revenue. Section 11 of the principal Act contains the original provisions for providing funds to the Agriculture Protection Board from the West Australian Government Railways Commission, in lieu of rates, and from Consolidated Revenue. This amendment is proposed to allow a change to the normal estimate procedure while retaining the contribution from the commission. I commend the Bill to the House.

Debate adjourned, on motion by Mr. H. D. Evans.

COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.50 p.m.]: I move—

That the Bill be now read a second time.

The introduction of this legislation has been made necessary by a decision of the High Court that was handed down last June, in what has now become quite widely known as the Worthing case. Mr. Cyril Worthing was employed in building operations on the Richmond air base in New South Wales when he suffered an accident. He brought proceedings for damages against his employer, claiming, amongst other things, that his employer was in breach of the regulations made under the New South Wales Scaffolding and Lifts Act.

This legislation was directed to ensuring the safety of men engaged in building operations and purported to apply generally throughout the State of New South Wales. There was no relevant Commonwealth legislation on the subject. However, by a four to three majority, the High Court held that the Richmond base was a place acquired by the Commonwealth for public purposes within the meaning of section 52 of the Constitution, and that the New South Wales scaffolding and lifts legislation did not extend to that place. The result of the decision was that if Mr. Worthing was to proceed with his claim for damages, he had to find other grounds on which to rely.

Section 52 of the Constitution provides that the Commonwealth Parliament has exclusive power to make laws for the peace, order, and good government of the Commonwealth with respect to all places acquired by the Commonwealth for public purposes.

Until this decision, it had always been understood by both State and Commonwealth authorities that general laws of a

State applied uniformly throughout the entire area of a State including places owned by the Commonwealth except in so far as they were inconsistent with Commonwealth legislation.

Since the decision was given, the Standing Committee of Attorneys-General has given urgent and anxious consideration to the problems raised by the High Court's decision. Those problems are extraordinarily complex, and many questions as to the full implications of the decision remain unanswered. The urgency of remedial action is underlined when it is remembered that the term "Commonwealth places" as used in section 52 would include not only Air Force bases and other defence establishments, but also post offices, Commonwealth offices, quarantine stations, and similar places.

The purpose of this Bill is to complement the legislation introduced into the Commonwealth Parliament quite recently. Legislation of a similar nature to ours will be introduced into other State Parliaments. The Commonwealth and also the State legislation was formulated by a committee of senior legal officers representative of the Commonwealth and the States.

The broad object of the legislative scheme is to restore the position as far as possible to the position that was assumed to exist prior to the hearing of the Worthing case. The proposed *modus operandi* is that, on the one hand, the Commonwealth Act applies as Commonwealth law the provisions of State laws otherwise inapplicable by reason of section 52 of the Constitution. The provisions of the State laws will be applied as in force from time to time in each State.

Mr. Bertram: Will it be made retrospective?

Mr. COURT: I do not have the answer to that point at the moment. I will check it for the honourable member.

Mr. Jamieson: Does it mean that the Factories and Shops Act will apply?

Mr. COURT: When a State repeals or amends its law, such repeals and amendments will, by force of the Commonwealth Act, be automatically applied in Commonwealth places. State laws will apply retrospectively and will operate in relation to both civil and criminal matters.

On the other hand, the complementary State legislation will enable the Governor of a State to enter into an arrangement with the Governor-General under which the State officers and authorities will continue to administer and enforce the applied laws just as if they continued to be State laws: clause 4 of this Bill. In this way, it is hoped to minimise the difficulty and inconvenience of the situation that has been exposed by the Worthing case.

This is the general intention of the present Bill and its provisions are all directed to this end. Clause 6 ensures that where a course of action is extinguished under the applied provisions, any parallel cause of action under the corresponding State law is also extinguished.

Clause 7 validates acts improperly done under the applied provisions if they could have been validly done under the corresponding State law. Clause 8 ensures that where an offender has been punished under the applied provisions he shall not also be punished under the corresponding State law.

Clause 14 covers three aspects. Firstly, it preserves the effect of things done under State law before the particular place became a Commonwealth place; also, it makes State law applicable to a place which ceases to be a Commonwealth place; and, finally, in the event of applied provisions ceasing to have effect because of a place ceasing to be a Commonwealth place, the clause preserves all appointments and continues the effect of circumstances created under the applied provisions.

Whilst the Government accepts the necessity of this legislation, it accepts it only as a temporary expedient. At the meeting of the Standing Committee of Attorneys-General, held in Perth on the 15th October, the States were unanimous in expressing the view that the only satisfactory long-term solution to the problem was by way of an amendment to the Constitution to vary from an exclusive to a concurrent power, the legislative power given to the Parliament of the Commonwealth with respect to all places acquired by the Commonwealth for a public purpose.

Such a change would in no way limit the extent of the legislative power of the Commonwealth, but it would enable the general laws of the State to operate in their own right in Commonwealth places, so long as they were not inconsistent with any Commonwealth law. I think that partly answers the query raised, by way of interjection, by the member for Belmont, but I will check further on that point.

The Attorney-General for the Commonwealth informed the State Ministers, however, that in his view an amendment to the Constitution was neither necessary nor desirable, but the way has been left open for a committee of Commonwealth and State officers to examine the question further. In the meantime, the Bill now before the House provides for its own expiry on the 31st December, 1971. That is contained in clause 15. The Government hopes that this provision will ensure that the question of constitutional amendment will be pursued diligently, and in any event this provision will ensure that the position should be reviewed in the next session.

I will follow up the two queries raised by the members for Mt. Hawthorn and Belmont respectively, and I shall inform them when I reply.

Mr. Jamieson: The second paragraph after the interjection pretty well answered the interjection of the member for Mt. Hawthorn.

Mr. Bertram: I think it may have.

Mr. COURT: Not completely.

Mr. Jamieson: Fairly well.

Mr. COURT: I will make doubly sure. I understood they were taking care of events that had happened, but these notes do not make that sufficiently explicit and I will check the point.

Debate adjourned, on motion by Mr. T. D. Evans.

APPROPRIATION BILL (GENERAL LOAN FUND)

Second Reading

Debate resumed from the 6th October.

MR. TONKIN (Melville—Leader of the Opposition) [5.58 p.m.]: I should imagine that when the Treasurer introduced these Estimates he felt the happiest he has ever felt on such an occasion, because of the amount of money available to him for the works which he proposes to undertake. He announced a total building programme of \$823,000,000 for all States, which he said was \$65,000,000 higher than the programme for the previous year and was, in his arithmetic, an increase of 8.6 per cent. It is noteworthy that he was able to say that this is the largest annual percentage addition to the programme for nearly 20 years.

Under those circumstances there would not appear to be any strong grounds for criticising the Commonwealth for being niggardly with regard to the loan provision for the States.

Sir David Brand: We can always do with more in a country like this.

Mr. TONKIN: Oh yes; avaricious Treasurers will never be satisfied.

Sir David Brand: That is true.

Mr. Gayfer: What sort of Treasurer would you be?

Mr. TONKIN: That remains to be seen.

Sir David Brand: Just as avaricious, anyway.

Mr. Bertram: He is a bit hasty.

Mr. TONKIN: That does not alter the fact that the Treasurer justifiably felt very happy that he was dealing with a sum which was arrived at because he had received the largest percentage addition for 20 years. Naturally, that enabled him to undertake a specific amount of work which would otherwise not be possible.

Unfortunately, one who studies the newspaper reports of the allocation and compares the figures which are subsequently used in the Parliament finds the greatest possible difficulty in arriving at what is really the true position.

I make it my business to watch these announcements as they come forward in the Press following Loan Council meetings and Premiers' meetings, and I invariably compare the figures which are published with those introduced by the Treasurer in the Parliament. From time to time I find large discrepancies. I suppose one must assume that the figures used by the Treasurer are the correct figures. However, one wonders why such big discrepancies occur between the figures published following the meetings, and the figures mentioned in the Parliament. I quote a case in point. On the 27th June the following appeared in *The West Australian*:—

W.A.'s share of the loan allocation for works other than housing in 1970-71 is \$67,080,000, of which \$18,680,000 will be interest-free grant. This is an increase of \$7,790,000 on 1969-70.

But the Treasurer tells us it is an increase of an additional \$1,000,000 above this amount, and \$1,000,000 out of \$8,000,000 is a pretty wide margin. I would be pleased if the Treasurer would check his figures so that we may know which are the correct figures; because even Treasurers may inadvertently make errors in the figures which are used. I think it is as well that we should know what are the correct figures. There is a wide difference in the figures quoted of our allocation—a difference of \$1,000,000.

In addition to the allocation, we have a total borrowing of \$17,790,000. On the Treasurer's figures, that gives us an overall allocation of \$97,370,000 for this current financial year, or a total increase of \$11,860,000. That is a most substantial increase in the funds available for capital works. As the Treasurer said, it is true that he could use more; but, nevertheless, he has already stated that this amount permits him to indulge in a greatly expanded works programme.

Speaking to reporters of *The Sunday Times* after the meeting of Premiers, the Premier said that although the talks were the toughest he had attended, and he had a two-day uphill battle to get a fair deal, we emerged with allocations to enable us to meet reasonable demands for extended services. After having made that very carefully controlled statement, when he had a full realisation of the total funds available to him he became a little more expansive. So we had the utterance when introducing the Estimates indicating that, because of this largest addition for 20 years, he was able to embark upon a very substantial building programme.

With all this money one would think that the Treasurer would do something to remedy the situation he has allowed to grow up and which is seriously penalising many people. The Metropolitan Water Board could do with much more money. I am told the sewerage position in Western Australia is the worst in the Commonwealth. The provision for sewerage in Perth is a long way behind that of every other State capital.

Mr. Ross Hutchinson: I do not think that is quite true.

Mr. TONKIN: Would the Minister like to tell us the true position?

Mr. Ross Hutchinson: Yes, only it would take some time to tell you.

Mr. TONKIN: Oh yes; it is always so easy for the Minister to say he does not think it is true. That is an old dodge.

Mr. Ross Hutchinson: It is not an old dodge. I am giving you my opinion.

Mr. TONKIN: That throws doubt on the matter straightaway. If the Minister does not think it is true he must have some logical reason in his mind for the statement he made. But apparently it is not there.

Mr. Ross Hutchinson: There are many factors involved in deep sewerage in the capital cities of Australia and it would take a considerable amount of time to try to analyse and evaluate all of them.

Mr. TONKIN: I do not think it would.

Mr. Ross Hutchinson: I think it would.

Mr. TONKIN: It amounts to the percentage of houses in the metropolitan area which are connected to deep sewerage.

Mr. Ross Hutchinson: That is one of the factors.

Mr. TONKIN: Yes, it is the main factor and on that figure Western Australia is behind all the other capital cities.

Mr. Ross Hutchinson: Because for so long we were able to rely on septic tanks in low density housing.

Mr. TONKIN: Now the Minister gives a reason to justify what I have said.

Mr. Ross Hutchinson: But there are different factors of a high density population now. That is another factor to be added to the rest.

Mr. TONKIN: First of all the Minister cast doubt on my statement, and now he has given a reason to justify what I said.

Mr. Ross Hutchinson: Rubbish.

Mr. O'Neill: We do not allow subdivisions on the pan system as they do in Sydney.

Mr. TONKIN: Does the Minister for Housing agree that there are more houses in the Perth metropolitan area, percentage-wise, without sewerage, than there are in any other capital city?

Mr. O'Neill: The reason is—

Mr. TONKIN: Never mind about the reason. What about the facts?

Mr. Ross Hutchinson: They are not in deep sewerage areas. They are on septic tank systems.

Sir David Brand: What I want to know is this: If we spend more money on sewerage, where will we take the money from, hospitals or schools?

Mr. TONKIN: The Premier must answer that question because he is the Treasurer. I will continue to develop my argument.

Mr. Ross Hutchinson: You are not making much of a job of it at the moment.

Mr. TONKIN: I thought I was too good for the Minister for Works.

Mr. Graham: Without a shadow of a doubt.

Sir David Brand: We are talking about loan funds now.

Mr. TONKIN: If I may make another attempt to develop this argument—

Mr. Ross Hutchinson: As long as you are fair.

Mr. TONKIN: Yes, I am perfectly fair. The Metropolitan Water Board, in conjunction with the Town Planning Department, requires that in certain areas where sewerage and drainage are necessary because of the high water table the developers shall provide the money to have the sewerage and drainage carried out. In some cases the developers are not in a position to find the money, so they do not proceed to subdivide and the land is held off the market. This means that the local authorities are deprived of the rates which they could otherwise anticipate.

However, if the developers agree to find the money for sewerage and drainage, not being philanthropists they load the cost onto the cost of the land and dwellings which they sell. So the new owners are saddled with an immediate payment of the cost of the sewerage and drainage mains serving their area. After that stage is reached, the Metropolitan Water Board adds the value of the work which has been done to its assets—although it has not paid anything for it—and then proceeds to charge interest and depreciation upon an expenditure which it has not had to find, and it levies a rate accordingly.

So we get a position where the rate-payers living in newly developed areas are paying not only for the interest and sinking fund on loans which were used to provide sewerage in the older districts years before, but they are also paying interest and sinking fund on a capital investment, the money for which they provided themselves. That is the result of the policy of the Government of keeping the Metropolitan Water Board short of funds.

Prior to this changeover that situation never occurred, because the Metropolitan Water Board put in the sewerage mains and the drainage mains, and the cost of that work was spread over the whole of the service and every ratepayer paid the same rate.

Sir David Brand: In New South Wales they do the same as we do, you know.

Mr. TONKIN: What argument is that?

Sir David Brand: You are comparing us with other States.

Mr. TONKIN: Yes, so far as sewerage is concerned. What I am suggesting is that the Government should take immediate steps to improve the allocation to the Metropolitan Water Board out of all this additional money—the largest percentage increase for 20 years. Some of that money should be utilised to enable the Metropolitan Water Supply, Sewerage and Drainage Board to get on with sewerage extensions. There is an obligation on the Government to do that.

Sir David Brand: Shall we cut down on hospitals, schools, or housing?

Mr. TONKIN: No, cut down the allocation to the standard gauge railway. What great benefit to the State has that been?

Sitting suspended from 6.15 to 7.30 p.m.

Mr. TONKIN: Before the tea suspension I was putting forward the submission that in my view the Government ought to make more money available to the Water Supply, Sewerage and Drainage Board to enable it to finance necessary sewerage and drainage work, relieving developers of the necessity of having to provide the funds. The result would be a saving to those persons who purchase homes in the newly developed areas and it ought to result in more sewerage and drainage work being undertaken in the Perth area than is being undertaken in existing areas; because if developers decline to provide the funds necessary they do not have their land subdivided and the funds are not available to extend the sewerage. The result is that local authorities have deferred development in their areas and are denied revenue which would come from developed land.

Currently we have difficulty in my own electorate where the Melville City Council is anxious to have a large area of undeveloped land subdivided and utilised, but it has run up against a difficulty because of land owned by the university. Apparently that body has no funds, or it says it has no funds, to provide for drainage and sewerage. Naturally enough, the other developers are disinclined to pay not only their own share but also the share that ought to be paid by the university. The result is that the land is kept out of use to the disadvantage of the local authority and the homeowners who would hope to live in that area.

I notice that the amount available for housing is up \$1,000,000 on what it was last year. The Housing Commission has been able to make quite substantial inroads into the big backlog of applications. It has done this by means of utilising, to a large extent, high density accommodation. As a Western Australian I must say I am not enamoured of large numbers of flats being used and people with families being herded into them. That is all right in a country that is short of land and where it is necessary to utilise such land as it has to the greatest possible extent. Rather, I would favour the use of the terrace type of house if we have to put people close together. In my view that is better than putting people in flats which, I am afraid, will ultimately deteriorate into slums.

Mr. O'Connor: What would be the difference between the two in the cost per unit?

Mr. TONKIN: I regret I am unable to say that. I am not a builder and I do not know. However, in some of the other States the authorities make fairly extensive use of terrace type houses. In Victoria, I believe a large number of that type are built.

Mr. Cash: And plenty of high density flats as well.

Mr. TONKIN: Maybe, but I am advocating more terrace houses. The honourable member, in his turn, can advocate more flats.

Mr. Cash: No, I agree with terrace houses, but that is not the point I made.

Mr. TONKIN: I was rather concerned to notice in the Federal *Hansard* a reference to the failure on the part of this State to respond to an inquiry from the Prime Minister with regard to educational needs. While many of our educational needs are met from revenue, substantial needs are met from loan funds. I propose to quote a question and answer from Federal *Hansard*; and, although the situation might have altered since the 21st October, no doubt the Premier will tell me if it has. The question was asked by the Federal Leader of the Opposition (Mr. Whitlam) of the Prime Minister. It is shown in the Federal *Hansard* as question No. 2068 of the 21st October, 1970, and it is to be found on page 2616. Mr. Whitlam asked the Prime Minister, upon notice—

On what dates has (a) he written to each Premier and (b) each Premier written to him concerning the Premiers' reaction to the nation-wide survey of educational needs which was presented to the Australian Educational Council on 25th May, 1970 *Hansard*, 15th October, 1970, page 2199).

Mr. Gorton answered the honourable member's question as follows:—

The State Education Ministers released a summary of the findings of the Nation-Wide Survey of Educational Needs on 1st September. I wrote to all Premiers on 7th September asking for the reaction of their Governments, and for an indication of the extent to which they would wish to give priority to the proposed programmes in education, having regard to their other responsibilities. As at the time of preparation of this reply I have received letters from the Premiers of Queensland and South Australia dated 12th and 16th October respectively.

I am disappointed that no reply to the Prime Minister was made by this Government; because it is a most important question. The survey was carried out with a definite objective and that was to ascertain what were the collective needs of the States in education, for the fulfilment of which they were to look to the Commonwealth for assistance. To his credit the Prime Minister, within a few days of receiving the result of the survey, invited the Premiers to make submissions to him as to what they felt their needs were, and the priorities, having regard to their other responsibilities.

Mr. Cash: He did not set a deadline for the replies.

Mr. TONKIN: What has that to do with it?

Mr. Cash: The Premier might have replied.

Mr. TONKIN: Of course he did not set a deadline! Does the honourable member set a deadline for replies to letters he sends out? I do not.

Mr. Bickerton: Not to Ministers.

Mr. Cash: What are you grumbling about?

Mr. TONKIN: It might be a good idea if we did. We might get replies quicker from some departments.

Mr. Cash: Then what are you grumbling about?

Mr. TONKIN: The honourable member's stupid interjection.

Mr. Brady: Hear, hear!

Mr. Cash: Now you are getting cross.

Mr. TONKIN: I repeat: I am disappointed, and I am entitled to be, despite the fact that the Prime Minister did not set any deadline, that the Premier of this State did not reply. I would like to know whether he has replied as yet.

Sir David Brand: He has not; he is just gathering the information that is necessary.

Mr. TONKIN: It would seem to me that on such an invitation one would naturally expect some alacrity, and the reply would be submitted forthwith. Apparently, at that time, only Queensland and South Australia indicated to the Prime Minister what their wishes were in connection with this matter.

Sir David Brand: We will be taking full advantage of the inquiry.

Mr. TONKIN: With all the funds available to the Government—a total of \$202,756,000—one would expect that practically everything required to be done this year might be undertaken. I am disappointed in a number of items I see in the Estimates, and I propose to indicate why.

Last year the expenditure on providing electricity to Government establishments was \$63,158. This year a mere \$15,000 is being provided. A sum of \$11,000 for native welfare buildings seems to be a most inadequate sum from a total of \$202,000,000-odd. I think the Government might have done considerably better in that connection.

Whereas the Metropolitan Water Supply, Sewerage and Drainage Board showed an expenditure last year of \$8,000,000, this year, despite substantial development in land use, the estimate is only \$9,900,000. I think it should be substantially above that figure to permit of the sewerage and drainage work to which I have already referred.

For a long time the school teachers, mainly, but other Government employees as well, have been emphasising the need for more to be done for Government employees' housing. The need is still great and urgent. Last year the expenditure by the authority was \$472,000, but this year the estimate has been reduced by \$100,000. One would have expected a larger amount and not a smaller amount for this purpose, in view of the fact that we have had the largest increase in funds in 20 years.

Naturally enough the Treasurer, with funds available for allocation, will give consideration to the requests of various departments. Sometimes the result depends upon the strength of the Minister in charge of the department; and at other times it depends upon whether some special gesture is required to be made in a certain direction for political or other purposes.

It would be a useless exercise for me to go through the various departments and take the items one by one. That would unnecessarily utilise the time of the House. I have chosen several items which I think exemplify the point I am trying to make; that is, that a rearrangement of priorities would give a better overall result and would go much further in meeting the real needs within the existing programme.

I readily concede that in these matters it is often a matter of opinion—

Sir David Brand: That is right.

Mr. TONKIN: —and, furthermore, the situation in certain electorates is not unknown to have had an influence on the allocation of funds.

Sir David Brand: It has not changed since you were in Government.

Mr. TONKIN: I remember that during the Albany by-election the Government made promises in regard to throwing money around in all directions. On that basis of allocation the Government would have needed about \$600,000,000 if it was to do justice to all the other electorates.

Sir David Brand: The Albany electorate has received its just allocations, and the work will be carried out.

Mr. TONKIN: I am very pleased to hear that it will be carried out.

Sir David Brand: That is right.

Mr. TONKIN: This is not the first instance of an assurance from the Government being broken.

Sir David Brand: No, we have not broken any.

Mr. TONKIN: Did the Premier say "We have not broken any"?

Sir David Brand: Not in respect of moneys promised.

Mr. TONKIN: If the Premier had made it known to me earlier that he would deny that his Government had broken any undertaking I would have had the proof here. I can provide it. However, possibly if you, Mr. Deputy Speaker, were permitted to say so you might be able to advance illustrations.

Sir David Brand: I am sure the Deputy Speaker is very happy.

Mr. TONKIN: As I have said, it depends upon a number of factors as to how the funds are allocated, and in my experience no Minister ever believes that he has received the money to which he is justly entitled.

Sir David Brand: That is correct.

Mr. TONKIN: Every Minister invariably seems to be bent on doing things which he is unable to do because there is insufficient money to go around. It is no wonder that the allocation of funds from the Commonwealth this year—this being an election year—has proved to be most fortunate to the Premier. He has been able to spread the money around in the various electorates and give an indication of the work that is to be done. This is all work that needs to be done in the State, but the priority in which it is being done is the most important point.

I hope we will not be told, when requests are received from certain country areas for water supplies, which they need badly

and which the expenditure of \$30,000 or \$40,000 would provide, that no funds are available; because with the total sum of \$202,756,000 which the Government has received this year it should have ample funds to meet the urgent needs of the various electorates in this State.

MR. DAVIES (Victoria Park) [7.49 p.m.]: There are several comments I would like to make on the General Loan Fund, but most of all I feel it is time that some consideration was given to presenting these Estimates in a more detailed form. It is true that the details are supplied in a brochure of 10 or 12 pages, showing roughly the amounts of money which are to be spent by the departments; but the manner in which the money is to be spent is detailed in half a dozen lines, or maybe a dozen lines. Many of the proposals for this year are much the same as the proposals for the previous year. Unless one reads the details very carefully it is very difficult to find out the alterations in the expenditure.

Sir David Brand: Being capital works the expenditure is a continuation from one year to another. I refer to expenditure on railways, schools, etc. By and large we are doing the same work each year. However, I am inclined to agree that maybe we could set the Estimates out a little more clearly, but I cannot see any great reason for giving more details in regard to capital works.

Mr. DAVIES: I am pleased the Premier has readily agreed.

Sir David Brand: I do not want to be chided for agreeing with you.

Mr. DAVIES: I am not chiding the Premier.

Sir David Brand: If you did, I might take back what I said.

Mr. DAVIES: If we glance through the various departments as listed in the Loan Estimates we find that under the heading of "Public Works" the expenditure for improvements to harbours and rivers for this financial year is more than double the amount for the last year; and that for sewerage for country towns the estimate for 1970-71 is less than the expenditure for 1969-70.

In examining the details of the main items relating to the continuation of public works, one often finds that a particular project for which one has been pressing is receiving attention. In these Estimates the amount allocated for school buildings, including furniture and equipment, is something like \$1,000,000 less than it was in 1969-70, but one is not able to ascertain readily just where this expenditure will be directed.

The amount allocated to hospital buildings has been reduced by something like \$1,700,000. The estimate for the Perth

Medical Centre has been increased by about \$3,300,000; and the amount allocated to the Metropolitan Water Supply, Sewerage and Drainage Board has been increased by \$1,900,000. Against that, under the heading of "Mines" the amount allocated to the State batteries is nil for 1970-71, as against \$30,335 last year. Apparently last year the money was spent on miscellaneous works at various batteries; but this year there is to be no work done at all on the State batteries.

Sir David Brand: That is right. There would not have been a great deal of work done on the State batteries this year. I do not think they are used a great deal.

Mr. DAVIES: The amount allocated to the State Housing Commission has been increased by \$2,150,000, but some of the items which are mentioned appear to be precisely the same as the items last year; yet last year only \$2,850,000 was allocated.

In the allocation for industrial development another discrepancy appears; and this year a smaller amount has been allocated compared with the amount allocated last year towards assistance to industry, including the purchase of land. The allocation to the Institute of Technology has been increased by something like \$500,000.

I must confess the method of departmental accounting is somewhat confusing to me. In the nine years that I have been a member of this House I have looked with amazement at the ways in which the finances are dealt with and considered. Apart from the documents which give details of the Estimates to which I have referred, we have, of course, the Premier's introductory speech in which he details to a greater degree the methods in which the money is to be spent. Here again unless one reads his remarks very closely one finds there are many points upon which one should comment; but as one does not have the time to do the research or to comprehend in full the remarks he makes during the presentation of the Estimates one is unable to know their full significance.

The Premier seems to be mighty glad to have the Commonwealth behind him on this occasion. I know that many Cabinet Ministers, including the Minister for Industrial Development, as well as other members, have expressed themselves as having anti-centralist control sentiments. On this occasion I am sure the Premier was delighted there was something like \$67,034,000 received from the Commonwealth for particular projects.

I do not know whether the Government actually handles any of this money. I presume it is money that has been allocated to Western Australia, but whether it goes through the State Government or through the various agencies of the Commonwealth in this State I do not know.

I refer particularly to the subsidies in relation to pensioner housing, pensioner flats, senior citizens' centres, medical centres, Public Health Department extensions, finance for the university, and similar purposes. I suppose in one way the Government is able to obtain some credit for obtaining this money.

Without the Commonwealth Government allocation on this occasion, and on every other occasion, Western Australia would be in serious trouble. I want to remind the Government, particularly those members of it who have expressed themselves as having anti-centralist control or anti-Commonwealth control sentiments, that they have a lot to be thankful for, because if they turn to page 1031 of this year's *Hansard* they will see the amounts of money which are to be forwarded to Western Australia for all kinds of projects, and those amounts total \$67,034,000, give or take a few thousands. In these days when we speak in terms of millions of dollars, a million or two either way matters little.

Before I get off the method of presenting these Estimates I would point out that this is another example of where a public accounts committee is needed to look at the manner in which Government money is being spent. Apart from the brief details given by the Premier in introducing the Loan Estimates and the few details which are contained in the schedule, we are hard put to find out how the money is to be spent, whether it is to be spent in the right direction, or whether we are to get value for the expenditure. Indeed, the answers to some questions which I asked in recent times have, in showing the way in which the Government has been spending this money, surprised me. There is no evidence to show the value it has received for the money expended.

In trying to work out how the Government departments finance themselves, and to ascertain whether or not the money is being spent properly, the ordinary member of Parliament is at a complete loss. We should be provided with more details and a better opportunity for debating these Estimates. The best way to achieve this result is to appoint a public accounts committee. I am sorry we have not heard any word as to when the legislation will be introduced.

Mr. O'Neil: Notice of it was given this afternoon.

Mr. DAVIES: It must have been while I was answering a telephone call outside the Chamber. I look forward with interest to the Bill. I am sure it will cause a major debate to ensue, and I hope it has more teeth than the Bill which deals with physical environment.

Sir David Brand: In any case it is not a Bill, as I explained previously.

Mr. DAVIES: It is to be an amendment to the Standing Orders? I hope this channel of information will be used more effectively.

Sir David Brand: It will be all right when the committee is appointed.

Mr. DAVIES: The committee has been gestating long enough; I hope it will be a healthy child when it is born. Over the last 12 months I heard some comments which rather concerned me; they relate to the new Fyrton centre out Bassendean way. It has some magnificent buildings which are not by any means being used to the fullest extent. I do not know whether this arose from a shortage of staff, but it does reflect poor planning on the part of the Government. It is all very well to have magnificent buildings constructed, but if the staff is not available to man the buildings they need not be there at all, because they are not fulfilling the functions for which they were established.

I believe they are beautiful buildings but I have yet to receive an invitation to inspect them. As a matter of fact, the Government seems altogether loath to issue invitations to anyone from this side of the House. One has to see the head of a department, and then one is always referred to the Minister. One is usually told by the people concerned that they do not want to show Opposition members over the place in case they see something they should not see. I am not referring to Fyrton; but public servants seem to be scared to talk to Opposition members. I do not know whether the Government has issued an instruction.

Sir David Brand: Maybe some have a reason to be frightened, or scared.

Mr. DAVIES: I did not catch that interjection. However, those who are in Fyrton would not be scared. Time and time again I have heard dissatisfaction expressed by people who have been there, and by the staff. Those people are not satisfied with the approach to mental health. It seems to me that if a beautiful building is not used to its capacity because of lack of staff, then that situation should be rectified. I would appreciate some comments from the Treasurer.

At page 1036 of *Hansard*, under the heading of "Child Welfare" the Treasurer said—

A property at Katanning was purchased and will be used as a hostel for children of working age to enable advantage to be taken of the employment opportunities offered by the new industry developing in the town.

The Government is to provide a hostel for children of working age, but the information we have is that there is unlikely to be any industrial development in the town. The only industry I can think of is the proposed new abattoir.

There has been an aura of mystery about the abattoir and no-one seems to know who will build it. Nobody seems to know the capacity of the proposed building, or the number of staff that will be required. However, somebody must know something if the Government is prepared to include in the Loan Estimates a proposal—an undertaking—for the purchase of property.

We like to see decentralisation of industry, and we know that country areas are screaming out for more abattoirs, but why should there be so much mystery? Some suggest there will be Japanese control; some suggest there will be Japanese-American control; and some suggest there will be Japanese-American-English control. I have yet to hear anyone say that there will be any Australian-controlled capital investment at all.

The question has been asked in this House, and posed by the newspapers from time to time, but no-one seems to know anything about the matter. It is a complete mystery and yet we find in the Loan Estimates that the Government is happy to purchase property to set up a hostel to cope with the new industry. However, the mystery continues and we do not know what the new industry will be.

Another item about which there is considerable mystery is included under the heading, "Prisons." The Treasurer, at page 1036 of *Hansard*, stated as follows:—

The Prisons Department recently acquired the former children's home "Burnbrae" at Byford to establish a new treatment centre for convicted alcoholics. This institution is unlikely to operate this year but some preliminary work is being done with prison labour.

I would like to know to what extent prison labour is being used. I believe prison labour should be used provided it is adequately paid for. If prisoners are let out to take full-time employment, or if they are used for prison labour, they should be paid the appropriate rates. I applaud the fact that prisoners can be used, and that their skills can be put to good use. I remember visiting the Fremantle Prison many years ago with a group of people, and I was disheartened to see the lack of work available within the prison. That lack of work must lead to a certain amount of physical dejection.

Mr. Craig: If the prisoners are let out on work release they are paid award rates, but if they are engaged on work in the prison—as in the institution mentioned by the member for Victoria Park—of course, they are not paid award rates.

Mr. DAVIES: I do not hold with that view. I believe that if a man's skill is used it should be paid for.

Mr. Craig: Within the prison?

Mr. DAVIES: Yes.

Mr. Craig: What, with 1,300 prisoners in the institution?

Mr. DAVIES: Yes, if used to advantage. If the prisoners are to be used instead of hiring men then they should be paid the award rates.

Mr. Craig: We are using prisoners.

Mr. DAVIES: I do not believe this should be done. There should be more encouragement to provide something better than that which they are receiving at the present time.

Mr. O'Neill: Does the member for Victoria Park think the board and lodging for the prisoners should be deducted from their wages?

Mr. DAVIES: Yes, there is nothing wrong with that.

Mr. Craig: One might as well put the prisoners into a hotel.

Sir David Brand: Is this something Labor will do if it gets into office?

Mr. DAVIES: No. It concerns something I have fought for for a long time. I do not want any cheap labour or forced labour. The Minister for Police did make a report on his trip overseas on one occasion, and the Minister for Industrial Development made a report on his last visit overseas, but for three purposes only. Firstly, to attack Bob Hawke; secondly, to tell us how costly it would be to incorporate conservation measures; and, thirdly, I think it was to tell us how difficult it was to get the iron ore industry going in the Pilbara. That report was only for the Minister's own benefit, and, primarily, to draw attention to the position of industry overseas. The report made by the Minister for Industrial Development reflected his interests, which are always reflected in this House.

As I said, on one occasion we did have a report from the Minister for Police but I do not remember any other Ministers reporting to this Parliament concerning any of their trips overseas. The Premier did give us a report at his official welcome home luncheon, but we do not know whether or not we are getting value for money. We do not know whether Ministers are just looking around, or whether there really is any value in their trips.

Sir David Brand: This can also be said when public moneys are made available for private members to go away. No-one knows whether or not we are getting value for money.

Mr. DAVIES: But we always get a written report from private members.

Mr. Bovell: Not in Parliament.

Mr. DAVIES: Indeed, at the C.P.A. meetings.

Mr. Bovell: That is not in Parliament.

Mr. DAVIES: But the report is presented to Parliament. The member for Avon gave us a report on one occasion and I can remember that he said that some Parliaments had a curtain around the gallery so that the members could not see the ladies' legs. I think it was called a modesty curtain.

Mr. O'Neill: There was value for money out of that trip!

Mr. DAVIES: I do not believe that was a good idea, but the member for Avon did give us a lengthy report. The Deputy Leader of the Opposition gave us a written report on his trip overseas, but we never hear anything from Ministers.

Mr. O'Neill: Private members have more trips overseas; that is the reason!

Mr. DAVIES: That is an untrue statement. I think every member of the Cabinet has been overseas at least once or twice. One does see comments in the newspapers occasionally. I think it was the Minister for Local Government who made two or three astounding comments about which we are still awaiting some action.

This brings me back to the point of prison labour. I believe we get more value from the Minister for Police because he made several comments. Referring again to page 1036 of *Hansard*, the "Burnbrae" establishment at Byford has been purchased by the Prisons Department.

Mr. Craig: Do not refer to "Burnbrae"; refer to the Byford home.

Mr. DAVIES: There seems to be an aura of mystery about the purchase of that establishment. There has been no announcement concerning the cost and when the question was put—I will admit, not in Parliament—by the Press, the answer was, "No comment." I think the Minister for Health has said he does not know the price.

I am sure the Government got a good bargain; I would not be in a position to judge. However, there is no opportunity to judge or to debate whether or not the money was well spent. I think that points to the need for additional information to be made available to Parliament.

A matter to which I have objected to for a long time is that \$350,000 is to be spent on terracing the eastern aspect of Parliament House grounds. The further the construction goes the worse it looks. It might have been a good concept, and the plan might have looked pretty, but each grey tomb-like cement edifice which arises outside Parliament House is destroying the simple lines of the building. Those simple lines were so apparent before the new work commenced. A landscaped garden would have been adequate, perhaps with a bird bath or two provided.

Mr. Blackerton: There are some birds there already.

Mr. DAVIES: The birds can be put there, too, if necessary. I suppose that in all \$500,000 will be spent on tumbling waters which will not only restrict the view from Parliament House, but will also restrict the view to Parliament House. The structure will destroy the concept and the advantage of having Parliament House on the top of the hill, as the main edifice to which, I suppose, the population could touch its forelock. However, that outlook is destroyed, and unless the structure is faced with stone in line with that on Parliament House the contrast between the Donnybrook stone and the grey cement will be in conflict.

Mr. Graham: The building is already spoilt by that heap of old bricks, the Barracks Archway.

Mr. Bickerton: Do you think we could move the archway?

Mr. DAVIES: No, I agree with the Barracks Archway.

Mr. O'Neill: The Barracks Archway hides the new structure.

Mr. DAVIES: I am sure Ministers would not want the archway taken away.

Sir David Brand: I do not care in the slightest. The members who voted to retain the arch did not frighten me.

Mr. DAVIES: I am sorry that the Barracks Archway is not used for some good purpose. I think it is of adequate size to house, perhaps, some of the more interesting relics of the State.

Mr. Ross Hutchinson: How would people get across to it?

Mr. DAVIES: I believe there is provision for people to get across to it.

Mr. Ross Hutchinson: How will they cross the road?

Mr. DAVIES: I do not imagine that there would be 200 or 300-odd people there at the one time.

Mr. Graham: Very odd people!

Mr. DAVIES: I did not mean "odd" in that sense. The few people who would go there would be able to cross the road quite normally. There would be no danger.

Mr. Ross Hutchinson: There is a danger.

Mr. DAVIES: That is a matter of opinion. We are learning to live with danger. People who have learnt to live with this Government can live with anything.

Sir David Brand: Ha, ha, ha! Isn't that funny!

Mr. DAVIES: There is a danger in crossing the road.

I suppose this gives me an opportunity to criticise the Government in relation to the road toll, but I will not take that opportunity on this occasion. I believe that with care people can cross the road. There is a good deal of footpath around,

and it could be developed. However, I did not have any intention of speaking on this matter.

If I may make one final comment, I would be prepared to see some extra money spent on floodlighting. Looking up the Terrace into the blackness is like looking up into a gloomy tomb. It is lit only by the street lights. I believe some floodlighting would improve it; and it could be done. When the painting of Captain Cook was up there, it attracted much more attention than it does now, because it was floodlit with a number of small floodlights. I believe that could be done again.

However, I heartily disapprove of the money being spent on fountains. Perth is notoriously bad for fountains. According to statistics, it is the windiest capital city in Australia. I know of no fountain that has been established that has been a success.

Mr. Ross Hutchinson: Do you not think the fountain in King's Park has been a success?

Mr. DAVIES: I am sorry; I should have made myself more clear. It might be a success. It has been a very expensive fountain, and it is still expensive, I understand.

Mr. Ross Hutchinson: Aesthetics are expensive.

Mr. DAVIES: The Minister has me on the run with this one. I will not argue with him; I will agree with him. I agree that aesthetics are expensive, and I believe the establishment of the fountains out here—

Mr. Ross Hutchinson: Wait until you see them. You will be pleasantly surprised, I think.

Mr. DAVIES: I know they certainly will not be torn down now, but I would much rather see gardens. When one walks down Malcolm Street and looks across, one sees that the contrast of the grey and the cream does not improve the position.

Mr. Ross Hutchinson: As an intelligent man, you know there are many who criticise engineering projects in their preliminary stages of construction.

Mr. Bickerton: Fools and women should never see a job half-finished.

Mr. Rushton: Would it be that you are after a bit more mileage?

Mr. DAVIES: I have plenty of mileage and plenty of fuel. I will not say any more other than to comment that I am disappointed in the fountains as they appear at the present time, and I only hope there will be some improvement when they are finished. I think it is an enormous amount of money to spend. I can think of plenty of things that need to be done apart from what is being done in this connection.

I am also disappointed that there is no provision for extensive deep sewerage in the East Victoria Park and Bentley areas. I have spoken about this on a number of occasions. On one occasion the Minister made me feel that we could readily expect it within a year or two, at the most, but from inquiries I have made from the Metropolitan Water Supply, Sewerage and Drainage Board it appears there is no proposal at the present time to extend the deep sewerage into these areas.

I pointed out before that the houses have been established some 10 or 15 years, or more, and it has been found that the septic systems put in at that time are deteriorating and breaking down. The people have to spend more money on maintaining them but, worst of all, the systems have to be regularly pumped out, and there is the additional problem of disposing of the sewage waste when it is pumped out. That has brought another problem, in that some contractors have been dumping the waste on the Perth City Council's dump below the Swan Portland Cement works. The council has stationed men at the dump in an endeavour to catch the offending parties, but they have not been successful. However, the dump is to be closed shortly, and the problem may be overcome.

If the department cannot provide deep sewerage, at least it ought to provide a service whereby it will pump out these septic tank and sewerage systems at cost. I believe there have been quite a few steep increases in the charges made by private contractors, and it is a little difficult to arrange for them to come on a convenient day.

Mr. Ross Hutchinson: These are private matters.

Mr. DAVIES: Yes, but I say this is a service the department could start to let the people have it at cost. If the department cannot provide deep sewerage, it should be able to provide the service at cost.

Mr. Ross Hutchinson: Is this something you are going to bring in before the next election?

Mr. DAVIES: I doubt if we can bring it in before the next election.

Mr. Ross Hutchinson: You have to be careful what you say in this connection; otherwise you might say something your Government might not be able, or, be prepared, to do when in office. You have to be responsible in Opposition as well as in Government.

Mr. DAVIES: I thank the Minister for the chastisement, but I make the suggestion in the belief that it can be done. I do not know what this service costs or what the margin of profit is to the contractors who are doing it at the present

time. I would like the matter to be investigated in order to ascertain whether it can be done at cost under Government supervision.

Mr. Ross Hutchinson: I was not trying to chastise you. I was asking you whether you believed you would do it.

Mr. DAVIES: I do not know that I would do it. I believe I would make investigations to ascertain whether it could be done. This is one of the difficulties of being in Opposition. One does not have the entree to all the information that the Government and the Ministers have. I repeat that I would investigate the possibilities of the Government's providing this service at cost; because I believe that if we are unable to provide the deep sewerage, we should endeavour to assist the people who are thus being penalised. It may be possible for the Government to provide this type of service more cheaply than it is being provided at the present time.

People have the idea that a Government service must be dearer and less efficient than any other service. This gets back solely to bad administration. I think there is a responsibility on the Ministers—and I am sure the Ministers accept that responsibility—to see that their departments are run as cheaply as possible and as efficiently as possible. Goodness knows, they get all the staff they want, according to the figures that are published in the Public Service Commissioner's report.

With those few brief words, I would like to conclude with the remarks I made at the beginning: Thank goodness for Canberra and the money the Commonwealth Government is able to provide; and could consideration be given to presenting loan proposals in some more detailed form in the future?

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [8.24 p.m.]: To some extent I disagree with the more recent observations of my colleague, the member for Victoria Park. However important—and nobody denies this—a man does not live by bread alone. I am afraid that during the last two generations, for reasons which perhaps we can appreciate—World War I, a world depression in which we were involved, and World War II—we have neglected very many of the things that a civilised community has a right to expect. I think, therefore, that Government at all levels should, amongst the more mundane subjects, be giving attention to matters pertaining to sport, recreation, culture, aesthetic considerations, and the things that generally relate to civilised beings.

I have previously spoken on the trend that practically all of us have seen during our lifetime, when the greater part of our waking hours has been devoted to the

work bench or the office table; it was a 5½ or 6-day week; it was a 48-hour week or longer; there were less public holidays; there was no long service leave, and so on. This trend is continuing, and let me say, here and now, that I do not want to become involved in the merits of a 35-hour week or a week of any other duration.

The fact is that a continually increasing percentage of the time of our people is free from the necessity to work, and we cannot have our population just idling its time away. There must be facilities and interests for the people, otherwise the attitudes of our younger generation, which many people deprecate, will become commonplace through every sector of the community.

I think it was a couple of years ago, after having made some examination of the detail—which I do not propose to submit this evening—that I outlined some of the tremendous achievements in Western Australia when we were a comparative handful of people, when very few of the citizens were in regular employment, and when financial resources were infinitesimal compared with what they are now. During that period we laid down our railway system and our principal ports; we erected a town hall 100 years ago, albeit with the assistance of moneys from the old country and the workmanship of convicts; the only theatre where plays and other artistic performances can be given—His Majesty's Theatre—was built in the last century; Perth railway station was built more than two generations ago—almost three generations ago—our Public Library, our Museum, and our Art Gallery are almost archaic. In the last two generations we have virtually neglected all of those things.

For that reason, whilst I am critical of the Government from time to time—and I am speaking particularly of this Government—for having got its priorities mixed, I feel that nevertheless there is a justifiable case for moneys to be spent in directions other than the mundane ones of sewerage, drainage, schools, hospitals, public offices, and the rest of it. These things of which I speak must be done in association with the other activities. They can be done; in fact, they were done before under the circumstances I have outlined, and they are increasingly necessary now because of automation and the greater percentage of the time that we, and most certainly those who follow us, will have available for them.

If the population, from the youngest to the oldest, is left merely to idle and fritter time away we will find, as the old saying goes, "The devil finds work for idle hands." I think, therefore, that some fine artistic buildings, some works of art—whether fountains or new cultural centres—and all such things are an essential part of our community. If it is said that we

have never had it so good, and that this is the age of affluence, surely a percentage of what is available to Commonwealth and State Governments and to local authorities should be spent in this direction.

Going back some 10 years or so, if a local authority proposed a swimming pool there was immediately an outcry, and unthinking people protested that there was a river nearby and there were excellent beaches only a few miles away; therefore, why should we have swimming pools?

I think the construction of these places, not only in the metropolitan area but also in many places in the country, has been amply justified in every respect, but who amongst us could not have pointed to the necessity for certain public works that could be enumerated and which, in fact, cried out for attention in the various districts we represent?

Mr. Davies: That is a bit different from fountains, of course. I cannot agree with you on that.

Mr. GRAHAM: Every dollar spent on a fountain is a better investment by far than the dollars that were spent on the archway, which screens Parliament House from view. If spotlights were directed on to the archway the attention of people would be on the archway itself and no attention whatsoever would be paid to Parliament House, the fountains, or anything else. I am not saying that out of a sense of jealousy; I am merely making the statement to show how realistic the situation is.

At this stage I repeat what I have said before; namely, that 50 per cent. of the Barracks Archway is of 1968 or 1969 vintage. There is nothing historical about it. Half of that structure is entirely new and modern. It happens to be an attachment to part of an old building which even Sir John Forrest said eventually would have to go in order to provide a better vista of the seat of Government from the heart of the city.

Mr. Davies interjected.

Mr. GRAHAM: I do not think there is a necessity to go over all this again, but all I wish to do—and I do not want to upset anybody with comments that are made by someone who has been out of Australia and who has returned with all the answers on everything—is to point out that when one visits other countries and sees remnants of historical buildings and other historical relics which in those countries were originally constructed not hundreds of years ago but thousands of years ago, I think we can become a little unbalanced if we endeavour to preserve too much of what becomes an almost identical feature of architecture in one street.

For example, we have the Town Hall, the Treasury Building, Government House, the Deanery, the Cloisters, and the Barracks Archway all being practically in the one street and, further, within a short distance of one another in the one street. I am not averse to retaining a sample of the architecture of a certain period any more than I would be averse to retaining some other historical edifice, assuming that our civilised history went back some hundreds or some thousands of years. But I am inclined to believe that all of a sudden the preservation of historical buildings and so on became a fetish and has been a little overdone, and unfortunately the view of Parliament House, or any other concept of it, has been interfered with. However, Parliament has made its decision not on one occasion, but on two occasions, and the archway remains.

I return to the original point that there is a very definite balance between the need for public works and art, culture, and aesthetics if we are to continue to be a civilised people. After all, one could make out a case—I most certainly would not try—that it is far more important to provide bread-and-butter laws for the less fortunate people in the community than it is to construct new universities. I am not suggesting that for a moment; because I believe universities and higher education institutions and better training facilities are an essential part of a civilised community in the same way as I believe that more cultural features are essential and that beautification of our city is one of them.

All I wish to do finally is to thank the member for Victoria Park for his remarks which have enabled me to comment on matters to which I have given a great deal of consideration, but about which I did not intend to speak until he came forward with his views.

Mr. Davies: I can see I will have to obtain more support.

Mr. GRAHAM: Bravo! After making these happy exchanges I am afraid I return to a rather usual role of mine; namely, that of being somewhat critical of the Ministers of this Government and its attitude. On many occasions we have spoken of the arrogance of the Government; its feeling that it is there permanently, and that private members—particularly those who sit on this side of the House—are an evil necessity; that they are of no particular consequence and can be fobbed off whenever Ministers feel like it. This is not good enough. Every member of this Parliament is here because he has been returned by the people, and his election took part in his particular constituency; the electors there being oblivious as to which side of the political spectrum was to form the Government.

Therefore, the Leader of the Opposition has undoubted rights as has the Leader of the Government, and the private member of Parliament has rights that are inherent. He is a member of Parliament in the same way as he who is a Minister of the Crown. A Minister of the Crown has, of course, additional responsibility, and I think more consideration should be given to the responsibility of a Minister than to the privileges of a Minister.

I want to cite several examples of where, I think, in this House the Ministry has fallen down and has done less than justice to those of us who are seeking to do a job for our people. I am not taking advantage of the fact that, temporarily, the Minister for Housing is not in his seat, albeit he is present in the Chamber.

Mr. Bovell: He is listening to all you want him to hear.

Mr. GRAHAM: Yes, and I suppose it is because I have nothing to hide. I have several legitimate complaints to make, and I am now about to comment on one of them. Those of us who know something of the history of the Wandana Flats will be aware that a certain Commonwealth Minister—Sir William Spooner, as he ultimately became—played party politics to the nth degree. Notwithstanding that rental rebates were available to every other body under the State Housing Commission, he first of all refused to allow funds to be made available for the construction of the 242 flats which comprise the Wandana complex; then, when he found he was beaten by action taken by the then Hawke Labor Government in Western Australia, he became rather childish and said, "Well, the job can go ahead, but rental rebates will not be permitted," and that situation has existed ever since.

As Minister for Housing at the time I agreed to his conditions, because at that time there was no problem. However, the Wandana Flats were opened in 1955—15 years ago. In the interim, of course, many of those who were tenants have grown old, have retired, and some have become pensioners. They are good citizens and they have been excellent tenants throughout their occupation of the flats, but they have been affected by a number of factors. One of these is a reduction in income, and the other, quite unnecessary, is an increase in rental which the present Minister has applied. I say "unnecessary" because the increase in rental has been applied by the present Minister, and it is unnecessary because it is completely unjustified, and the Minister's action is unjustified because, as a project, the Wandana Flats are making tens of thousands of dollars profit every year almost without exception.

Therefore I appeal to the Minister for Housing to reconsider whether those to whom this place has been a home for up

to 15 years, and who are now in receipt of a lower income and cannot afford the rents which have been increased and who accordingly seek some relief by way of rental rebate, cannot be given the same consideration as other tenants in homes or living units provided by the State Housing Commission.

I state here and now that when the Commonwealth-State Housing Agreement came into being in 1945 as a result of a move by a Labor Government, the succeeding Commonwealth Liberal Government, in a new agreement, would not acknowledge any rental rebates. In other words, if the accounts of the State Housing Commission showed any loss because of rebates given by the State Government, the Commonwealth would not be responsible for a penny of it, or, in today's currency, for a cent of it.

This situation was accepted, but immediately the State Labor Government said, "If the Commonwealth Government wants to play it that way, we will still apply the rental formula to rental rebates to all the accommodation which comes within the control of the State Housing Commission." Therefore I consider it was a legitimate request or approach that was made to the Minister for Housing, especially in regard to a project which had proved to be eminently successful, at least from a financial point of view.

The Minister told me he was having a report prepared which would cover all the pros and cons of this proposed reform which, incidentally, would have application to a limited number—I do not know how many, but I could perhaps guess it would be 10 out of 242 tenants. When I asked the Minister, only a few weeks ago, if he would supply me with a copy of the report that had been submitted to him, and upon which the commission and he had based the negative decision, I was astounded when he told me, in what I regarded as a rude and contemptuous reply, that the report was considered to be "an internal administrative document." I repeat that the Minister said, after refusing to show the report, that he considered it to be an internal administrative document.

Surely that description can be applied to every departmental file; and if this is the attitude that is to be adopted, then members of Parliament, who have a responsibility either directly to those they represent or indirectly to the people of this State, can be denied completely information to which they are entitled.

Surely the decision was not made by tossing a coin! There must have been some sound and substantial reasons—or I would hope so—but one can only conclude that the reasons, on account of which the Minister felt somewhat ashamed, by having to trot out flimsy pretexts were

not sound and substantial ones, and therefore he decided to take the coward's way out and deny to Parliament the information to which it is entitled.

I ask you, Mr. Acting Speaker (Mr. Mitchell): What could have been confidential? It did not concern any individual. It was not a matter of policy generally as to how it would affect the funds of the State Housing Commission; what effect it would have on the structure of the State Housing Commission; or whether there would be some reprimand or something of that nature by the Commonwealth authority if a reply were given. Surely we are entitled to know that information, and it ill-behoves the Minister, who, let me say here and now, I have generally found to be eminently fair and courteous in his dealings, to act in this way. When there have been exceptional circumstances which perhaps run counter to the general policy of the State Housing Commission, a reference to the present Minister for Housing—whilst I have not had 100 per cent. success—would often bring about some results and I am prepared to give him full marks for that.

That is why this present situation stands out in stark contrast to the attitude he usually takes to matters that are raised, and it is entirely unworthy of him, because members of Parliament are entitled to something better than that.

I now pass on to the next complaint I have to make, and members will notice that all these incidents happened in the past few weeks. Not one, but half a dozen members on this side of the House, sought information in regard to the road maintenance tax. Many of the questions related to statistics and to data which would be derived not from a matter of opinion or of policy, but from what had already occurred; that is, the number of people who were paying the tax, the amount of money involved, the number of miles travelled, the volume of goods carried, and so on. For more than a week the Government chose to hold back and refused to supply the answer to any one of the questions. I wonder why.

I challenge the Government to justify its actions. Again I say that members of this Parliament—and this has nothing whatever to do with political affiliations—are entitled to this information in order that they might be reasonably and properly acquainted with the problems of the day. Eventually, when the Government did supply the information, I am certain that none of us on this side of the House was able to detect anything which could have been responsible for the Government refusing to divulge this information which, I feel, was its bounden duty to supply when requested to do so, but which it deferred.

Again in the month of October I asked some questions with regard to the new Liquor Act. I asked whether somebody

had decided on a policy of using a stopwatch to determine how long before a meal a person could legitimately consume liquor; how long he could spend on eating the meal with his friend and, when he had consumed or eaten the last morsel of food, how many minutes he would be permitted to remain thereafter.

If ever anything is stupid in the extreme it is this concept. The Ministry surely ought to know that these questions were asked by a member who knew something; they were asked on the basis of the information he possessed.

As I interjected to the Minister representing the Minister for Justice, all it required was about five minutes to ask a certain officer certain questions in order to obtain the necessary answers. Instead of this, there was the pretext of the Minister for Industrial Development—speaking, I hope, on behalf of the Minister for Justice—seeking to usurp the prerogative of the Chair. He decried the fact that the questions were asked and indicated they were inadmissible. I feel they were not so much inadmissible as embarrassing. In any event a deferment was sought when I asked the questions on the 28th October and again on the 29th October. Finally, on the 3rd November, the questions were answered.

Again I would point out that members of Parliament are entitled to some better treatment than that. It would appear that the Ministry is adopting a holier-than-thou attitude and that private members count for nought—certainly those on the Opposition side of the House. So far as the supporters of the Government are concerned, whatever they might be told privately, their function in this House is purely and simply to provide the numbers when a division is called and a vote is taken. So I protest strongly in respect of that aspect.

I read with some dismay an article in the *Daily News* of the 27th October which appeared under the heading, "Businessman Cleared of Speeding Charge." One is entitled to have some doubts of what is termed British justice. Here a gentleman was charged with having travelled at 58 to 60 miles per hour in Fremantle Road while towing a trailer. I am not too certain—and I have not checked this—but I think the maximum speed permissible anywhere is 45 to 50 miles per hour while towing; and, therefore, the man in question was very definitely exceeding the speed limit, assuming there was not some lesser speed limit on that section of the road. He was found not guilty because he was able to satisfy a magistrate—and one might have expected this from a justice of the peace but certainly not from a magistrate—that he saw somebody approaching from the rear and he stepped on the accelerator and kept accelerating

in order to keep a reasonable distance between himself and the person pursuing him.

If we let our imagination run wild for a moment it means that irrespective of the speed limit it is apparently sufficient justification for anybody to travel at whatever speed he likes if he feels that somebody behind him is getting a little too close—he can accelerate to any speed in order to put more distance between himself and his pursuer. In this case, of course, the pursuer happened to be a traffic inspector.

Mr. Court: Give him some marks for originality.

Mr. GRAHAM: I suppose this has a funny side to it. The decision given by the magistrate happened to concern the Mandurah Shire Council. I asked some questions of the Minister for Police as to what he thought about it. I asked him if he was familiar with the circumstances of the case and he replied, "No." I then asked the Minister—

In view of the implications of the court's acceptance of the reason for excessive speed, namely, that a motorist can accelerate to a speed in excess of that permitted in order to keep a wider distance between the vehicle he is driving and a following or pursuing vehicle, and the court's decision to exonerate the person charged, what action, if any, does he intend to take?

The Minister said quite courteously that he would make inquiries into the circumstances and that he would advise me later. I now thank him for the communication I received today which reads—

In accordance with my promise to you when answering Parliamentary Question No. 28 on October 29th, 1970, I advise that the Commissioner of Police has investigated the matter and has informed me that the decision of the Magistrate to dismiss the charge is one which could well be subject to challenge in a Court of Appeal. However, this is a matter which must be left to the Mandurah Shire Council as the prosecuting party.

The reported explanation given as reason for exceeding the speed limit is one which has been put forward many times in other Courts before other Magistrates with little success, and the decision of this action is not indicative of Magisterial thinking generally. Therefore, no change in prosecuting practices is considered necessary at this stage.

I say that this magistrate should not be permitted to get away with it. A law has been passed by this Parliament and it is as plain as a pikestaff as to what is meant by the provisions of this Statute.

Everybody will agree—as the Minister has very definitely agreed in his statement by implication; if I want to exonerate him to the extent of allowing him to make his own speech—that a wrong decision has been made; and if that is to be accepted as a precedent and it goes without challenge, it could well become the order of the day; so that if I saw one of our patrolmen following me, and I dared to exceed the speed limit, I could put forward the pretext that I thought he was a larrakin or a hoodlum who was pursuing me for some ulterior purpose, and for that reason I accelerated to 70, 80, or 90 miles an hour—or whatever the speed capacity of my vehicle happened to be.

This is something which should be tackled by either the Minister for Justice or by the Minister for Local Government, as I propose to suggest in a letter I am writing to the latter Minister. I will point out that there is an obligation on him as one who has taken an oath of office as a Minister to ensure that Statutes under his administration are complied with and that he should insist that the Mandurah Shire Council does something about the matter. In other words an appeal should be made to a higher court.

Mr. Runciman: The Mandurah Shire Council is very upset about the matter.

Mr. GRAHAM: My criticism is of the Government for shrugging the matter off. I say it has a responsibility in this direction. I am delighted beyond words if the member for the district is able to assure me that the Mandurah Shire Council is doing something with regard to the matter. I give that council full marks if that is the case.

Mr. Runciman: I agree with all you have said.

Mr. GRAHAM: I thank the honourable member. If I happened to be Minister for Traffic I would be most concerned if there were this irresponsible attitude being adopted in certain places.

In speaking this way about a magistrate I know I am saying something which might be considered to be a bit strong, but I feel that when circumstances warrant it and there is a serious breach, such as the one to which I have referred, words should not be spared. I am making this criticism now as I have done on other occasions when I have criticised magistrates—not necessarily because of their actions or decisions, but because they have criticised the Statutes.

It is not part of the duty or activity of a magistrate to criticise the Statutes which are the law of this country. If he finds some anomaly exists, or some clarification is required, there are appropriate channels open to him; but the work of Parliament should not be criticised by magistrates—that is certainly not part and parcel of their function.

I have given instances that have taken place in the last week or so of the month of October to indicate that Ministers are adopting an unfortunate attitude of indifference; they are shrugging their shoulders and treating private members with contempt.

People generally—irrespective of their political outlook and conscience—are somewhat perturbed that Parliament is no longer Parliament, and that, by and large, the Government is no longer the Government in the old accepted sense; they are concerned that the decisions in respect of legislation and everything else are being made in the Cabinet meeting room, or in the party room, to which the public and the mediums of public expression have no access whatever. When a decision is taken it is taken without justification. When a piece of legislation is brought to Parliament it is all cut and dried; its fate is known—not an “I” can be undotted, nor can any other action be taken unless there is some agreement or modification in the party meeting room. In many cases this, of course, makes a complete farce of the workings of Parliament.

I am not being party political about this matter, but I have heard of and read this comment being made throughout the Parliaments of Australia and elsewhere; that the type of pressure to which I have referred seems to be increasing rather than diminishing; that Ministers are adopting a holler-than-thou attitude and treating fellow members of Parliament with indifference and contempt; and if this is to continue the skids will really be placed under the operations of Parliament.

Perhaps I could give one other example of indifference on the part of the Government. I very much regret the Minister for Agriculture is not in his seat. I want to assure members that I have not been choosing my remarks while Ministers have been absent from the Chamber for, perhaps, some very good reason.

Together with thousands of people in Western Australia I have been somewhat perturbed about the decision of the officials, and through them of the Government of the United States of America, that the meat which is being produced in Western Australia does not conform to accepted standards. I wonder what it is that makes the meat products of the local abattoirs hygienic; I wonder what makes them pass the health test thus making them suitable for you, Sir, and myself, but somehow unsuitable and unacceptable to those whose homes happen to be in the United States of America.

Mr. Bovell: How much meat are we getting from the abattoirs now?

Mr. GRAHAM: It appears to me that if there is merit and substance in what the United States of America is maintaining,

then we are receiving inferior and sub-standard meat here. On the other hand it could be that, in order to protect the local growers, the United States is using some sort of pretext to prevent as far as possible the inflow of meat from certain countries, and in this instance we are, of course, concerned with Australia and, more particularly, with Western Australia.

Mr. Gayfer: The latter reason would be the main one I think.

Mr. GRAHAM: It may be, but now I am coming to the point I am endeavouring to make. I addressed some questions to the Minister for Agriculture, again in the merry month of October—it seems to have been a very bad month for me, particularly as I had freshly returned from pastures afar.

Mr. Gayfer: Probably because it was your first month home.

Mr. GRAHAM: Growing pains, perchance, or perhaps having been away from Western Australia I was led to think more kindly of the way Parliament in this State operates. It is said that time is a great healer, and when I returned I was suddenly confronted with this rude awakening and realised things which had previously escaped me. However, on the 14th October, I asked the Minister for Agriculture—

In what specific items do abattoirs in this State, or operations in such abattoirs, fail to measure up to the requirements of the United States of America?

I emphasise here that I was addressing a question to the Deputy Premier of Western Australia and the Minister for Agriculture in this State. In him are vested certain powers and certain authority, and our abattoirs and our stock-raising industries are no doubt of considerable concern to him. What is wrong with our abattoirs or our treatment of the meat that the Americans refuse to accept it? He told me, in all seriousness—

The specific items are not known. . .

Then he gave some reasons. I would have thought that a Minister on the ball, the moment he learnt of this would, whether by going to the American Consul, by going to Canberra, or by going to the United States, have hot-footed it, or sent urgent despatches, in order to find out in what details our abattoirs in Western Australia are below standard to the extent that the meat was unacceptable. The Minister had some sort of excuse, because his reply read—

The specific items are not known as the abattoirs referred to come under the control of the Commonwealth Department of Primary Industry. . .

Is not the Minister for Agriculture on speaking terms with the Commonwealth Minister for Primary Industry?

Mr. Nalder: The Minister for Primary Industry does not know. This is a matter for the American inspectors.

Mr. GRAHAM: Of course it is, but if I am a builder and the architect condemns the work I have done, he tells me in what particulars I have fallen short.

Mr. Gayfer: But there is a new set of rules every week.

Mr. Nalder: You do not appreciate the problem at all, that's for sure.

Mr. GRAHAM: I appreciate that it has been proclaimed to the world that the abattoirs treating beasts and handling meat for export to the United States do not measure up to the American standards.

Mr. Fletcher: Because the Americans do not want our meat.

Mr. Nalder: Not for beef, but for mutton.

Mr. GRAHAM: That is right.

Mr. Nalder: You said "beasts."

Mr. GRAHAM: I mean animals. Let us not worry about the minute details.

Mr. Nalder: There is a very big difference.

Mr. GRAHAM: The general principle is that our meatworks have been condemned by the inspectors of another country—a customer of ours.

Mr. Nalder: And the meat of South Australia, Victoria, and New South Wales.

Mr. GRAHAM: I cannot speak for them, but surely it behoves this Government, because this is of tremendous consequence to our stock raisers, to bestir itself in order to find out the reason why our meat is rejected. Surely this is not a top secret of the Pentagon or anything of that nature. Surely it should be possible to find out—

Mr. Nalder: We have done everything possible to find out.

Mr. GRAHAM: If that were so, again this is a contempt of members of this Parliament. Surely in reply to the question I was entitled to be informed that the information was not available, but that certain investigations were being pursued, questions asked, and emissaries and despatches set in motion.

Mr. Nalder: As a matter of fact, officers of the Department of Primary Industry have been up to Wyndham in the last few days to have a look at the situation there.

Mr. Gayfer: Our abattoirs have been all right over the last fortnight, but they still would not work!

Mr. Jamieson: You want to know a bit more about that, on your side, too!

Mr. GRAHAM: The member for Avon is in his usual mischievous mood, but I will let his remark pass. I am concerned about the apparent lack of concern on the part of the Minister.

Mr. Nalder: We have done everything possible, including meeting and writing to the Minister for Primary Industry.

Mr. GRAHAM: Let me then semi-withdraw—

Mr. Nalder: I received a reply from him yesterday morning.

Mr. GRAHAM: In an endeavour to co-operate, I ask the Minister if he would be good enough to table in this Parliament papers concerning the approaches, representations, and protests he has made to any quarter whatever? I will invite him, or, if he likes, challenge him to do that, and then we will see the extent to which he has gone to protect and preserve an important aspect of primary industry.

Mr. Court: You would not expect him to table that type of correspondence, surely, but I can assure you, because—

Mr. GRAHAM: What can be confidential in respect of the correspondence? Perhaps the Minister for Industrial Development knows nothing about it.

Mr. Court: I just happen to know all about it because I am the Minister for the North-West and I have been taking a very active interest indeed in respect of the works at Broome, Derby, and Wyndham, and my colleague, the Minister for Agriculture, has been working very hard to try to find out what is wrong.

Mr. GRAHAM: Any strictures I have passed on the Minister for Agriculture, I ask the Minister for the North-West to accept equally, with my compliments.

Mr. Court: And I reject them for the same reason the Minister for Agriculture rejects them.

Mr. GRAHAM: And, furthermore, I would ask him to establish his *bona fides* and to give some evidence of the approaches which have been made and the information or the refusal of information which has occurred as a consequence.

Mr. Court: You are so far off the ball that it amazes me, because you are usually so very bright. The fact is that representations have been made—

Mr. GRAHAM: I hope you will, Sir, give the schoolmaster time in which to lecture me.

Mr. Court: —not only to the Minister for Primary Industry, but to the Meat Board and to those at private enterprise level, and if you ask the meatworks in the north they will not say we have been idle.

Mr. GRAHAM: This is a peculiar state of affairs. Apparently all sorts of people from the four points of the compass know all about these activities and approaches and energy of the Minister for Industrial

Development in writing yet another testimonial for himself. It is all right for other people, but it is a shocking thing—and simply cannot be done—for members of this Parliament to be informed on an important issue such as this!

I am certain I have made the point and I hope and trust this will be the last of it. Indeed there is not much time left—only a couple of weeks—for the present Government; but just assuming that by some rare accident it happens to be re-elected, I hope and trust it will be a little more considerate of those who were elected to this Parliament in the same way as the members of the Government were elected, and that it will realise that we have a responsibility to the people we directly represent, and a responsibility indirectly to the people of Western Australia as a whole.

I sincerely hope that if the outcome of the election is as I anticipate and the Government next year comprises those who are the Opposition at the present moment, it will not be remiss in as many respects as has been the present Government.

Mr. Nalder: That is the really funny one of today, that one!

MR. FLETCHER (Fremantle) [9.10 p.m.]: Mr. Acting Speaker (Mr. Mitchell)—

Mr. Graham: You were out of your seat most of the time so you do not know what I said.

Mr. Nalder: Attending to parliamentary business.

The ACTING SPEAKER (Mr. Mitchell): Order!

Mr. Court: He knows what you said!

Mr. Graham: How could he?

Mr. Court: We all know the great freedom that Caucus allows its members.

Mr. Graham: Plenty!

The ACTING SPEAKER (Mr. Mitchell): Order!

Mr. Court: Do as you are told or get out. That is what they say!

Mr. Gayfer: Sit down, Harry!

Mr. Nalder: You should write to the Premier of South Australia—

Mr. FLETCHER: I might as well sit down for a while! I would like to open on the theme on which the Deputy Leader of the Opposition just concluded.

Mr. Nalder: Good.

Mr. FLETCHER: I know well the very capable manager of the W.A. Meat Export Works because we are on various Fremantle committees together. I know the policy of

those works and I know that everything is scrupulously clean and the slaughter of the animals is meticulous to a fault. I suspect that both the Ministers who have been so busily interjecting are subject to pressure from the American meat lobby which is so busy in America ensuring that our meat is not imported at their expense. That is the true reason why the Ministers are quiet and are not telling the Deputy Leader of the Opposition what is wrong.

Mr. Court: Who is subject to pressure?

Mr. FLETCHER: I will go so far as to say that the American inspectors at the meatworks have looked for reasons not to import our meat. The meatworks to which I have referred are not in my electorate and I am not saying that the manager of those works is the person who told me this, but it is common knowledge, especially among the employees, that that is why the Government does not make the information known to this State. The Government does not want to offend—

Mr. Graham: Uncle Sam.

Mr. FLETCHER: —a country which is termed our ally. It is certainly not our ally when it comes to business; and that country does not want to import our meat if it can use its own.

We might have perhaps one who is a regular attender in our gallery, but I would like to see more people in the gallery listening. However, if they were here, they would certainly not be here to pressurise us in regard to policy on imports and exports.

I did not intend to open on that note, but did so deliberately following the speech of the Deputy Leader of the Opposition. If what I have stated can occur at one of our meatworks, it is reasonable to assume it could occur at others. The Minister referred to South Australia, Victoria, and some other Eastern States. Well, what about them? I have no doubt the same policy applies in regard to the importation of their meat as it does to the importation of ours if the American meat lobby can find some excuse for having American meat used in that country instead of ours.

Mr. Nalder: It is to be hoped the Deputy Leader of the Opposition has listened to what you have said because it is exactly—

Mr. Graham: More shame upon the Minister! You are refusing to give information and are covering up for Uncle Sam!

Mr. Nalder: Every State is suffering the same plight.

Mr. Graham: You are not concerned about our interests, but only the interests of the Americans!

Mr. Nalder: Rubbish!

Mr. Graham: You do not want to offend Uncle Sam.

Mr. Court: Rubbish!

Mr. Nalder: Rubbish!

Mr. FLETCHER: I have the backbone to say this.

Mr. Graham: You are quite right on this one.

A Government member: Will you make sure the works do work?

Mr. FLETCHER: I am concerned about the pastoral interests in this State. I have said before and I am saying it again now and in doing so I am looking after the interests of those on the Government side.

I have no doubt that the members of the Government are worried, but they are not in the same position as I am in this respect. The opinion I am expressing would come much harder from the Minister who would find it more difficult to say the type of things I am saying on this side of the House. I say what I have said, and I do not withdraw a word.

Mr. Court: I do not know what you have said that matters much anyhow.

Mr. FLETCHER: I think it does.

Mr. Graham: More arrogance from the Minister for Industrial Development!

Mr. FLETCHER: It has an economic impact.

Mr. Graham: The only one who counts is Charlie!

Mr. Court: I wish you knew more of what is going on in the meatworks and the efforts made by the Minister for Agriculture.

Mr. Graham: We would get a big shock if the inside story were known.

Mr. Court: You would get a big shock—

The ACTING SPEAKER (Mr. Mitchell): Order!

Mr. FLETCHER: I do not deny the Minister is doing all he can, but if our meat cannot be rejected on one ground it will be rejected on another; and I know that Country Party members in this House either know or suspect this, but they will not say it because they are Government members. However, I will say it.

Mr. Bovell: The meat is certainly being rejected now!

Mr. FLETCHER: I do not care whom I offend in America. I represent Western Australia.

Mr. Court: You miss the point.

Mr. Bovell: The Americans are not those who are rejecting it now.

Mr. Graham: The Minister for Industrial Development would always be against the workers.

Mr. FLETCHER: I am not satisfied with that situation, but probably the whole incident will be attributed to our side of the House. If the Minister would stop mumbling and would listen to what I am saying he would realise that the industrial strife that is occurring at the moment has nothing to do with our side of the House. The Minister will try to change the direction of what I am saying and to distract attention in another direction. I will not be led in that direction any more than the Deputy Leader of the Opposition.

Mr. Bovell: If the cap fits, wear it. I never referred to your side of the House.

Mr. Graham: The Minister is mumbling again.

Mr. FLETCHER: I thank the Minister for whatever he is saying, but I cannot hear him.

Mr. Bovell: You cannot accuse me of mumbling.

Mr. Graham: *Hansard* alone can hear it.

Mr. FLETCHER: I cannot hear what the Minister is saying but I have no doubt that *Hansard* can. Frequently we find that some Minister—particularly the Minister for Industrial Development who has, for want of a better word, a sneaky habit of getting in sly interjections—makes some quiet comment which we do not know about until we subsequently correct the speech.

Mr. Court: You can hardly say that I speak pianissimo.

Mr. FLETCHER: Often I find that a Minister has attempted to negate a whole argument which I have considered worth while.

Mr. Court: You flatter me.

Mr. FLETCHER: At the time we are not given the opportunity to reply, but *Hansard* catches the remark. I do not like this practice.

Mr. Court: You have not heard me speaking pianissimo in this place. If it has destroyed your argument that is what was intended.

Mr. FLETCHER: I am not in the same position as the Minister, but I say I would not indulge in the same tactics. To return to the Loan Estimates, I know what I have said is relevant or else, you, Sir, would have called me to order. It is just as well that an election comes around from time to time; and, as we know, an election is pending. The Leader of the Opposition left the Treasurer in no doubt of his belief that this is why the Government has received additional revenue by way of loan; namely, to make the State Government more attractive to the electors in the early new year.

Mr. O'Neill: I do not think the Leader of the Opposition implied that.

Mr. FLETCHER: I am sure he did. The Minister for Housing could not have been listening as attentively as I. I wish more members would listen more attentively to what the Leader of the Opposition says; in the same way as more and more people in the State are doing each day.

Mr. O'Neill: I think the Leader of the Opposition said the Treasurer had every right to be pleased because he had more money available.

Mr. FLETCHER: That is why the Treasurer should be pleased. The additional finance he has available will enhance his election prospects.

Mr. O'Neill: I thought you implied that the reason the Commonwealth gave loan funds was the election.

Mr. FLETCHER: I was not talking to the Minister for Housing, who is off the hook at the moment.

Mr. O'Neill: I am sorry if I disturb you.

Mr. FLETCHER: I wish to address a few remarks to the Minister for Works who is in the Chamber but not in his seat. The Leader of the Opposition referred to the lack of sewerage mains. In doing so he was fishing in waters which touch on the Minister's department. I will say, from the Minister's response, that he caught a snapper. The Minister, in fact, bit like a snapper at the Leader of the Opposition, who said that the State has fallen down in respect of the installation of mains.

Let me say that I admire the Minister's loyalty to his department, but he certainly took the bait that was proffered. I might add that I would be equally as loyal to the department if I were in his position.

I must point out that there is no sewerage other than septic tanks at my address, and I live only three miles from the Fremantle Post Office. In places there are no sewerage mains even within two miles of the Fremantle Post Office.

Mr. Rushton: What was the record of your party when it was in power?

Mr. FLETCHER: Septic tanks are in these areas. I take exception to costs connected with septic tanks and I hope the Minister is listening from his present vantage point. I can afford to have my septic tank pumped out once a year, if necessary, but a great many of my constituents cannot, although they have septic tanks which must be pumped out. I think it costs me something like \$20 per annum. This is an unfair impost on people who are unfortunate enough to have septic tanks instead of sewerage mains.

Mr. Bovell: It is surely not necessary to pump out a septic tank every year.

Mr. FLETCHER: The Minister would be surprised. Limestone is close to the surface in the area and consequently the drainage is not good. This is the reason for the necessity to pump out so frequently. It certainly applies in East Fremantle and in the area where I live at 28 Minilya Avenue. Because the limestone is close to the surface the tanks are not as efficient as they would be in sandy areas. The Leader of the Opposition is quite justified in being critical of the Government for not installing sewerage mains in such areas.

I should like the Minister to take note of another point when he has finished his conversation with the Whip, for I can give him some quite important information on his own electorate.

Mr. I. W. Manning: We are checking the information you are giving us

Mr. Ross Hutchinson: I am all ears.

Mr. Graham: Where is the Minister for Works sitting?

Mr. Bovell: The Minister for Works should tell me to say it.

The ACTING SPEAKER (Mr. Mitchell): Order! The honourable member will address the Chair.

Mr. FLETCHER: I wonder whether the Minister knows that in his own electorate in parts of North Fremantle there is neither sewerage nor septic tanks. Post-hole diggers are being used to establish toilets in his own electorate.

Mr. Rushton: They are building homes.

Mr. FLETCHER: This is rather an astounding thing in this day and age.

Mr. Lewis: It shows he is looking after others before his own.

Mr. FLETCHER: It is not a frivolous matter.

Mr. Tonkin: It shows the Minister is not looking after any.

Mr. Rushton: Are they at building sites?

Mr. FLETCHER: No, they are not at building sites but at old-established homes. In fact, that is the only reason they are condoned by the local authority. The local authority has sent out health surveyors who have looked into the situation. The occupiers are aged persons who cannot afford septic tanks and apparently the Government cannot afford sewerage mains, which is the pertinent point. Because of the circumstances of the occupiers this cheap form of sanitation is condoned by the local authority, but only while the occupiers live. Immediately they pass from this world, doubtless the situation will cease. In all probability future occupiers will be compelled to install septic tanks because of the lack of sewerage mains in this area.

Regarding the Minister's same portfolio I asked a question on the 13th August, 1970. It reads—

TRAFFIC BRIDGE

Fremantle

Mr. FLETCHER, to the Minister for Works:

(1) Has there been any change in the 1971 commencement and 1973 completion date of the North Fremantle to East Fremantle traffic bridge, mentioned in reply to my question 1 of the 3rd September, 1969?

(2) If not, and in view of the traffic congestion during peak hours on and approaching the existing bridge, will every endeavour be made to advance the dates mentioned above?

The Minister replied:

(1) No.

This means that there has been no change in the dates of commencement and of completion. The Minister went on to say—

(2) The time required for design and completion of the necessary formalities would not permit an earlier commencement date.

There is a little more in the Minister's answer to part (2) of my question, but there is no need for me to read further than that. His reply was not satisfactory to my constituents, in the main, or to many of the motoring public. I say that, in view of the additional loan finance that has been made available, the bridge should have been started previously. From the point of view of the congestion at the North Fremantle Traffic Bridge, particularly during peak hours in the morning and evening, the bridge should have been completed. The congestion has to be seen to be appreciated and, when it is seen, it must be deplored. At the moment it is a complete bottleneck. While the completion of the bridge is deferred the situation will deteriorate.

I know that when loan money is available the Minister, like other Ministers, only receives his portion of the economic cake and he can do only what is possible with the amount of money made available to him. However, in view of the additional finance made available to the Treasurer now, I hope the completion of the bridge will be expedited.

I mentioned previously that it is just as well that there is an election from time to time. As we all know, a Senate election is pending. This has expedited a decision in respect of the establishment of a causeway from Point Peron to Garden Island. If anybody cares to read my maiden speech he will find that as far back as

1959 I advocated what is now being done. That was over 11 years ago. I insisted then that adequate provision should be made for waters to pass in and out of the sound to ensure that there is no fouling of the local environment. I have been consistent on this subject.

Now a Senate election is pending and after talk from election to election of the prospect of naval facilities being installed on Garden Island it appears that at last they will be installed by 1975. This is the carrot being held out to electors on the eve of the Senate election for the purpose of capturing votes.

I said earlier while the Treasurer was preoccupied that it is just as well a State or Federal election comes along periodically as extra benefits are granted as bait to the electors, by both State and Federal Governments, to place those Governments in a better light in the eyes of the electors.

I would like to have the attention of the Minister for Lands.

Mr. Bovell: Yes, I am listening.

Mr. FLETCHER: Good. The Minister gave a courteous and detailed reply to a question I asked on Wednesday the 21st October, 1970. My question was—

- (1) What is the—
 - (a) length; and
 - (b) breadth, at broadest point, of Garden Island?
- (2) What is the approximate total acreage?

The Minister, who said he was listening, gave a courteous reply.

Sir David Brand: Yes, he is listening.

Mr. Bovell: I am listening to you, to the Premier, and to the Minister for Industrial Development.

Mr. FLETCHER: The Minister replied in part—

Garden Island is held by the Commonwealth Government in freehold and consequently is outside my jurisdiction. However, the following information in answer to the question is available from survey records of the Lands and Surveys Department—

- (1) The approximate distances are—
 - (a) 6 miles 15 chains;
 - (b) 1 mile 20 chains.
- (2) 3,026 acres.

Let me say this to the House: Whilst I am an ex-Navy man and owe some loyalty to that service, and I do not want to offend any of my naval friends, I still think that area is a disproportionate amount of land to make available for the limited facilities to be installed on the island.

I see no reason why the people who enjoy habitation on the island should be deprived of that privilege. The member for Darling Range and I both belong to the Swan Yacht Club. Many of the members of that club visit Garden Island every weekend. They take their launches to their small habitations on the island to get away from the smoke and fumes and environment of the mainland, and to forget all their problems. However, because the Federal Government wishes to install naval facilities on the island, the entire island will be closed to the community that has previously enjoyed it.

I know it is popular to get onto a bandwagon in order to make headlines. I am not seeking headlines on this issue. I am concerned that the people in the Fremantle area will be denied access to what is called an "island paradise." It is a place of public recreation and I refuse to believe that the Navy requires a total of 3,026 acres. I believe there is an obligation on the Government, on the Premier, and on the Minister for Lands whilst he is in that position, to intervene on a Federal basis to ensure that our people still have access to the island either *via* the causeway or *via* their launches, as is the practice now every weekend, summer and winter. I believe there is a responsibility on the Government to intervene with the Federal Minister to ensure the security of tenure of those people. When the causeway is completed I see no reason why the public should be denied access to the island *via* the causeway.

The existing naval establishment in my electorate has a wire fence with barbed wire at the top around the entire area. If the Navy wants to be exclusive to that extent on the mainland, it will probably want to be just as exclusive on Garden Island. If the Navy wants to occupy its personnel by having them walk with rifles and bayonets around the fence, it can do so. However, let the public use the causeway or the intervening water so that they may enjoy the sanctuary accorded by the island. I make this plea on behalf of not only those that I represent but also the many people in Western Australia—including the Minister for Works—who have accommodation on the island for the purpose of recreation.

As I said, I do not like being elbowed aside by any one of the services. The Army continually has its vehicles on the road. On the weekend one will find traffic banked up between here and Wanneroo and even as far as Lancelin as the result of Army trucks returning from exercises. One will find miles of traffic banked up behind the Army vehicles. If I had my way the Army and the Navy administration facilities would be in the metropolitan area, but there would be no rifle range at Swanbourne. That area should be opened up to provide housing for people.

It is ridiculous to think that the Army of the Commonwealth can occupy that area, which is so close to the city, to the exclusion of people who need houses. However, those people are forced to go elsewhere because the Army wishes to indulge in rifle practice at Swanbourne. It could indulge in rifle practice in country areas. There is no need for this practice to be carried out on such valuable real estate in the metropolitan area.

Sir David Brand: How do we get rid of it?

Mr. FLETCHER: The Premier was preoccupied. As I said, there is a responsibility on the Government to use its influence on its Federal counterparts to bring about such a situation.

Mr. Jamieson: Form your own Army and march against them.

Mr. FLETCHER: The other night I spoke on a matter which affects the member for Belmont. I referred to the airport, which is within his electorate. I went so far as to say that if I had my way—the Leader of the Opposition was not here at the time, but I notice he is now taking an interest in this matter and I hope others do—I would shift the D.C.A. Guildford airport to Pearce, and shift the Pearce airport beyond the Darling Range to the Cunderdin, or other country, area. If the Guildford airport was re-established at Pearce it would still be able to handle any size of aircraft, and administration buildings are already available. The Federal authorities could re-establish the Pearce airport beyond the Darling Range and then the metropolitan area would not be cursed with the increasing noise and smell resulting from aircraft flying in and out of Guildford.

Having shifted the Pearce airport to an area near Cunderdin or beyond the Darling Range, I am now in the process of shifting the Army on a similar basis so that it could hold its exercises away from the metropolitan area.

Mr. Nalder: I suppose you would shift the Port of Fremantle to Bunbury?

Mr. Jamieson: If you keep this up you will have the whole Federal Cabinet confused.

Mr. FLETCHER: I am saying there is a responsibility on the Government to do what I suggest. It would be to the advantage of this State. If it is not done, then we on this side of the House will endeavour to prevail upon the Federal Government to do something about it at the earliest opportunity. I think any reasonable person, not only in this House but also outside it, would say it is ridiculous that the Swanbourne Rifle Range area should be monopolised by the people who occasionally shoot there, rather than it be a housing estate available to the community at reasonable prices.

There is also the other aspect I mentioned of Army vehicles cluttering up our roads and adding to the traffic difficulties as a consequence of their proceeding to and from exercises.

Mr. Gayfer: The Federal Government is looking for 100,000 acres within 100 miles of Perth for an Army ground.

Mr. FLETCHER: I am gratified to hear that, fortunately, the member for Avon is in touch.

Mr. Jamieson: The way some farmers are going the Government will not have to look very far.

Mr. FLETCHER: I do not know what time is available to me, but I wish to mention another matter. I missed the opportunity to speak on the Public Service Act Amendment Bill the other night. The Leader of the Opposition was the principal speaker from this side of the House and the only other speaker was the member for Maylands. I did not have an opportunity of speaking because the Premier out-maneuvred me.

Mr. Court: No, he does not do that sort of thing.

Mr. FLETCHER: He very conveniently forgot about, or had difficulty in, answering a question I addressed to him. Loan moneys are involved in the Public Service, so this matter is pertinent. So that I would be in a position to support an amendment placed on the notice paper by the Leader of the Opposition. I asked three pertinent questions. First of all I will read the question I asked the Minister for Electricity. It is as follows:—

Has the State Electricity Commission an employees' representative on that authority?

The Minister for Electricity replied, "Yes." I knew there was such a representative because I knew who was the incumbent. However, I asked the question so that I might use it as ammunition in my subsequent argument. My second question was addressed to the Premier, and read as follows:—

What Government and/or semi-Government authorities, other than the State Electricity Commission, have employees' representatives thereon?

The Premier very conveniently had difficulty in answering the question and it was postponed.

Why was it postponed? Was it because the debate was on that night and the Premier did not wish to supply the ammunition I was looking for? I have not a suspicious mind, but I will admit that political tactics were involved.

Mr. Nalder: Everyone would not do what you would do, apparently, in that situation.

Mr. FLETCHER: I did not do it, the Premier did it. That is my point. He avoided the question either deliberately or otherwise.

Mr. Court: He did not do it on purpose.

Mr. FLETCHER: I will be charitable and say that the Premier did not have the information at that time. Does that satisfy members opposite? My third question was addressed to the Minister for Works, and reads as follows:—

- (1) Has the Fremantle Port Authority an employees' representative thereon?
- (2) If not, was there ever such an incumbent?
- (3) If "Yes" in what year was he removed from the Fremantle Port Authority as employees' representative?
- (4) In view of the increased and increasing numbers of Fremantle Port Authority employees, will he reappoint an employees' representative at an early date?

The Minister replied—

- (1) to (4) There is no representative of any organisation—either employee or employer—on the authority, the members being selected from time to time in the overall interests of the port's operations.

The Leader of the Opposition knows as well as I do that there was an employees' representative on the Fremantle Port Authority prior to the present Government taking office. When it took office the Government showed its partisanship by sacking that representative and now there is no employees' representative on the port authority. I know that there was previously such a representative by the name of McKenzie. He was a representative when I was elected to Parliament, but not for long because this Government shifted him. The Leader of the Opposition and I took a deputation to the authority to see if we could have the position re-established. We attended the port authority together with members of trade unions. However, the authority refused and said it would have no part of it.

The Premier today answered the question which had been postponed and I learnt that some Government authorities, other than the State Electricity Commission, have employees' representatives thereon. I will read out the list quickly—

Hon. Minister for Industrial Development and the North-West:

Board of Management of the Charcoal Iron and Steel Industry.

Hon. Minister for Education and Native Welfare:

State School Teachers' Tribunal.
Board of Secondary Education.
Council of the Western Australian Institute of Technology.

Hon. Minister for Mines and Justice:
Coal Mine Workers' Pensions Tribunal.

Coal Miners' Welfare Fund.
W.A. Coal Industry Tribunal.
Coal Mining Board of Reference.
Coal Miners' Accident Relief Fund.
Mine Workers' Relief Fund.

Hon. Minister for Works and Water Supplies:

Builders' Registration Board of Western Australia.

Hon. Chief Secretary and Minister for Police and Traffic:

Police Appeal Board.
Prison Officers' Appeal Board.

Hon. Minister for Health and Fisheries and Fauna:

Appeal Board constituted under Part VI of the Mental Health (Administration) Regulations 1965.

That is a rather formidable array of employee representation on various authorities. My purpose in asking that question was to assist the Leader of the Opposition in respect of his proposed amendment to the Public Service Act Amendment Bill. I believe the Opposition was not unreasonable in requesting that an employees' representative be appointed to the proposed public service board.

I am not being critical of the present Public Service Commissioner or the previous Public Service Commissioner who, unfortunately, is now deceased and I expect his demise was accelerated by the worries of that office.

I believe the proposed board should have been created years ago. Over the years, by way of questions, I have asked for the creation of such a board to aid and assist not only the present Public Service Commissioner, but also the previous Public Service Commissioner, but my efforts were to no avail. Naturally the other evening I was anxious to support my colleagues when they spoke in favour of a representative of the Civil Service Association of this State being appointed as a member of the board. As I have said, the Leader of the Opposition and the member for Maylands spoke in Committee, and naturally I thought the Premier would reply, but he did not do so. He remained seated, and subsequently I missed my opportunity to speak on the third reading of the Bill.

I am now taking this opportunity to try to help my colleagues on this side of the House in their laudable endeavours to have a representative of the Civil Service Association appointed to the board. I have read the Premier's remarks and, in effect, he put forward the excuse that

neither South Australia nor Queensland had seen fit to appoint an employees' representative to similar boards in those States; but why do we have to follow the example of other States? Why cannot we do something about appointing a representative of the Civil Service Association to the proposed board in this State in view of the fact that there are so many employees' representatives on other authorities? I would have been in a position to assist my colleagues when they were participating in the debate the other evening had the Premier not out-manoeuvred me in the manner I have just outlined.

Sir David Brand: Quite unintentionally.

Mr. FLETCHER: I will be charitable and say that it was unintentional. I have been very charitable tonight, but I do not know why. However, my criticism is just as valid, whether I am charitable or otherwise, because I deplore the Government's attitude in refusing to appoint an employees' representative on the proposed Public Service board. I think, whilst the Premier was busy a few moments ago, he did not hear me say that I admire the work of the present Public Service Commissioner just as I admired the work of the previous Public Service Commissioner. They represented the meat in the sandwich, as it were, between the Civil Service Association and the Government.

If the Government had a member of the Public Service on that board he would act as an intermediary between the Government and that splendid body of people, the Civil Service Association. I put forward that argument for another reason. At one time I was an intermediary, whilst an employee of the State Electricity Commission, between the commission and the Government. I know the management of the commission appreciated having an intermediary between themselves and the men. The same principle would apply to the proposed Public Service board. There should be an intermediary between the Civil Service and the Government, and I regret the Government did not see fit to agree to the amendment to the Bill that was put forward the other evening.

However, I have no doubt that the Public Service, to a man, will remember that the Government has not agreed to that amendment and that this will be reflected in the ballot box.

Sir David Brand: You are not inciting them to vote against us, are you?

MR. I. W. MANNING (Wellington) [9.49 p.m.]: I would like to make a brief contribution to this debate. The Harvey irrigation district needs a new weir, firstly because the existing one has a very decrepit appearance and has taken on quite a vintage look. In fact, I think we should trade in the old weir on a new and better-looking one. I understand the State

Government has made application to the Commonwealth Government for money to provide a new weir to serve this district.

First and foremost we need a more substantial structure, and secondly we need additional storage of water to serve the district; that is, a weir which will provide a safe draw, which is not now available, and also which will meet the growing demand for water in the area. The Harvey district has tremendous potential for further development, and the area that is suitable for irrigation in the south-west of Western Australia is very limited. Therefore I think the maximum use should be made of all that country.

To achieve this, of course, the maximum use needs to be made of the rivers serving this area. The Harvey irrigation district is a very important one indeed. A substantial percentage of the metropolitan milk supply is drawn from the Harvey district and, as all members know, there has been an annual increase of approximately 6 per cent. in the consumption of milk and, therefore, in this respect, there is the future to think of.

Also, these irrigation districts are well known for their beef-producing areas. They are well known and considered to be very important in the beef-producing world, because stock which is fattened on the irrigation pastures is available for the market at that time of the year which is the lean time in the dry farming districts; that is, in the drier months when it is difficult to fatten cattle. In this period the irrigation areas are available to fatten stock and they meet an urgent need for beef at that time of the year. I do not think the importance of this situation can be stressed too much.

The Stirling Dam on the Harvey River is situated some 12 miles upstream from the Harvey Weir and cannot be relied upon 100 per cent. to fill the weir during a dry year. A more suitable site for the weir is immediately downstream from the old Harvey Weir itself. This is where the Public Works Department proposes to construct the new weir. The investigations the department has carried out on the site selected for additional storage of water, and the design that has been prepared for the new dam indicate, as I have said, that the new dam will be some 40 chains downstream from the existing Harvey Weir. The department proposes to construct the dam with a total capacity of 118,000 feet of water.

Although the existing Harvey Weir will be encompassed by the basin of the new dam and the storage of that weir will be discounted by the new dam, the new structure will ensure a safe draw of some 32,000-acre feet, which will bring about a very desirable state of affairs to the district. At the present time a large portion of the Harvey district has a water right

of one in every three acres. The great potential here is that this water right will probably be increased to a point where there will be one dry acre to one watered acre, which will offer a greater potential for increased production of milk and beef.

Generally, as I said earlier, one of the important aspects of the need for a new weir is to obtain the maximum from the land that is suitable for irrigation in this State. When an examination is made of the south-west portion of Western Australia, only a very small irrigable area is served by reticulation schemes emanating from the hills. This makes the existing irrigable districts vital to the economy of the State.

The point I wish to make on this occasion is that when the State Government makes application to the Commonwealth Government for additional funds it is most important, in these circumstances, to stress the need for additional storage of water. I think the State Government already has this message, and the message we need to get across now is that we should keep reminding the Commonwealth Government of the need for expenditure in this direction. I will conclude on that note.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Sir David Brand (Treasurer) in charge of the Bill.

Votes: Railways, \$11,619,000; Public Works, \$40,494,000; Metropolitan Water Supply, Sewerage and Drainage, \$9,900,000; Mines, \$60,000; Housing, \$5,370,000; Agriculture, \$950,000; Forests, \$500,000; Fisheries, \$19,000; Industrial Development, \$290,000; Other State Undertakings, \$5,762,000; Sundries, \$1,805,000—put and passed.

Schedule A—

The CHAIRMAN: I draw the Committee's attention to a typographical error in the schedule. The line reading, "Under Act No. 1 . . . 30,000,000" should read "Under Act No. 37 . . . 30,000,000." This error will be corrected at the Table.

Schedule put and passed.

Schedules B and C put and passed.

Clauses 1 to 3 put and passed.

Preamble put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

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

MARKETABLE SECURITIES TRANSFER BILL

Council's Amendments

Amendments made by the Council now considered.

In Committee

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

The amendments made by the Council are as follows:—

No. 1.

Clause 3, page 4, line 9—Add a subclause as follows:—

(4) A reference in a Form in the Schedule to this Act to the full name of the transferor of marketable securities or rights to marketable securities includes a reference to the name of the person shown in the records of the company or prescribed corporation that issued those securities or rights as the holder of those securities or rights.

No. 2.

Clause 5, page 4, line 30—Substitute for the word "and" a passage as follows:—

"or

(iii) Part 1 of Form One and Parts 1 and 2 of Form Three; and".

No. 3.

Clause 5, page 5, line 1—Substitute for the word "Three" the word "Four".

No. 4.

Clause 5, page 5, line 6—Substitute for paragraph (a) a paragraph as follows:—

(a) it is an instrument relating to those rights duly completed in accordance with or to the effect of—

(i) Form Five;

(ii) Part 1 of Form Five and Parts 1 and 2 of Form Six; or

(iii) Part 1 of Form Five and Parts 1 and 2 of Form Seven; and .

No. 5.

Clause 5, page 5, line 20—Substitute for the word "Three" the word "Four".

No. 6.

Clause 5, page 5, line 25—Substitute for the words "Four or Five" the passage "Three, Five, Six or Seven".

No. 7.

Clause 5, page 5, line 34—Delete the word "and".

No. 8.

Clause 5, page 5, line 38—Add the passage—

; and

- (d) where the form or part refers to a stock exchange stamp the instrument bears a stamp that purports to be a stamp of a prescribed stock exchange or of a prescribed stock exchange under a corresponding law.

No. 9.

Clause 6, page 6, line 10—Substitute for the word "Six" the word "Eight".

No. 10.

Clause 6, page 6, line 18—Substitute for the word "Seven" the word "Nine".

No. 11.

Clause 6, page 6, line 29—Substitute for the word "Eight" the word "Ten".

No. 12.

Clause 6, page 6, line 38—Substitute for the word "Nine" the word "Eleven".

No. 13.

Clause 8, page 8, lines 6 to 15 inclusive—Substitute for subclause (1) and paragraph (a) a subclause and paragraph as follows:—

(1) Where a duly completed instrument of transfer bears a stamp that purports to be that of the transferor's broker, a prescribed stock exchange or a prescribed stock exchange under a corresponding law, and to have been affixed in the State, the broker (not being a broker's agent) or stock exchange whose stamp that stamp purports to be and, if the stamp purports to be that of the transferor's broker (whether or not he is a broker's agent), an associate of that broker—

- (a) shall be deemed to have warranted the accuracy of the statements in his or its certificate set out in the instrument; .

No. 14.

Clause 8, page 9, lines 1 to 21 inclusive—Substitute for subclauses (2) and (3) subclauses as follows:—

(2) Without limiting the operation of subsection (1) of this section, where a duly completed instrument of transfer, which

bears a stamp that purports to be that of the transferor's broker and to have been affixed in the State, relates to marketable securities or rights to marketable securities to which, or to any of which, a duly completed instrument of transfer, which bears a stamp that purports to be that of a prescribed stock exchange or a prescribed stock exchange under a corresponding law relates, the broker (not being a broker's agent) whose stamp that first mentioned stamp purports to be and (whether or not that broker is a broker's agent) an associate of that broker shall be liable to indemnify that stock exchange against any loss or damage arising from a forged or unauthorized signature of the transferor appearing in the instrument.

(3) A reference in subsection (1) or (2) of this section—

- (a) to a duly completed instrument of transfer is a reference to an instrument—

(i) that is in accordance with or to the effect of Part 1 of Form One, Two, Three, Five Six or Seven and that has been duly completed within the meaning of section 5 of this Act; or

(ii) that is in accordance with or to the effect of a like part of a like Form under a corresponding law and that has been duly completed within the meaning of a provision of that corresponding law that corresponds to section 5 of this Act; and

(b) to an associate of a broker is a reference—

(i) where the broker whose stamp the stamp on the instrument purports to be is a member of a firm of brokers and is not a broker's agent—to each other member of that firm; and

(ii) where the broker whose stamp the stamp on the instrument purports to be is a broker's agent, to the broker for whom he is a broker's agent and, if the broker for whom he is a broker's agent is a member of a firm of brokers, to each other member of that firm.

(4) In this section—

"broker's agent" means a broker's agent within the meaning of Part IVA of the Stamp Act, 1921;

"marketable security" in relation to a duly completed instrument of transfer under a corresponding law, means a marketable security within the meaning of the corresponding law;

"right to a marketable security" in relation to a duly completed instrument of transfer under a corresponding law, means a right to a marketable security within the meaning of the corresponding law.

(c) that a stamp upon the instrument which purports to be the stamp of a prescribed stock exchange or a prescribed stock exchange under a corresponding law is the stamp of that stock exchange.

No. 16.

Clause 13, page 12, line 9—Insert a new subclause (2) as follows:—

(2) A prescribed stock exchange or a prescribed stock exchange under a corresponding law shall not in the State affix a stock exchange stamp to an instrument that may be used as a sufficient instrument of transfer under this Act or under a corresponding law unless—

(a) there has been lodged; or

(b) the stock exchange holds a duly completed instrument of transfer bearing a certificate which purports to be that of the transferor's broker that there has been or will be lodged

with the company or prescribed corporation that has issued or proposes to issue the marketable securities or rights to marketable securities to which that first mentioned instrument relates a duly completed instrument of transfer relating to those marketable securities or rights.

Penalty: One thousand dollars.

No. 15.

Clause 9, page 9, lines 22 to 33 inclusive—Substitute for subclause (1) a subclause as follows:—

(1) A company or prescribed corporation with which a sufficient instrument of transfer under section 5 of this Act is lodged for the purpose of registering a transfer of marketable securities or obtaining the allotment of marketable securities, is and its officers are, in the absence of knowledge to the contrary, entitled to assume without inquiry—

(a) that a stamp upon the instrument which purports to be the stamp of the transferee's broker is the stamp of that broker;

(b) that a stamp upon the instrument which purports to be the stamp of the transferor's broker is the stamp of that broker; and

No. 17.

Clause 13, page 12, line 9—Substitute for the subclause designation "(2)" the subclause designation "(3)".

No. 18.

Clause 13, page 12, line 22—Substitute for the subclause designation "(3)" the subclause designation "(4)".

No. 19.

Clause 13, page 12, line 31—Substitute for the subclause designation "(4)" the subclause designation "(5)".

No. 20.

Clause 13, page 12, line 34—Insert after the subclause designation "(1)" the passage "or (2)".

No. 21.

Clause 13, page 12, line 36—Substitute for the subclause designation "(2)" the subclause designation "(3)".

No. 22.

Clause 13, page 13, line 4—Substitute for subclause (5) subclauses as follows:—

(6) In this section—

"beneficial owner" in relation to a sufficient instrument of transfer under a corresponding law, means a beneficial owner within the meaning of the corresponding law;

"marketable security" in relation to a duly completed instrument of transfer under a corresponding law, means a marketable security within the meaning of the corresponding law;

"right to a marketable security" in relation to a duly completed instrument of transfer under a corresponding law, means a right to a marketable security within the meaning of the corresponding law.

(7) A reference in this section to a duly completed instrument of transfer is a reference to an instrument—

(a) that is in accordance with or to the effect of Part 1 of Form One, Two, Three, Five, Six or Seven and which has been duly completed within the meaning of section 5 of this Act; or

(b) that is in accordance with or to the effect of a like part of a like form under a corresponding law and has been duly completed within the meaning of a provision of that corresponding law which corresponds to section 5 of this Act.

No. 23.

The Schedule, page 15, line 22—Insert after the passage "named in Part 2 of Broker's Transfer Form(s)" the passage "or in Split Transfer Form(s)".

No. 24.

The Schedule, page 17, line 2—Insert a new form as follows:—

FORM THREE

s. 5

Split Transfer Form		Marking Stamp
Full Name of Company or Prescribed Corporation	Part 1—	
Description of Securities	Class. If not fully paid, paid to	Register
Quantity	Words	Figures
Transfer Identification Number	That Stock Exchange hereby certifies:— That the Security Transfer Form or the Broker's Transfer Form relating to the securities set out above has been or will be lodged at the company's or corporation's office. (Stock Exchange Stamp)	
Full Name(s) of Transferor(s)	Affixed at..... on..... (place and date of affixing stamp)	
Full Name(s) and Address(es) of Transferee(s)	Part 2—	Transferee's Broker hereby certifies:— (i) That the securities set out in Part 1 above having been purchased in the ordinary course of business are to be registered in the name(s) of the transferee(s) named in this part. (ii) That Stamp Duty (if payable) has been or will be paid— and hereby requests that such entries be made in the register as are necessary to give effect to this transfer. (Transferee's Broker's Stamp) Date of affixing stamp

† Insert name of prescribed stock exchange.

No. 25.

The Schedule, page 17, line 2—Substitute for the words "FORM THREE" the words "FORM FOUR".

No. 26.

The Schedule, page 17, lines 22 and 23—Substitute for the passage "or broker's transfer form (or security renunciation and transfer form or broker's renunciation and transfer form)" the passage "broker's transfer form or Split Transfer Form (or Security Renunciation and Transfer Form, Broker's Renunciation and Transfer Form or Renunciation and Split Transfer Form)".

No. 27.

The Schedule, page 18, line 2—Substitute for the words "FORM FOUR" the words "FORM FIVE".

No. 28.

The Schedule, page 18, lines 22 and 23—Substitute for the passage "Broker's Renunciation and Transfer Forms" the passage "Broker's Renunciation and Transfer Form(s) or Renunciation and Split Transfer Form(s)".

No. 29.

The Schedule, page 19, line 2—Substitute for the words "FORM FIVE" the words "FORM SIX".

No. 30.

The Schedule, page 20, line 2—Insert a new form as follows:—

FORM SEVEN

s. 5

Renunciation and Split Transfer Form		Marking Stamp
Full Name of Company or Prescribed Corporation		
Description of Rights		
Quantity	Words	Figures
Transfer Identification Number	The Stock Exchange	
Full Name(s) of Transferor(s)	hereby certifies:— That the Security Renunciation and Transfer Form or the Broker's Renunciation and Transfer Form relating to the rights set out above has been or will be lodged at the company's or corporation's office. (Stock Exchange Stamp)	
Full Name(s) and Address(es) of Transferee(s)		Transferee's Broker hereby certifies:— (i) That the rights set out in Part I above having been purchased in the ordinary course of business the marketable securities to which the rights relate are to be allotted to the transferee(s) named in this Part. (ii) That Stamp Duty (if payable) has been or will be paid— and hereby requests that the marketable securities be allotted by the company or corporation to the transferee(s) and such entries be made in the register as are necessary to give effect to this renunciation and transfer. (Transferee's Broker's Stamp)
		Date of affixing stamp

† Insert name of prescribed stock exchange.

No. 31.

The Schedule, page 20, line 2—Substitute for the words "FORM SIX" the words "FORM EIGHT".

No. 32.

The Schedule, page 21, line 2—Substitute for the words "FORM SEVEN" the words "FORM NINE".

No. 33.

The Schedule, page 22, line 2—Substitute for the words "FORM EIGHT" the words "FORM TEN".

No. 34.

The Schedule, page 23, line 2—Substitute for the words "FORM NINE" the words "FORM ELEVEN."

Mr. COURT: There is on the notice paper a large number of amendments, and I want to explain in a general way how these came about. When the Bill was before the House previously we believed that we had a measure dealing with marketable securities which was very up to date and adequate in the light of experience at that point in time. However, it so happened that when the Attorneys-General met at one of their conferences—it being the October conference—as a result of further research and experience it was found there were some deficiencies in the Bill as presented to Parliament.

Mr. Tonkin: That suggests a pretty hasty consideration of the Bill in the first place.

Mr. COURT: It does not. There is a simple explanation for it, because at the time the Bill was prepared in, I think, July it was believed to be complete in the understanding of the parties. It could be left as it was and it would be a workable proposition; but in view of the fact that the Attorneys-General met and that the other States were to make these amendments when they brought down their legislation, the Minister for Justice in this State agreed to endeavour to amend the Bill this session. I think that is good sense, and if it is amended it will mean that we get the benefit of the amendments months ahead, and before the next session of Parliament.

Consideration was given to the desirability of leaving the Bill as it was, and of giving an undertaking to the other States that amendments would be introduced in due time. I believe, in spite of the inconvenience of having to go through the amendments, it is desirable to face up to the situation.

I understand that the Opposition in the Legislative Council agreed to these amendments when the position was explained. In fact, I understand the Leader of the Opposition in the other House was very conversant with the reasons behind the amendments.

Before I deal in detail with the amendments I think it is desirable that I make an explanation to the House. Perhaps the notes that I have had supplied to me might be of further assistance to members in considering the amendments *in toto* before we deal with them. After the formulation of the Bill as introduced, the Standing Committee of Commonwealth and State Attorneys-General received from the Australian Associated Stock Exchanges proposals for certain amendments to the form of the Bill and, so far as Victoria and Queensland were concerned, for like amendments to the Acts of those States—they being the only two States that have so far passed the Bill into law.

Under the arrangements envisaged by the Bill transferees' signatures may be dispensed with and transferors' brokers on their own motion may split a transfer into as many marketable parcels as are necessary for their purposes. For example, if the transferor wants to quit 400 shares and a marketable parcel of those shares is 100, the broker may split the transfer four ways to permit him to dispose of the shares to four separate purchasers. Such split transfers can be traded even though the original transfer has not been registered by the relevant company.

What has frequently happened during recent bursts of market activity is that, because of sudden and substantial increases in the value of particular shares, the number of those shares constituting a marketable parcel has been sharply reduced. Thus, in the hypothetical case to which I have referred, a marketable parcel may be reduced to 50 shares and one of the purchasers of 100 shares may wish to transfer 50 of those shares to each of two separate purchasers.

However, where transfers have been made, no further dealing with the shares concerned can take place until the transfers have been registered. This is where, particularly in periods of frantic trading, there is a bottleneck. The delays in the registration of transfers and the delivery of new scrip have brought the Australian market into disrepute in London and other foreign markets. It has been said that these delays can in some cases precipitate, or at least aggravate, a break in the market.

This is the problem that the proposed amendments are designed to help overcome. The idea is simply to enable the stock exchanges to split the original transfers so as to permit the shares involved to be further traded even though those transfers have not been registered by the relevant company.

Where the stock exchange splits a transfer in this way it will warrant the split transfer in the same way as the transferor's broker warranted the original transfer, or transfers.

These proposals are discussed in principle and accepted by the Standing Committee of the Attorneys-General at the meeting which it had in July of this year, but the drafted proposals were not brought forward until the October meeting in Perth. All the States are expected to give legislative effect to these proposals in the very near future. It follows that, as no session of Parliament is scheduled for the first part of next year, unless Western Australia enacts the provision during the current session it is likely to find itself out of step with the rest of Australia. It would mean that where a transfer had been split by a stock exchange under the corresponding law of another State, that transfer would be a "sufficient instrument of transfer" for the purpose of that law, but not for the purposes of our law. This would be bound to lead to confusion in interstate dealings.

Having given the general explanation and the background of the whole of these rather cumbersome looking amendments. I move—

That amendment No. 1 made by the Council be agreed to.

By way of explanation, so that it is recorded as to why we should agree, I state that this is to take account of the fact that with a split transfer the actual or immediate transferor may not be the person shown in the records of the company as the holder of the particular securities or rights, but a transferee from that holder. In other words, this is part of the machinery to give effect to what are known as split transfers. Without this amendment it would not be a lawful operation.

Mr. T. D. EVANS: The Minister spoke rather briefly but generally by way of explaining the amendments. Amendment No. 1 is the essence of the major amendments that are sought to facilitate split transfers. As the Leader of the Opposition interjected, it seems a pity that this Chamber did devote some time a few weeks ago to the consideration of a Bill which was then considered to be complete to meet the situation as it was then seen. Now we are confronted with what appears, *prima facie*, to be a group of very involved amendments. However, a study of them will indicate they are not involved at all.

As the Minister mentioned, these amendments were sought firstly by the Associated Stock Exchanges of Australia, and were requested by the Commonwealth and State Attorneys-General. To my mind it does indicate that the Minister for Justice in Western Australia must have been aware in July when these amendments were first mooted that it was likely the matter would receive attention when the Attorneys-General next met in October.

At that time or close thereto this Chamber had debated and passed the Bill. To my mind this indicates some lack of liaison.

I indicate that the Opposition has studied the amendments and found them to be ones which could, in the interests of having standard legislation throughout Australia, be supported. I refer to the wording of the first amendment made by the Council. This states that a reference to the full name of the transferor of marketable securities includes a reference to the name, etc. If the word "means" had been substituted for the word "includes" it would have defeated the purpose of facilitating the split transfers. In that instance the name appearing on the transfer would have to correspond exactly with the name appearing on the scrip. That is not the intention of the legislation; the intention is to enable shares to be split and for the transfers to be effected even before the persons concerned have become registered with the company or corporation issuing the shares.

I would like to indicate that the major principle behind the amendments of the Council is to give effect to split transfers. In this respect two new forms are to be added, and the original reference to the forms in the Bill has to be changed. I do not intend to speak on every one of these amendments. I indicate that the Opposition supports them and hopes this Bill receives a speedy passage so that when it is passed everyone can comprehend what it means.

Question put and passed; the Council's amendment agreed to.

Mr. COURT: I suggest that amendments Nos. 2 and 3 be taken together because amendment No. 2 brings in the new form 3, to which the member for Kalgoorlie referred; namely, the split transfer form. Amendment No. 3 is consequential upon the insertion of the new form 3. I move—

That amendments Nos. 2 and 3 made by the Council be agreed to.

Question put and passed; the Council's amendments agreed to.

Mr. COURT: Amendment No. 4 brings in the new form 7 with consequent re-numbering of forms designated 4 and 5 in the original Bill. I move—

That amendment No. 4 made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

Mr. COURT: Amendments Nos. 5 and 6 are consequential, and I move—

That amendments Nos. 5 and 6 made by the Council be agreed to.

Question put and passed; the Council's amendments agreed to.

Mr. COURT: Amendment No. 7 is substantially a grammatical correction. There is reference to the "prescribed stock exchange," as defined on page 3, and similar definitions are in the Acts of the other States. I move—

That amendment No. 7 made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

Mr. COURT: Amendments Nos. 8 to 12 are purely consequential. I move—

That amendments Nos. 8 to 12 made by the Council be agreed to.

Question put and passed; the Council's amendments agreed to.

Mr. COURT: As was pointed out in the speech notes, where a stock exchange splits a transfer it is to warrant the split transfer in the same way as the transferor's broker does with an unsplit transfer. Hence this amendment to the original Bill.

That might sound a little conflicting but, in point of fact, it is not. It is purely to state that where a stock exchange splits a transfer, it is to warrant the split transfer. In other words, it virtually vouches for the transfer, in the same way as the transferor's broker does with an unsplit transfer.

Mr. T. D. EVANS: I thought it might be of some assistance to the Committee to indicate that the Opposition agrees with all of the amendments. It is understood that the Minister might feel it is desirable to make some explanation in view of some of the amendments, but we have no opposition to the amendments going through *en masse*, if that suits the Minister and the Committee.

Mr. COURT: I move—

That amendment No. 13 made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

Mr. COURT: In view of the co-operative attitude I will move the rest of the amendments *en masse* because they, in fact, only give effect to the general principles which have been enunciated, and they clarify not only the forms to be introduced, but also the respective responsibility of the certifying stock exchanges, as well as those of the transferor and transferee brokers. I move—

That amendments Nos. 14 to 34 made by the Council be agreed to.

Question put and passed; the Council's amendments agreed to.

Report

Resolutions reported, the report adopted, and a message accordingly returned to the Council.

POISONS ACT AMENDMENT BILL*Receipt and First Reading*

Bill received from the Council; and, on motion by Mr. Ross Hutchinson (Minister for Works), read a first time.

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [10.25 p.m.]: I move—

That the Bill be now read a second time.

This Bill is to amend the Poisons Act. Although it is a small amending Bill it is important, having regard to its nature in endeavouring to deal with drug trafficking and drug taking.

Events indicate that drug taking is increasing in Western Australia, and as is known by members, the problem is world wide. Perhaps the most unhappy feature is the number of young persons who become involved.

Governments all over the world are concerned with this problem because it is generally felt that the taking of drugs by young people, in particular, saps national character. It affects the mental, moral, and physical fibre in people, and it is important that all steps possible be taken to try to minimise it.

The Government's concern is expressed in this Bill, which seeks to increase the general penalty for breaches connected with drugs of addiction and to introduce a special penalty where these drugs are illegally supplied. Perhaps to refresh members' memories, I will point out that two separate laws cover the possession, use, and supply of narcotic drugs. The Police Act is concerned with illicit trafficking; and the Poisons Act regulates legal supply, possession, and use of these drugs through wholesalers, retailers, and the medical profession. A complementary amendment to the Police Act, similar to the contents of this Bill, has also been presented.

Dealing with the present Bill, it contains two main clauses and both refer to penalties.

Clause 3 proposes that a penalty of a fine of \$4,000 or imprisonment for 10 years, or both, may be imposed if a person legally entitled to possess drugs of addiction supplies the drugs to people not entitled to them. A charge under this provision may be dealt with summarily by a magistrate, but because of the magnitude of the penalties involved, sentence must be passed by the District Court.

Clause 4 amends section 44 of the Poisons Act, and a new subsection (2) is proposed. This is the general penalty provision relating to narcotic drugs, and covers all offences other than illegal supply. The proposal here is that the existing penalty of a fine of \$1,500, or imprisonment for three years be increased to a fine of \$2,000 or three years' imprisonment.

The Bill does present what is called a "get tough" policy with people who supply narcotics to other people who then become their victims. It is hoped that these very substantial penalties will deter those who may be inclined or tempted to break the law. If this succeeds I feel we will have achieved the purpose of the amendments. I commend the Bill to all members of this House.

Debate adjourned, on motion by Mr. Fletcher.

BILLS (2): RETURNED

1. Western Australian Tertiary Education Commission Bill.
2. Police Act Amendment Bill (No. 2). Bills returned from the Council without amendment.

DISPOSAL OF UNCOLLECTED GOODS BILL*Receipt and First Reading*

Bill received from the Council; and, on motion by Mr. Court (Minister for Industrial Development), read a first time.

ADJOURNMENT OF THE HOUSE

SIR DAVID BRAND (Greenough—Premier) [10.29 p.m.]: I move—

That the House do now adjourn.

With your permission, Mr. Speaker, I would remind members that we will sit on normal days and at normal hours for the balance of this week. However, I suggest that during the following week members do not commit themselves for early afternoon.

If, by any chance, we see a possibility of finishing early, we might sit on Friday. If not, then we will have in mind finishing on the 25th or the 26th November. We are making reasonable progress. Nevertheless, a Probate Bill is to be introduced, and a number of small Bills, but I do not think they will be controversial or that they will take very much time.

Mr. Brady: By "normal hours," does the Premier mean "that we will sit on Thursday night?"

Question put and passed.

Sir DAVID BRAND: Yes.

House adjourned at 10.31 p.m.

Legislative Council

Wednesday, the 11th November, 1970

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