

In fact, the first social activities, I understand, took place in its goods shed which is still there today. Just as it played a very important part in the history of this State in 1895 and 1898, it could well be that history will repeat itself to some extent and that the line will play an important part in the future as a Government line, and will open up millions of acres of land north of Geraldton, and to the north-west, and make that link available for pick-a-back motor transport, which is now in its embryo stage.

I felt that, as a member for the district, I should record my feelings on this legislation. I am pleased to see that agreement, which has been attempted at least half a dozen times, has at last been reached, and that as soon as this legislation is passed, it will be put into effect.

I hope that the people who are associated with the railway will continue to prosper as citizens, and I hope that the electors of Moore and other electors along the line get great satisfaction from this line. I hope that the overseas reforms will be integrated into this railway and that ultimately we will have a 3 ft. 6 ins. line to Geraldton, second to none in Australia.

I support the Bill, and I feel it is inevitable that it should pass. No doubt, the Minister is anxious to get it passed in order that the agreement might be made so that the Government can get on with the takeover of the line; and in order that the necessary documents might be prepared to allow the various bond holders, shareholders, mortgagees, and other people to be given satisfaction.

I could refer, finally, to the speculation that has been going on in London in recent weeks in regard to this matter; but out of charity I will not refer to the company any more. As I said before, I hope this railway will ultimately become a very important part of the railway services in Western Australia.

Debate adjourned, on motion by Mr. Davies.

*House adjourned at 10.31 p.m.*

## Legislative Council

Tuesday, the 26th November, 1963

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

### IRON ORE (MOUNT GOLDSWORTHY) AGREEMENT ACT AMENDMENT BILL

#### Third Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.36 p.m.]: I move—

That the Bill be now read a third time.

I want to take this opportunity of dealing with a point raised by Mr. Wise when, I think, the Bill was progressing through the Committee stage. The honourable member thought Parliament should be advised of any change that may be made in the agreement as a result of the passing of this Bill.

I have looked further into this matter, and I ask the honourable member and the House to accept an assurance from me

that in the event of any change being made in the agreement as a result of further negotiation—for instance, the location of a portsite—whatever change is made, a copy of the amended agreement will be laid upon the Table of the House.

The employment of such a process will ensure that Parliament, as such, will become aware of any transaction which might take place between the passing of this Bill and the next session of Parliament. I hope the explanation I have given will be acceptable.

Question put and passed.

Bill read a third time and transmitted to the Assembly.

## ELECTORAL DISTRICTS ACT AMENDMENT BILL

### *Second Reading*

Debate resumed, from the 21st November, on the following motion by The Hon. A. F. Griffith (Minister for Justice):—

That the Bill be now read a second time.

**THE HON. F. J. S. WISE** (North—Leader of the Opposition) [4.39 p.m.]: I think if this Bill becomes law, it will be regarded in the years to come as a milestone in our legislative history. It will bring about a change, or different sorts of changes, some of which have been contemplated and some of which have been advocated by different people through the years, but which have not been acceptable separately when considered by this Parliament. The changes now presented to us and in this Bill will bring about alterations of different kinds, and, at the same time, preserve—although on the same sort of franchise—a difference in the composition and constitution of two Houses of Parliament elected under the one franchise.

As I forecast when speaking to a motion moved by Dr. Hislop some time ago, a change of the kind contemplated at that time—and in connection with which this Bill represents, for the time being, the answer—must mean sacrifices on the part of some people as well as some parties. That is, I think, inevitable.

In the case of the Labor Party it will immediately take away two provinces, by the very construction of this Bill. I refer to the two provinces on the goldfields, representing six members. In their place will be two members. We see in that something about which we need not be pleasantly excited. At the other end of the scale, however, we can see principles contained in the measure which we, as a party, support very strongly. Even though it might mean a sacrifice; even though no-one can calculate with any accuracy at this point what might be

the immediate or distant future of parties or representation—because we are basing our opinions only on hypothetical instances, or conjecture, or on other people's thoughts as to how the system might work out—we as a party have never been known to run away from reform of this sort.

Therefore, as I indicated when the motion was put forward, if a Bill could be brought down which contained the principles outlined by Dr. Hislop, then we would be very reluctant to oppose it. This Bill is, I think, a very earnest attempt to give effect to those principles. I can foresee—as I am sure other members can—some difficulties which might lie ahead. I can foresee difficulties for the Government of the day if an election is precipitated. I can foresee a difficulty which might mean an amendment later on when a certain number of seats within a province get out of balance; when it is necessary to change, by Statute, the number of seats comprising five provinces in the metropolitan area from 22 to 24 or 25. But that is not a problem for today; that is a problem of the future—of 1968. Indeed, it might even be beyond 1975, according to my calculations on population increase.

The Hon. J. G. Hislop: Decentralisation will affect the population in the metropolitan area.

The Hon. F. J. S. WISE: Dr. Hislop has put his finger on the pulse of the matter. If decentralisation means growth for the urban areas, then the problem will not be as pressing as it could be if the increases were in proportion to the population which exists at present in various areas.

I have no doubt that the Minister, who has had a good deal to do with the creation of this Bill, has foreseen that aspect, knows quite a bit about it, and has considered it in his calculations. In short, although we, as a party, are in many ways concerned with certain sacrifices in which we are involved in connection with this Bill, we think the measure contains principles which we are bound to support; and because of that circumstance, we support the Bill.

**THE HON. R. F. HUTCHISON** (Suburban) [4.47 p.m.]: I made a pertinent remark a week or so ago to the effect that the winds of change were blowing in Western Australia. When this Bill was first brought forward I was inclined to feel wildly elated. I did not question anything. But having had sober thoughts on the measure, I began to see what might happen to Labor members from the goldfields areas; and I began to wonder if there was a hidden meaning.

Democracy—at least to some extent—will be established under this Bill if it is to be carried through in accordance with

Dr. Hislop's motion. The first part of his motion, dealing with adult franchise, is in line with a Bill that I introduced on the opening day of this Parliamentary session. My Bill was defeated. The Minister did not enlarge on it. He did not agree with it.

There are some things in the measure about which I should feel very happy; and I should put up with some of the other aspects about which I do not feel quite so happy. Members have heard me say time and again that servicemen have offered their lives; have placed their bodies, in war, between us and the enemy; and their sacrifice has meant the difference between victory, and defeat and misery. Under this Bill servicemen will be classed as first-class citizens. Likewise, under an adult franchise Bill, the women of this State—that means the bulk of the women in this State—will also be classed as first-class citizens for the first time in the history of Western Australia.

I have fought mainly for those two principles each time I have got up in my seat. Members know that the House has become weary of hearing me expound on these matters. I think there are some things in the Bill for which I should feel grateful. Of course, I want all members to know that I will support this measure even though we, as Labor members, are to suffer. I think any Labor member—and any member who wins a seat in this House is a person of good calibre—would stand by that principle. If we have to put up with some injustice, we will wait and see what it is, and then we will tackle it.

Dr. Hislop's motion was very welcome to my ears at first. I was still smarting under the defeat of the Bill which I had introduced. I have many times wondered what might happen if I found myself somewhat hoodwinked in the outcome; and I think I can be forgiven if I am a little sceptical about this Bill. If it is a true change of heart on the part of the Government I will welcome it; because I think the time is overdue for democracy to become properly established in Western Australia, and it is time that this House became called no longer a House of review but a House of the people, in the same way as the Legislative Assembly is a House of the people. With the proposals in this Bill democracy will begin to work. However, I will wait to see the outcome of the Government's proposals before I make any further comment on the matter.

**THE HON. J. G. HISLOP** (Metropolitan) [4.51 p.m.]: I would like to applaud the stand that Mr. Wise and his party have taken on this measure, and on the contents of my motion when I moved it.

I, too, feel that this is a very genuine move on the part of the Government to get over a difficult situation. However,

if I were in Mr. Wise's position, I do not think I would be nearly as pessimistic as he appears to be. I went over the propositions contained in the Bill on many occasions over the weekend, and I drew up all sorts of diagrams of what changes might take place. From all my studying of the position I think the future composition of this Chamber will be closely approximating the present representation. But it is anybody's guess. Members of our party may get hurt, and members of Mr. Wise's party may get hurt. We do not know.

However, when the proposals are eventually brought to fruition, and a redistribution has taken place, I am sure we will find no great change in the present composition of the House. I am very grateful for the support that has been given to the measure which followed a moment of thinking on my part, and I certainly support the Bill. It looks clear that it will receive more or less general support.

**THE HON. C. R. ABBEY** (Central) [4.53 p.m.]: I would like to make a brief comment on this Bill, and firstly I wish to pay a tribute to Dr. Hislop for his political courage in moving the motion he did. We all know Dr. Hislop moved the motion knowing that probably it would not be acceptable to the Government. I am assured that it was only after very close examination into the fairest way to introduce the proposals that this legislation was drawn up and presented to the Chamber. I would like to convey to Dr. Hislop my admiration for his political courage in regard to the matter. It was no small thing to do.

I suppose we all wonder what is going to happen so far as we as members are concerned. Personally, I am not greatly concerned about it; because I believe that if a measure of this nature is fair—and I have no doubt on that score; that this is a fair Bill—and will be to the ultimate benefit of the State, I should support it. I hope all members in the House will approach the question in that way.

Winds of change, which was an expression used by Mrs. Hutchison, do blow in Western Australia; and it seems that we are able to keep up with those winds of change in this House. When we look at the distribution of seats in this Chamber it makes us wonder why a more general redistribution has not taken place before this. As a fairly junior member of this House I do not know the history of past attempts in this direction, but I think the ultimate benefits of the proposition contained in this measure will be very considerable. When a redistribution takes place, on the fair basis set out in the Bill, I think the people of this State will generally applaud it. I support the measure.

**THE HON. N. E. BAXTER** (Central) [4.55 p.m.]: The proposals contained in this Bill are ones to which I have given a good deal of study over a number of years. Last year, when speaking in regard to a proposition for a redistribution of Legislative Council seats, I did mention the 15-province basis, with two members to each province. Therefore the proposition is not an original one, and it was mooted some years before by members of this Chamber. Some of them may still be members, and it is a proposition to which careful consideration should be given.

I welcome the Bill, because I believe it will be the solution to a lot of the problems in the Legislative Council, and there are a number of them. As members we have large areas, particularly in the country districts, to look after and to travel over; and we have to try to give a service to the people. Over the years the work has become heavier and heavier, and in these days, with rapid forms of transport, members are expected to travel around their provinces more than was the case some years ago. It is difficult, particularly for country members; but, under the proposals contained in this measure, I feel sure all members will be in a better position to give service to their electors.

Mr. Wise referred to the fact that some sacrifices will probably have to be made. Probably some individual members will find themselves in a position where they have no place to go; but from my estimation of it, very few members will be affected. Naturally it depends on what happens when the commissioners decide where the boundaries of the provinces will be. It is something on which we all have to take a calculated risk, or gamble, so far as it affects ourselves personally. However, in my view that is not the major issue. As I stated earlier in the session, the major issue is to have a redistribution of seats on a fair and reasonable basis. I said on that occasion that if such a proposition was presented to the House this session I would support adult franchise and compulsory voting.

It is obvious that this measure has been given a great deal of consideration prior to its introduction, and it will overcome many of the problems we now have to face. I was pleased to hear Mr. Wise say, on behalf of his party, that even though certain features of the legislation might affect the party he represents he was prepared to accept it on the broad principle of the issue. From a party point of view I do not think the effect will be as great as he thinks, because I am sure the present composition of the House will not be greatly affected. There may be a difference of one or two in party numbers, but that is about all. I think the *status quo* will be preserved, and on that basis this measure should be agreeable to all parties.

There are problems in regard to the franchise, and the proportion of city electors as compared with country, north-west, mining, and pastoral electors, and they are difficult ones to overcome. If we worked on the basis of a quota of two to one, city to country, we would probably find that, with the number of provinces in the city, the electors would be well and truly overserved. There are many more problems connected with country, mining, pastoral, and north-west provinces than with city provinces.

The Hon. R. Thompson: You don't seriously believe that, do you?

The Hon. N. E. BAXTER: The honourable member may not seriously believe it, but if he had as many problems as we have to contend with, he would realise that what I have said is true. I am talking of the overall position and not of any one particular member. When one looks at the picture, and considers the requirements of the country areas and the lack of amenities there—amenities with which people in the metropolitan area are automatically provided—one realises there are a number of problems associated with country electorates. However, I do not want to go too deeply into that aspect.

The Hon. R. F. Hutchison: Do not frighten us!

The Hon. N. E. BAXTER: I am not trying to frighten anybody. This Bill will provide one extra member for the metropolitan area from the country, mining, and northern areas. I think it is a fair enough proposition if we say to the city folk, "We will give you one extra member now, and if a redistribution of the Assembly seats comes about at a later stage, some readjustment will be made to cover that aspect." I think that can be quite comfortably coped with; and I am confident the Bill will receive the approbation of the people of Western Australia. I am sure it will be regarded in this State as a forward step.

**THE HON. E. M. HEENAN** (North-East) [5.1 p.m.]: As one of the oldest members in this House—in length of service at any rate—and as one who has taken an active part in this matter over many years, I would like to offer a few comments. If the Bill becomes law it will mark the end of one era and the beginning of another; because since the inception of responsible government this Chamber has been elected on a property franchise. It is now proposed to alter that and to extend the adult franchise. It is also proposed to apply compulsory voting.

Over the years, the party to which I belong has thought that this is a good thing, and it is a goal for which we have striven. Next Saturday the whole of Australia will vote for the House of Representatives and for the Senate. Voting will be on an adult franchise basis, and will be

compulsory for every Australian over the age of 21 years. In future that principle will be applied to the Houses of Parliament in this State. That is certainly a goal which is worth achieving.

How it will affect some of us as individuals is, I think, in the lap of the gods. Some of us will gain a small advantage, while some will suffer a disadvantage. As the measure affects our respective parties, I think the same thing will apply; although I have always shared the view, quite honestly, as enunciated by Dr. Hislop and Mr. Baxter, that the overall result will not be vastly different from what obtains at the present time. There may be some small advantage to one party or another. It is possible the Country Party will benefit; while at the same time it is equally possible that the Liberal Party and Labor Party will benefit.

It is hard to work this out, and my honest view is that it will not make much difference. However, I do think it will be a very good thing for the country. I have always thought that if our institution of Parliament is to prosper, and continue, it must have the wholehearted support and interest of all the people living in the country. To that extent I am certain this is going to be a good measure, because everyone in Western Australia will be compelled to vote for this Chamber. Although compulsion has been criticised from time to time, I do not think anyone in Australia would wish to abolish compulsory voting.

I repeat that, overall, I think it will be a very good thing indeed. How we are all going to fare under this legislation is very much in doubt, but I really think the principles enunciated in the proposition are such as will appeal to all of us, irrespective of whether we suffer any disadvantage, or whether we gain any advantage.

**THE HON. G. BENNETTS** (South-East) [5.7 p.m.]: I only want to make one or two comments, as the Bill does not concern me very much. I thought I was going on long service leave, but it would now seem that the Bill is going to stop me from a long holiday.

I support the measure. During the 18 years I have been here I do not think a single session has passed without my getting up and saying something about compulsory voting and compulsory enrolment. As things are at present it is necessary for members to go around their electorates trying to put the rolls in order. Apart from any other consideration, they have to combat angry dogs which try to tear strips off their trousers; and it is also necessary for members to kid people along; to put them on the roll; and to literally drag them to the polling booth.

I think that everybody in the State should be compulsorily enrolled, and it should be compulsory for electors to vote. As I have said on many occasions, my wife and I have reared a family; and I feel very strongly that my wife should be given a vote just as I have one. After all is said and done, it is she who is responsible for the home. Every woman should have an equal vote with the man. I hope the Bill is carried.

**THE HON. A. R. JONES** (Midland) [5.8 p.m.]: I think this is a very good Bill. A lot of thought must have gone into it by those responsible for its drafting and for its having been brought down to this Chamber. As I daresay other members have been doing, I have undertaken a little homework over the weekend to try to ascertain what is going to happen to me. Like other members I feel I will have to take my place along with others and perhaps shift to some other part of the State. I might easily finish up as member for Rottnest.

However, it is a good Bill and I shall certainly support it. There are one or two things that exercise my mind, and to which I would like to refer. I do feel that the Government, no matter what its political colour, should give serious consideration to permitting members—both in the Assembly, and here—an extended use of their gold passes. At the present time most members, with the exception of those who are fortunate enough to be on the main line, or on the Albany line, and who are able to travel to and from Kalgoorlie or Albany, find they have a very restricted use of their gold passes.

This privilege was introduced, for the purpose of enabling members of Parliament to attend to the various problems in their provinces and electorates. At the time the train service was the only mode of travel, and that is where they used their gold passes for the most part. Some provinces and electorates, however, cannot be reached by train. For example, the members from the north-west, and those who represent the districts around Leonora, are not able to get to those areas by train; and, accordingly, the provisions as they apply at the moment are rather outmoded—like the franchise for this House so often referred to by Mrs. Hutchison.

Accordingly I suggest to the Government that it give consideration to providing members greater scope for the use of their gold passes. They might perhaps be permitted to use them for aeroplane travel, where such services are available. If this were done, even to a limited degree, it would enable members to perform their duties far more satisfactorily.

I am sure that, with the passing of this Bill, members will be called upon to do a great deal more than they are doing now; and we all know just what is expected of us at the moment. There will be four people instead of two electing members to this House; and whereas previously some of the people did not know who their member for the Legislative Council was, they will now want to see him more often, particularly as it will be compulsory for them to vote for his election. So I hope the Government will give this matter some consideration and permit members an extended scope for the use of their gold passes.

It will be necessary for us to watch the position geographically as it relates to our provinces, and to ensure sufficient remuneration to those members who travel great distances to get to the centre of their respective provinces. Some formula should be worked out to recompense members for any expense they might incur in getting to the centre of their provinces. We must consider all these aspects. I support the Bill.

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Justice) [5.12 p.m.]: If my memory serves me correctly it was a Country Party member by the name of Mr. Patrick who introduced a Bill in about 1937; and, again if my memory serves me right, that Bill made it compulsory to vote for the Legislative Assembly.

The Hon. F. J. S. Wise: That is right.

The Hon. A. F. GRIFFITH: I would like to be able to refer to myself as a historian, but in this respect I will go down in history as the man who introduced the Bill that ultimately resulted in this Chamber being elected not only with compulsory voting, but with adult franchise.

From a personal point of view I do not know how I feel about myself in that respect. However, it was the will of this House that the motion moved by Dr. Hislop be not only agreed to, but that the Government should take some action in regard to the motion. I would like members to know and to accept the explanation from me, that, personally, I appreciate the difficulties in which some members may find themselves; and I ask them to accept the fact that I understand.

But having accepted the situation, and being prepared to act accordingly, the Government was obliged to prepare a Bill for presentation to Parliament; one which would be fair and reasonable and, as I said when I was introducing the second reading of the Bill, acceptable not only to members supporting the Government, but also to members supporting the Opposition.

With great respect, we could not continue to have a situation where about less than 9,000 people have a large number of members of Parliament representing them as they do at present. In respect of the three districts in the North Province there are about 5,000 people on the roll represented by three members of the Legislative Assembly and three members of the Legislative Council. In the North-East Province there are about 10,000 people on the roll represented by two members of the Legislative Assembly and three members of the Legislative Council. In the South-East Province there is a similar number represented by two members of the Legislative Assembly and three members of the Legislative Council, making a total, in all, of 16 members of Parliament—nine members of the Legislative Council and seven members of the Legislative Assembly. A situation of that nature could not fairly be expected to prevail.

Therefore, by including the seat of Murchison in the north, the Government thought it was putting forward a fair proposition having regard for the distances that have to be travelled and the difficulties of members who belong to those provinces. Then, in respect of the distribution of the rest of the seats it was considered fair that as in the Legislative Assembly approximately 44 per cent. of the seats are in the metropolitan area, there should be 33½ per cent. of Legislative Council seats in the metropolitan area. The north will still have its more than fair representation.

On the point raised by Mr. Wise as to the possibility of these seats getting out of line again, of course I naturally did think of that and so did the Government; and the Bill makes provision to deal with that situation—for some time to come, anyway. In the event of a redistribution of seats in the Legislative Assembly bringing another seat into the metropolitan area, the provinces in the metropolitan area will still be able to be dealt with under the appropriate clause in the Bill, which provides for not less than four districts and not more than five districts in each province. The Bill also provides that if that seat should come out of the country, naturally it will go to the metropolitan area.

The Hon. L. A. Logan: I hope not.

The Hon. A. F. GRIFFITH: I do not know where else it can come from. The Bill also provides for that readjustment by stating that in that event the distribution of districts in country areas shall be as near as possible. That envisages the situation where 23 seats will prevail in the mining, agricultural, and pastoral areas rather than 24; and I think that is sufficient unto the day. It may be necessary, of course, to make other amendments from time to time. I would not attempt to foreshadow that at this stage of the proceedings.

I am going to take the support by the Leader of the Opposition, and other members who spoke on the Bill, as an indication that it is the desire of this House and the members in it that the Government should proceed along the lines I indicated when I made my second reading speech.

It was necessary for me to foreshadow the lines upon which this other Bill would be required to be introduced. I do not think at this stage I need say any more in respect of that Bill except to repeat that may be it will have to gain the understanding of members.

The Hon. H. C. Strickland: You need another Bill this session.

The Hon. A. F. GRIFFITH: Yes, to amend the Constitution Acts Amendment Act. Its effect will be to postpone the Legislative Council election from 1964 to 1965, to bring the two elections into line. I also thought, of course, of the fact that the elections may get out of line by dissolution of the Legislative Assembly. But, if I remember rightly, on the second reading speech I said that I thought history had established in this State for a considerable number of years that Governments have lived out their periods of time. However, in the event of a Government not living out its period, and the election coming out of balance, I think it would be unreasonable to, shall I say, destroy the term of office of a member or a number of members of this House by dissolving the House. The time would arise when the two elections would come back together again.

Neither this Bill nor the one I intend to bring down contemplates a situation which would prevent the two elections getting out of line. That is something which only time will prove; but that is as far as I feel I should go at present.

The draftsman is now working on the other Bill in anticipation. When I say in anticipation, the Government frankly believed that this Bill was a fair approach to the proposition and that if regarded as fair it would be accepted both by the Opposition and Government members. Obviously that is the position and naturally I am very pleased to hear the Leader of the Opposition say that he regards the Bill as a fair one and a genuine approach—I think he said—to giving effect to the principles envisaged in Dr. Hislop's motion.

#### Question put.

The PRESIDENT (The Hon. L. C. Diver): I point out to members that this Bill requires the concurrence of an absolute majority of the members of the Legislative Council. There it will be necessary to divide the House. Ring the bells.

#### Bells rung and House divided.

The PRESIDENT (The Hon. L. C. Diver): It is apparent that this Bill has the support of the absolute majority, so I

call off the division and declare the question carried with the concurrence of an absolute majority.

The Hon. G. Bennetts: That should go down as a record. We all supported it.

Question thus passed.

Bill read a second time.

#### In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Justice) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: Section 11 added—

The Hon. H. C. STRICKLAND: We read some rather complicated reports in connection with the change which will take place in the north-west. The political writer of *The West Australian* says that broadly speaking—I am glad he said that because one has to be speaking broadly to consider the area from Kalgoorlie to Wyndham—the north-west will gain a member. I think it is rather regrettable that the general thought is that representation should be on a population basis. Considering the large area of land in Western Australia I do not think this is fair.

The Minister in his remarks stated that the north-west is getting fair representation. It is fair; I am not disputing that. However, I think that voices lost in the wide open spaces could be tragic. There has been some great progress in the north-west through the vigour of the representatives of the north during the past 10 or 12 years, and the vigour of those members of Parliament who have visited the north-west. I feel a little sad for the people living in the far flung areas because, in fact, they are losing representatives.

If we amalgamate the two areas—the North-East Province and the North Province—and call it the North-West Province, we will be covering almost three-quarters of the State. The North Province comprises a little more than half the State. Now the North-East Province is being tacked on, and there will be four voices to represent the area where previously there were six. We do not want the public to be misled by the reports of political roundsmen who consider that the people are gaining a representative. They are not; they are losing two representatives in the Legislative Council and I feel this is rather sad considering the fact that in the next 10 or 12 years there will probably be many more thousands of people living there. I feel it might be time, perhaps, to alter the boundaries once again. I am not opposing this clause but merely want to put the record straight and express my views on the matter.

The Hon. A. F. GRIFFITH: I would like Mr. Strickland and the Committee to know that the Government gave due consideration to the wide expanses of the

north; and, in fact, the representation of the north will not be reduced. The Legislative Assembly members will not alter in any way. They will still have exactly the same representation. Really, the only thing being done is that the Murchison seat, for the purpose of the Legislative Council, is being added to the north, and with it will go another member. Therefore the number of members so far as the existing North Province is concerned will not be affected in any way. It will still retain the same number of members.

The Hon. H. C. Strickland: There will be four where now there are six.

The Hon. A. F. GRIFFITH: I assure Mr. Strickland that there will be an extra member. There is the member for Pilbara, the member for Gascoyne, and the member for Kimberley. They will not be changed. That will be three members for the North Province plus another one by reason of the fact that Murchison will be added to the north for the purpose of the Legislative Council. So there is no depletion in numbers.

When I was speaking previously I did not intend to give any indication that I thought otherwise. It has been recognised by Governments over past years that this area could not be represented on a population basis. As a matter of fact it has not and never has been. The wide expanses of the area have always been taken into consideration.

The Hon. H. C. STRICKLAND: I have no desire to enter into a dispute, but the facts are that the North-East Province and the North Province will be amalgamated.

The Hon. A. F. Griffith: No; only portion of them.

The Hon. H. C. STRICKLAND: Almost the entire area.

The Hon. F. J. S. Wise: With the exception of the town of Kalgoorlie.

The Hon. H. C. STRICKLAND: Where there are six members in the Legislative Council representing that area today, there will be four. They will be representing the most remote and most sparsely populated area of the State, and I say it is rather tragic.

Clause put and passed.

Clause 7 put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

THE HON. A. F. GRIFFITH (Suburban—Minister for Justice) [5.34 p.m.]: I move—

That the Bill be now read a third time.

Mr. Bennetts said, by way of interjection, he thought it should be recorded for history that every member of the Legislative Council found some measure upon which they could vote on the one side in favour of the Bill.

The Hon. R. F. Hutchison: Hear, Hear!

The Hon. A. F. GRIFFITH: I do not know whether it has ever happened before, but I do think it is worth recording this vote. Twenty-nine members of the Legislative Council voted for the second reading of the Bill and, no doubt, it will occur again at the third reading.

The Hon. G. Bennetts: I will be over to see you in a minute.

Question put.

The PRESIDENT (The Hon. L. C. Diver): As was the case at the second reading, Standing Order No. 243 requires that the House divide. Ring the bells.

Bells rung and House divided.

The PRESIDENT (The Hon. L. C. Diver): It is obvious that once again, at the third reading of this Bill, we have the unanimous vote of the House. I am at a loss to know who to nominate to record for the Noes. I have twenty-nine members I can nominate for the Ayes but no-one to nominate for the Noes. I will nominate Mrs. Hutchison as teller for the Ayes, and there being no Noes, there will be no teller for the Noes.

Division taken with the following result:—

#### *Ayes—29*

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. N. E. Baxter	Hon. J. Murray
Hon. G. Bennetts	Hon. H. R. Robinson
Hon. D. P. Dellar	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. A. F. Griffith	Hon. R. Thompson
Hon. E. M. Heenan	Hon. S. T. J. Thompson
Hon. J. Heltman	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. W. F. Willesee
Hon. F. R. H. Lavery	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. F. J. S. Wise
Hon. A. L. Loton	Hon. R. F. Hutchison
Hon. G. C. MacKinnon	(Teller)

#### *Noes—Nil*

Majority for—29.

The PRESIDENT (The Hon. L. C. Diver): As has already been stated, the result of the division is unanimous and it has been recorded for historical purposes.

Question thus passed.

Bill read a third time and transmitted to the Assembly.

## **FACTORIES AND SHOPS BILL**

### *Assembly's Message*

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 to 6 and 8 to 19 made by the Council, and had disagreed to No. 7.

*In Committee*

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

The CHAIRMAN: Amendment No. 7 made by the Council, to which the Assembly has disagreed, is as follows:—

No. 7.

Clause 33, page 28—Delete paragraph (d) of subclause (2).

The Assembly's reason for disagreeing to the Council's amendment is as follows:—

It is the opinion of the Legislative Assembly that the information in paragraph (d) of subclause (2) of clause 33 of the Bill is information which should be shown in "the time and wages" book.

The Hon. A. F. GRIFFITH: I move—

That the amendment made by the Council be not insisted on.

I would like to refresh the memories of members on this point. Mr. Watson moved to delete paragraph (d) because it was superfluous. He said the provision related only to employees who were employed other than under an award. I agreed to the amendment and the Committee agreed to the amendment. There was no debate, because it did not seem to the Committee at the time that there was any reason to disagree with the amendment. However, it appears that the matter assumed much more importance in the minds of the majority of the Legislative Assembly members. I suggest to Mr. Watson, and to the Committee, that the Legislative Council agree with the Legislative Assembly, and that we do not insist on our amendment.

The Hon. H. K. WATSON: I think that the reasons I gave to the Committee for making the amendment, to which the previous Committee agreed, were valid and still are valid. However, at this stage I do not ask the Committee to press for the amendment, but I do ask that in the period between now and the next session, the Government have a look at the particular paragraph and also the analogous paragraph in the same clause. In my opinion, both are superfluous.

Question put and passed; the Council's amendment not insisted on.

*Report*

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

**BILLS (2): RECEIPT AND FIRST READING**

1. Reserves Bill (No. 2).
2. Road Closure Bill.

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

**TRAFFIC ACT AMENDMENT BILL**

(No. 3)

*In Committee*

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

Clauses 1 to 3 put and passed.

Clause 4: Sections 23, 23A, 24, 24A and 25 repealed and other sections enacted—

The Hon. W. F. WILLESEE: I have an amendment involving a series of paragraphs to this clause. My amendment would place in the clause the whole situation that would apply to the licensing of drivers by the Commissioner of Police.

The additional clauses (c) to (f) are being added for the purpose of placing into the clause the right of the commissioner to know the qualifications of the driver and to know what the disqualifications might be. The object is to have the qualifications for and those against in the one clause. They are actually taken from the Bill in another place. I move an amendment—

Page 3—Insert after paragraph (b) in lines 5 to 13 the following new paragraphs to stand as paragraphs

(c), (d), (e), and (f):—

- (c) is not addicted to alcohol or drugs to such an extent as to render him a danger to the public when in control of a vehicle on a road;
- (d) does not suffer from a mental disorder or from a physical disability that is likely to impair his ability to control a motor vehicle;
- (e) is not debarred from driving a motor vehicle under the law in force in any other State or in a Territory or other country;
- (f) unless, in the opinion of the Commissioner of Police, by reason of the number of his convictions for offences (not being minor offences) under this Act or the regulations, the applicant should not be the holder of a driver's license.

The Hon. A. F. GRIFFITH: The amendment is well intended, but I do not understand why the honourable member has moved it, because it will simply have the effect of rearranging the Bill. With the exception of some change of wording, all the things the honourable member wants are already in the Bill. Members will see on page 6 of the Bill all the matters, the subject of the amendment, set out. Why not leave them where they are? I ask the honourable member to leave the position as it is. I cannot see anything wrong with

it. I have checked with the draftsman to see if there would be any improvement as a result of the rearrangement suggested by Mr. Willesee and the draftsman thinks the Bill is all right as it is.

The Hon. W. F. WILLESEE: What the Minister says is substantially correct, but I think if we put into the one clause both the qualifications and the disqualifications in respect of licenses, and if we include subsequently what the Minister shall do if he refuses a license, and then if we ultimately provide for the right of appeal, we will have everything in regard to the issuance and the disqualification of a license in the one clause, which seems to me to be simple and effective. It is better than having one portion on page 4, another on page 6, and so on.

There is a point I omitted to mention when I spoke before. The Bill in clause 24 (1) (a) contains the words "is not of good character". I do not think the question of a man's character comes into the issuance or disqualification of a license. A man might be of bad character but be quite a competent driver. That point was deliberately omitted.

The Hon. A. F. GRIFFITH: The Bill as printed sets out the processes for the granting of a license, and on page 6 it sets out the processes that the Commissioner of Police may employ in refusing to issue a license, or that he may use to cancel or suspend a license. I think it is desirable that these things be separated.

On the point that the honourable member just raised, the position is that a man may be of bad character and still be a good driver. I suggest, however, that is not the purpose of this paragraph. A man may be of such a bad character, that, in fact, he should not have a driver's license. He may be a person of extremely bad character and have in his mind the carrying out of some illegal purpose; and because he is so well known to the police the Commissioner of Police may say, "This man is of such a character that I do not think he should get a license."

The Hon. J. G. Hislop: It does not mean that he has served a gaol sentence.

The Hon. A. F. GRIFFITH: I do not think so. In that event he would have paid his debt to society. Members must give the Commissioner of Police credit for the fact that he just would not take a driver's license away for any reason other than an important one.

The Hon. W. F. WILLESEE: A man's character should not be a matter to be considered in connection with the issuance of a license under the Traffic Act. If a man was of sufficiently bad character to be serving a long sentence, he could not apply for a license.

The Hon. A. F. Griffith: He may be a visitor from another State.

The Hon. W. F. WILLESEE: If he has sufficiently good qualifications to pass the driving test, he should be entitled to drive a vehicle. We cannot suggest he may have something in his mind and so will continue to be a bad character. I do not think that is relevant to the issue.

The Minister and I see differently in regard to the purpose of my amendment. He says the sets of qualifications and disqualifications are quite right as they appear in the Bill. I say that if they are put in one place in the measure we will have a simple approach to the matter.

The Hon. H. K. WATSON: I think the Minister's explanation is the preferable one. I point out to Mr. Willesee that proposed new section 23 (2) clearly indicates to anyone reading it that there are one or two provisions following. One has only to turn over two pages of the Bill to the proposed new section 24 to see that the Commissioner of Police may refuse to issue a license. I think the drafting is all right as it is. On the question of good character, there may be room for altering the words. If the words were "a person of evil fame" the implication would be clearer.

The Hon. A. F. Griffith: You should reflect on those words.

The Hon. H. K. WATSON: They would be clearer. With the words "not of good character" it is conceivable that there may be some members of Parliament who would not obtain a license.

The Hon. A. F. GRIFFITH: A person of evil fame may be extremely capable of driving a motorcar.

The Hon. H. K. Watson: Yes; but we are discussing character.

The Hon. A. F. GRIFFITH: Yes, I know, and that is why I prefer the words "not of good character." The position is that a person who is not of good character may come from the Eastern States, and his movements may be known to the police.

The Hon. J. Dolan: He may be entering a new phase of life which is not criminal at all.

The Hon. A. F. GRIFFITH: Then, in the expression used by the Commissioner of Police, he can still get a license. It does not mean he shall not get one. The amendment is well intended, but the Minister for Police will not press for it. I suggest that Mr. Willesee might care to move to delete paragraph (a).

The Hon. H. K. Watson: I do not think that is wise.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): At the moment we are discussing the insertion of some paragraphs on page 3. After this amendment has been dealt with the Committee is at liberty to deal with the question on page 6 dealing with a person who is not of good character.

The Hon. W. F. WILLESEE: From subsection (2) of proposed new section 23 on page 2 down to the end of paragraph (d) on page 3, I merely wish to insert, between those two points, the qualifications and disqualifications. I think it would be preferable to have the clause framed in that way rather than have two stabs at the proposal in the one Bill.

The Hon. A. F. GRIFFITH: If the Committee disagrees with the amendments moved by Mr. Willesee we will then move to page 6 where this clause seeks to insert proposed new section 24. As I have already stated, the Minister for Police is not adamant about subparagraph (a) remaining. The notes that have been supplied to me point out that from time to time criminals from the Eastern States come to this State and seek to obtain licenses. It is in the interests of all that these men should not be granted a license which will enable them to obtain and use a vehicle for criminal purposes.

Likewise, such a person could be granted a license to drive a taxi and his clients could be women and children. It is possible that he may have a record against morality, and could be known as a man of bad character, and a taxi driver's license may not be refused to him. To my way of thinking, the Commissioner of Police would be quite entitled to refuse such a person a license in the interests of protecting the womenfolk in our community.

Frequently, the Commissioner of Police suspends, or refuses to reissue, a license to a person holding a taxi driver's license who commits sexual offences or assaults against females. If we have this clause in the Bill it will enable the Commissioner of Police to act accordingly, and that officer is one who exercises considerable discretion. I would not like to think he would not be in a position to refuse a license to a man of bad character when such a person applies for one. The intention of the clause is to give him this discretionary authority.

The Hon. J. D. TEAHAN: I fully agree that the Commissioner of Police should have this power. If there is anyone in the community who should be a person of good character it is a taxi driver, because he is given many important and onerous jobs to do. When I was speaking to the Address-in-Reply debate last year I made reference to a particular case of a taxi driver on the rank who had used teen-age girls for the purpose of prostitution. What is more, he continued to commit these acts.

The subsequent articles in the Press pointed out that this driver had been warned by the police to alter his behaviour, but he completely ignored the police officers who had advised him. If this man continued to ignore the police I take it that the commissioner did not have sufficient power to take action against him. This

man was allowed to continue his actions until he finally committed a very serious crime.

Therefore, I think the Commissioner of Police should be granted power to deal with animals such as that taxi driver. Such a man should never have been allowed to enter the country, never mind being granted a taxi driver's license.

**Amendment put and negatived.**

The Hon. W. F. WILLESEE: The other amendments on the notice paper which would have followed the one just rejected by the Committee are not now of any value, and I will not pursue them further.

*Sitting suspended from 6.13 to 7.30 p.m.*

The Hon. W. F. WILLESEE: I move an amendment—

Page 4, line 2—Delete the word "may" and substitute the word "shall".

This proposed new section deals with a new system of classifying vehicles. Under it a license will be issued to a person to drive a vehicle with four forward gears; but another license will have to be issued for a vehicle with automatic transmission. A person with a license to drive a particular class of vehicle will not be able to drive his friend's vehicle if it is of a different classification. The amendment seeks to clarify the position by ensuring that vehicles are classified under the regulations. Proposed new section 23A would cover vehicles as they are classified at the present time, and my amendment would be in line with the existing practice. If a new type of vehicle were to come on to the market the regulations could be amended to cover it.

The Hon. A. F. GRIFFITH: With the insertion of the word "shall" it means that under proposed new section 23A the various types of vehicles shall be classified, and no extension beyond that can be made without an amendment to the regulations. If this amendment is agreed to the Commissioner of Police will not be empowered to insert a new classification of vehicle.

The Hon. W. F. WILLESEE: The Royal Automobile Club is concerned with this provision. On the 8th November the president of that organisation said this, by way of comment, that if it is the intention to require a licenseholder to obtain an endorsement, or an additional license to drive a car equipped with automatic transmission, the club will oppose it. I think this club speaks on behalf of approximately 100,000 drivers in Australia.

By sticking to the practice that has operated under the Act for a very long time we will not be very far wrong. If it is found necessary to increase the range

of licenses in the future it will only be necessary to add to the regulations, or possibly amend the Act.

**Amendment put and negatived.**

The Hon. W. F. WILLESEE: I move an amendment—

Page 4—Delete all words from and including the word "or" in line 15 down to and including the word "inconvenience" in line 23.

Proposed new section 23B (1) (a) applies to persons whose incapacity to drive a motor vehicle can be overcome by the wearing of suitable aids, or by the fitting to the vehicle of suitable appliances. Paragraph (b) which I am seeking to delete is unnecessary.

The Hon. A. F. GRIFFITH: The provision in this proposed new section deals with conditional driver's licenses, and under paragraph (b) the Commissioner of Police may issue such a license, and confine the driver to a given locality, road, or place, or to stipulated times and dates. If the amendment is agreed to the Commissioner will be prevented from doing this, and he should not be so restricted.

In paragraph (a) we recognise the power of the Commissioner of Police to restrict a license, yet the amendment seeks to delete paragraph (b) which pertains to proposed new section 23 (2) (c), under which the Commissioner of Police has power to issue a license if the applicant has demonstrated his ability to control the class of motor vehicle for which the appropriate driver's license is sought. No benefit would be gained by striking out paragraph (b).

The Hon. W. F. WILLESEE: I cannot see where paragraph (b) of this proposed new section is related to the paragraph just mentioned by the Minister. The discretion of the Commissioner of Police will not be taken away from him by agreeing to the amendment.

The Hon. A. F. GRIFFITH: If paragraph (b) of proposed new section 23B (1) is deleted then the Commissioner of Police will not have power to grant licenses in cases of hardship or inconvenience, except within the scope of proposed new section 23 (2) (c). If the amendment is passed the powers of the Commissioner of Police will be restricted in respect of applicants who cannot read and write English, migrants who have insufficient knowledge of English, emergency or part-time school buses, or taxidrivers in country centres.

**Amendment put and negatived.**

The Hon. W. F. WILLESEE: I will withdraw my amendment that appears on the notice paper. I move an amendment—

Page 6, line 6—Delete paragraph (a) of new subsection (1).

We discussed this matter earlier in the evening; namely, the question of whether the words "is not of good character"

should come within the scope of this clause. The clause deals with those disabilities which would prohibit a person from obtaining a driver's license. I maintain that a man's character does not basically affect his right of obtaining a license. If he is of sufficiently bad character as to prohibit him from obtaining a license, then he would not be in a position to attempt to get one. The other qualifications are quite clear and understandable and they do not appear to be in conformity with paragraph (a).

The Hon. A. F. GRIFFITH: These words have appeared in section 24 of the Act since approximately 1935. The Minister for Police has an open mind on the matter and he does not necessarily wish to pursue it. I have already given the Chamber reasons why the Commissioner of Police should continue to have this power. I do not think we should seek to take something out of the Act which has stood the test of time since 1935. Mr. Teahan pointed out that the Commissioner of Police might not be in a position to refuse to grant a license to a person of bad character; and if these words were removed from the Act it would make it more difficult for the commissioner to exercise a discretion. I am quite sure that the Commissioner of Police would exercise this discretion very carefully.

**Amendment put and negatived.**

The Hon. F. R. H. LAVERY: I refer the Committee to proposed paragraph (e). When the Minister was speaking I received the impression that the Commissioner of Police had the right to refuse to grant a license to a person who had had a number of convictions. Whilst I agree that the commissioner should have this right, I cannot find any provision whereby a person would have the right of appeal against the commissioner's decision.

I went to the police to assist a young man to get back his driver's license. The man, at the time, was aged 19, and he did get back his license. He had lost his license on three occasions, the last time for a period of two years. Before he was 21 years of age he applied for his license, but was told that he could not get it. He accepted the situation. In the meantime the young man in question—a person whom some people would call a delinquent—had settled down, had married, had got himself a permanent job, and had become the father of a child. His employer suggested that I might do something to help the young man, who had proved himself to be a good worker. It was considered that it might be necessary for him to do some driving in connection with his work.

The chief inspector asked me to submit a case in writing. I submitted references from several people who knew the young man, including his employer, and tradesmen; and it was finally decided that he was entitled to another chance.

I mentioned this case in connection with another Bill that was before the Chamber. The view was expressed that the reason why young men go haywire is because they are able to obtain a driver's license at 17 years of age; they purchase a jalopy for £50; they gang up together, and then they are in trouble. It is only six months since the young man in question had his license returned, and he has behaved himself very well. I appreciate that the commissioner has the right to determine whether or not a person should be allowed to retain a license, but I cannot see any provision whereby there could be an appeal against the commissioner's decision.

The Hon. A. F. GRIFFITH: I would refer the honourable member to the provisions contained in the lower half of page six. I can assure the honourable member that the matter is under control.

The Hon. F. R. H. LAVERY: I apologise to the Minister. I read through the Bill twice, and did not notice the relevant provisions.

The Hon. W. F. WILLESEE: I move an amendment—

Page 7, lines 14 to 23—Delete subsection (5).

There is strong opposition to this subsection from people who are within the age group of 70 years to 80 years; and there is also strong opposition from the R.A.C. I do not know whether statistics are available as to whether people in this age group cause more accidents than those in other age groups.

My view is that the elderly person is more careful than the average driver, because he has had more experience in driving and knows the value of care. He also knows all about vehicle maintenance; and he adds up to a very good type of driver. I have known of cases where, when people have reached an elderly age, they have voluntarily handed in their licenses. I think this provision could operate unduly harshly on a section of the community. There is also the point that for some of these people to have to undergo a test would cause them personal embarrassment. I hope the Committee will give consideration to deleting the subclause.

The Hon. A. F. GRIFFITH: I realised that this provision would probably cause some debate and I appreciate the point of view expressed by Mr. Willesee. When the subsection was originally introduced in another place it provided for a medical examination and a road test every three years in the case of a septuagenarian, and every year in the case of an octogenarian. That provision has been cut down considerably to the point where the medical test has been removed and now a person over 70 has to satisfy the commissioner that he is capable of holding a license.

I do not think that is being unduly hard on elderly people. Frequently the time when elderly people decide they will give up driving is when something untoward happens, and in that way they can be a danger to themselves as well as to other people. There must be some point at which the Commissioner of Police, or some point of time when the commissioner must be satisfied that a person is able to continue to handle a vehicle. The Minister for Police says that he does not mind so long as we can find some age upon which we can compromise. We can make it 75 if we like.

The Hon. H. C. STRICKLAND: Have you any statistics on it?

The Hon. A. F. GRIFFITH: No, I could not quote any at the moment.

The Hon. H. C. STRICKLAND: Apparently the commissioner has none.

The Hon. A. F. GRIFFITH: I would not say that, but apparently the commissioner has the view that there should be some check on people of this age. I ask the honourable member whether he would accept 75 years of age as a reasonable compromise.

The Hon. H. C. STRICKLAND: In Australia tremendous importance is placed upon the motor driver's license as a means to restrict accidents. Strangely enough in some European countries no driver's license is required. No licenses are issued in Belgium.

The Hon. L. A. Logan: I saw some pretty bad drivers in Brussels.

The Hon. H. C. STRICKLAND: I did not see an accident.

The Hon. L. A. Logan: I did.

The Hon. H. C. STRICKLAND: I was there for six or seven weeks.

The Hon. L. A. Logan: I did and I was there for only six days.

The Hon. H. C. STRICKLAND: The Minister is entitled to have his views and I am entitled to have mine. All I am saying is that in some European countries no test is made and no license is required. Even in the United Kingdom people will use a learner's license for years. I know an elderly woman who rides a motorbike which would probably be put off the roads here, and all she has is a learner's license. She has had it for three years and she has been riding over the cobblestones and narrow lanes in Norwich. Evidently the accident rate there is no higher whether people are licensed or not.

I am not saying we are out of step; we might be further advanced; but I think too much importance has been placed upon the license. When the Commissioner of Police wants us to restrict the maximum age at which a driver can hold a license, and he does not produce statistics to support his argument, I do not think we

should accept it. If records are kept and we can see what happens, and it is then thought to be necessary, legislation along these lines can be introduced next year.

I think the motoring associations are of the opinion that people of mature age drive much more carefully and they respect the rules of the road much more than younger people. Any night in Hay Street one can see match races with cars between one set of lights and another. There are young fellows in their sports cars driving abreast down Hay Street, tooting their horns to attract attention.

I think we would be going a little too far at this stage with this provision because in the back country, and particularly in the rural areas, there are many more aged people driving motor vehicles than in the built-up areas. They have to drive cars in the course of their business, and therefore I think we should agree to the amendment until we have some more information placed before us.

The Hon. A. L. LOTON: I would like to know what happens when a driver gets to 71 or 72 years of age. Does he have to satisfy the commissioner every year once he reaches the age of 70? The clause says, "within the last three years." Does it mean that a driver has to satisfy the Commissioner of Police that he is capable of driving once he reaches the age of 67 years? It is rather confusing.

The Hon. R. F. HUTCHISON: I oppose this clause because I think it would do a great injustice to elderly people, especially those who live in the country and in the outback and who depend on motor vehicles for their livelihood and their convenience. It is too silly to say that nobody 70 years of age can be trusted to drive a car. My experience is that it is the very young people who need watching, and not people of mature age. This provision would affect me, too, and I do not think anyone could say that I do not drive a car with care and common sense. I think it will impose a great hardship and restriction on people, particularly those in country districts. I am sure country members would agree with that.

The Hon. J. Heitman: The driver only has to satisfy the commissioner. Surely it is not a hardship to prove that you can drive a car!

The Hon. R. F. HUTCHISON: It would be a hardship to country people to have to be tested every three years.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): Will the honourable member please address the Chair.

The Hon. R. F. HUTCHISON: I am addressing you very seriously, Mr. Deputy Chairman.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): No, you were addressing Mr. Heitman.

The Hon. R. F. HUTCHISON: Country people would have to travel great distances because there are not the facilities in the country for testing. I think this is a stupid clause.

The Hon. A. F. GRIFFITH: We are talking about people who have the right to hold licenses, so for goodness sake let us keep our feet on the ground! If a person is not capable of holding a driver's license I could not care what hardships are involved. Surely if a person is not capable—

The Hon. F. R. H. Lavery: These are people who have already got licenses.

The Hon. A. F. GRIFFITH: I realise that. Surely members are not going to say that because it imposes a hardship on somebody for those people to be tested we should forget about it and they should be allowed to go out and kill somebody!

The Hon. R. F. HUTCHISON: There are people of younger age who are not capable of driving.

The Hon. A. F. GRIFFITH: There is a provision in the Traffic Act to deal with them.

The Hon. R. F. HUTCHISON: Well, why pick on the aged?

The Hon. A. F. GRIFFITH: The amendment was originally introduced on the recommendation of Commonwealth Government medical officers who decided—

The Hon. R. F. HUTCHISON: That doesn't make it satisfactory.

The Hon. A. F. GRIFFITH: —at a conference that in the interests of safety it would not cause undue hardship to have a test at some point of time. Mr. Strickland asked me whether I had any statistics. I have looked up the notes and I find 11 licenses were cancelled in the past 18 months—

The Hon. R. F. HUTCHISON: That could be for any age.

The Hon. A. F. GRIFFITH: Why don't you listen for a moment, please? Eleven licenses were cancelled in the past 18 months of persons over 70 by reason of senility. It was causing them to have accidents through lack of control of their vehicles.

It is considered not unduly hard to have some authority to check. We say there is a minimum age at which a person can obtain a license. The prime object of this Bill is to promote a system of probationary licenses. Its additional aim is to attend to some of these matters, as this clause seeks to do. If a person is over 70 and capable and fit to drive a motor vehicle, then by all means let him drive it.

The Hon. R. Thompson: Who determines the physical fitness of the person?

The Hon. A. F. GRIFFITH: The Commissioner of Police shall not renew a driver's license in the case of a license

holder aged 70 years or more, but less than 80 years, unless that license holder, within three years, satisfies him, and in the case of a license holder 80 years or more, until that license holder again satisfies him, that he conforms with the requirements of paragraph (c) of subsection (2) of proposed new section 23.

The Hon. F. R. H. LAVERY: Would you read paragraph (c)?

The Hon. A. F. GRIFFITH: You mean of this Bill?

The Hon. F. R. H. LAVERY: Of the Act.

The Hon. A. F. GRIFFITH: This is before us as a Bill tonight! It will be an Act when it is assented to.

The Hon. H. K. WATSON: So if you read paragraph (c) on page 3 you have the answer.

The Hon. A. F. GRIFFITH: That is right. I still offer the proposition to amend this to 75 years if that is acceptable to Mr. Willesee.

The Hon. W. F. WILLESEE: I think there should be some point at which the Commissioner must draw a line of demarcation in the issue of licenses. I feel 75 years of age will be a fair starting point. I ask leave to withdraw my amendment.

**Amendment, by leave, withdrawn.**

The Hon. W. F. WILLESEE: I move an amendment—

Page 7 line 16—Insert after the word "seventy" the word "five".

The Hon. A. R. JONES: I oppose the amendment. I feel the Bill is good as it is. Surely we all recognise that there is an age in one's life when one should come up for review. One generally finishes work at 65, which is considered the retiring age. That is the age at which one receives one's pension. Some people can go on working until they are 75 or 80 years of age and can do an excellent job, while others are not in good shape even at 65. Surely it is no hardship to ask people to come up for review at 70 years of age. I know of a person who at 97 was still driving a motor vehicle, and who was more alert than some people of 60. Indeed there is the case of a person who was unable to drive at 60 because of a heart complaint. I hope the Minister will stick to his guns.

The Hon. A. F. Griffith: I am stuck.

The Hon. F. R. H. LAVERY: I am not satisfied that either Mr. Jones or Mr. Willesee is right. Let us be factual in this matter. The Minister gave us no statistics. He mentioned 11 cases of men and women who had lost their licenses, because they were not considered capable to continue driving. He did not say how many people had been killed or injured by people of 70 years or over. We must consider the accident rate and the attempts made by the Police Department to cut down the death roll.

We adopted a system two and a half years ago of penalising people by taking away their licenses. I know a little about that. We should be given the necessary statistics to cover both ends of the table. Who is to say a man is too drunk or too old to drive a motor vehicle? I remember Sir Charles Latham speaking on this subject. He was over 70 years of age and capable of driving a motor vehicle. When he felt he was not capable of doing so he gave up his license. There might not be much wrong with this provision, but I consider it to be the thin end of the wedge. Every session we have new restrictions imposed on the motorists, together with increased costs. If this provision will save one life I will be all for it; but who says it will? We find people travelling all over Australia at 70 years and more, towing caravans behind their cars. I think that subsection (5) on page 7 should be deleted.

The Hon. J. G. HISLOP: The wording of the clause puzzles me. I am amazed at its prognostication, because it would be possible for me at 67 to go to the Commissioner of Police and assure him I could drive a motorcar, and keep my license until I was 70 years of age. I do not know how anybody can tell me, at 67, that I will be fit to drive at 70. I could not tell that from a medical examination. We must get down to a common age. I suggest that if I satisfy the commissioner at 67, then I am entitled to keep my license till I am 70 without any further question. That is how the clause reads.

The Hon. A. F. Griffith: I do not think it does.

The Hon. J. G. HISLOP: I suggest the Minister have another look at it.

The Hon. A. F. Griffith: With respect I suggest you have another look at it.

The Hon. J. G. HISLOP: I have read it backwards.

The Hon. A. F. Griffith: You want to try reading it frontwards.

The Hon. J. G. HISLOP: The extraordinary thing about the clause is that the individual must conform with paragraph (c) of subsection (2) of proposed new section 23. If the commissioner has power to do that, all he need do is to call up people of the age he suspects and ask them to satisfy him that they can drive a car. I cannot see that the commissioner needs more power than is contained in paragraph (c). I think the commissioner has ample power; and I feel quite certain that any legal question which may arise on this clause will give a tremendous opportunity for discussion on the English language.

The Hon. R. C. MATTISKE: I cannot agree with my colleague on this matter. I think the clause is clear, indeed. Until

a person reaches the age of 70 years, the clause does not apply to him; but between the ages of 70 and 80 years, the clause prescribes that he must submit himself for a check every three years. Until a person reaches the age of 70 years, there is no obligation on his part to go along for a check. He will continue as at present renewing his license year by year until he reaches the age of 70.

Thereafter it will be obligatory for him to have a check once every three years; then after attaining the age of 80 years he must have an annual check. I do not think this will create any hardship. We must remember that when a person reaches the age of 70 he may not have all his faculties. Therefore I think the provision is reasonable.

The Hon. R. F. HUTCHISON: A person does not have to be in perfect physical health to drive a vehicle. All that is required at the age of 17 years is that a person be capable of driving a motorcar. As people get older they become more sensible; and if an old person finds that he is shaky he would not hold on to a license. His own life is just as precious as someone else's. I agree with Dr. Hislop that this clause could be left out of the Bill as it will cause a lot of resentment. As Mr. Lavery said, all we do is sit here in this Chamber and restrict people more and more. If we continue to do this we will blush when we call ours a free country. I oppose the clause.

The Hon. E. M. HEENAN: I think Mr. Willesee's proposition is the best I have heard in regard to this matter. I think it is reasonable that at some age a person should satisfy the commissioner—and that is all he has to do.

The Hon. R. F. HUTCHISON: What about the younger ones?

The Hon. E. M. HEENAN: People cannot qualify for a license until they are 17 years of age. I do not think this provision, if it is amended to make the age 75, will be an imposition on elderly people. Driving a motorcar requires a degree of judgment, precision, and skill; and we have to be honest with ourselves and admit that when one reaches 75 one begins to slow up. Whether a person of that age is capable of driving on our busy roads should be a matter for the commissioner to decide. Some men and women whom I have seen at the age of 75 seem to be more like 60, while others are, of course, very old.

There should be some degree of control on the part of the commissioner, particularly as some people on the roads drive so slowly they induce other drivers to pull out to pass which, quite often, is dangerous. I think Mr. Willesee's proposition is the most sensible one I have heard during this debate.

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

**Ayes—23**

Hon. C. R. Abbey	Hon. A. L. Loton
Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. G. Bennetts	Hon. J. Murray
Hon. D. P. Deilar	Hon. H. R. Robinson
Hon. J. Dolan	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. R. H. C. Stubbs
Hon. A. F. Griffith	Hon. R. Thompson
Hon. E. M. Heenan	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. D. Willmott
Hon. F. R. H. Lavery	Hon. J. D. Teahan
Hon. L. A. Logan	(Teller.)

**Noes—3**

Hon. J. Heitman	Hon. J. M. Thomson
Hon. A. R. Jones	(Teller)

**Majority for—20.**

**Amendment thus passed.**

**The Hon. W. F. WILLESEE: I move an amendment—**

**Page 10—Delete all words from and including the word "or" in line 20 down to and including the word "section" in line 23.**

This deals with a series of offences that could be dealt with in the case of a person who offends under the Traffic Act; and the particular paragraph says, "any regulation that may be prescribed for the purposes of this section." That seems to be very wide. Minute regulations could be added indefinitely and it would be difficult for a person who held a license to know just what particular regulation he was offending.

In his second reading notes, the Minister listed some 17 offences as being sufficiently serious to warrant suspension. Whilst I would not personally be in agreement with all of the 17, I think they should be listed by way of a schedule within the Bill rather than retain the present provision by regulation. When I read the Minister's notes, which listed these various offences, I believed that they would probably be put into the Bill on the basis of a schedule.

The Hon. A. F. GRIFFITH: Some serious offences are listed under various Acts; and this provision enables regulations to be made in respect of the other 17 offences. My colleague, the Minister for Police, did say in another place that he would investigate the possibility of having these offences put into the Bill, so that they would become part of the Act. However, investigation has shown that there would be a lot of difficulty attached to this, because it is not desired to legislate for a set of new offences, but rather to regulate for them. There are many offences regulated under the Traffic Act now—a great long list of them. Frequently summonses are issued not for breaches of the Act, but for breaches of a regulation.

If other regulations are issued under the Act, they are laid on the Table of the House, and are subject to disallowance. The only way to have them disallowed if they are included in the Act is to amend the Act.

The Hon. W. F. WILLESEE: Will the Minister advise me whether the 17 offences he listed are already covered by regulation?

The Hon. A. F. Griffith: I don't think so.

The Hon. W. F. WILLESEE: Some of them to me border on the trivial, whereas some of them are very serious.

The Hon. A. F. Griffith: Perhaps I should be more careful and say I do not know, but that I could find out.

The Hon. W. F. WILLESEE: We could postpone this issue if the Minister so desires. I think there is some merit in what he says: that a lot would be covered by regulation and would have to be sorted out.

The Hon. A. F. Griffith: They would have to be listed by regulation before they could be an offence.

The Hon. W. F. WILLESEE: If these are only suggestions of the type of thing that could happen I still think there is considerable danger.

The Hon. J. G. Hislop: Would you read the 17 listed so that we may know what they are?

The Hon. W. F. WILLESEE: Yes. They are as follows:—

- (1) Disobedience of directions given by a police officer or traffic inspector.
- (2) Wilfully preventing another vehicle from passing, driving into or from a line of traffic caused by a temporary traffic hold-up and making a "U" turn when not safe to do so and so as to cause interference to traffic.
- (3) Racing with another vehicle.
- (4) Moving vehicle not keeping to the left.

There is one I would take up. To continue—

- (5) Incorrect overtaking.
- (6) Failing to give right of way.
- (7) Failing to take precautions when entering a road.
- (8) Failing to pass centre of road in which about to turn.
- (9) Failing to stop at a "Stop" sign erected at a railway crossing.
- (10) Reversing without taking precautions.
- (11) Failing to ensure vehicles proceeding in opposite directions do not pass on left of each other.
- (12) Failing to give right of way to pedestrians at pedestrian crossings.
- (13) Driving past another vehicle waiting at a pedestrian crossing.
- (14) Failing to take precautions and give right of way at school crossings.

(15) Failing to keep to left of single or double dividing lines, changing lanes when not permitted, and not observing right and left turn only signs and markings.

(16) Dangerous speeding.

(17) Disobedience by driver of vehicle on traffic control light signal (notably the red light).

The Hon. A. F. Griffith: They would apply to a probationary license only.

The Hon. W. F. WILLESEE: I have not thought of that before. Supposing a person holding a probationary license and another holding an ordinary license went through a stop light, surely it would apply to both of them?

The Hon. A. F. Griffith: There is already provision in the Act to punish the holder of an ordinary license who goes through a stop signal. This is dealing with automatic cancellation of a probationary license.

The Hon. F. R. H. Lavery: This is to suspend the license.

The Hon. A. F. GRIFFITH: My notes tell me this—

Automatic cancellation of licenses issued on probation will follow on the breach of certain regulations to be prescribed for this purpose.

To give some indication of the Government's thinking in this matter, it is considered the following offences are sufficiently serious to warrant suspension:—

Then follow the 17 offences read out by Mr. Willesee. I repeat that the whole purpose of this legislation is to create a system for probationary licenses, to inculcate, if possible, into the mind of the young driver that he cannot just go to a police station, get a license, and then do all sorts of things which are a menace to traffic, people, and himself. If he breaches these regulations, he is liable to automatic suspension; but the Traffic Act deals already with the holders of an ordinary license who fail to stop at a stop sign. Members will realise that there are some very serious offences in that list read out.

The Hon. A. L. Loton: They are offences now.

The Hon. A. F. GRIFFITH: Yes; but a person's license is not necessarily automatically cancelled as a result of committing one of them. However, the holder of a probationary license will have his suspended.

The Hon. J. G. Hislop: What was that offence concerning passing on the left?

The Hon. A. F. GRIFFITH: It is number 11 and it reads—

Failing to ensure vehicles proceeding in opposite directions do not pass on left of each other.

I repeat that there are some very serious offences in this list. The other day I was proceeding up William Street and a young fellow came alongside me and took no notice of the light. It was red when he actually went through. If the fellow waiting in the intersection street had anticipated the movement of the lights and had proceeded across the intersection, there could have been a very serious accident. In my opinion that fellow should have lost his license, because he endangered himself and half a dozen others simply as a result of a stupid action because he was in a hurry.

The Hon. W. F. WILLESEE: I agree that, as in the instance the Minister just quoted, some people deliberately go through the red lights. However, which one of us has not at some time gone through accidentally. I do not feel that the same penalty should be applied to a person who offends deliberately as to a person who offends accidentally.

I do not think I can do much more than bring this matter to the attention of members, and if my suggestion that we list these offences in the Bill is not practicable, we can only hope that the Minister will have a further look at the matter to see what can be done. I will be prepared to leave the issue on that basis.

**Amendment put and negatived.**

**Clause, as previously amended, put and passed.**

**Clause 5 put and passed.**

**Clause 6: Section 33A amended—**

The Hon. W. F. WILLESEE: I move an amendment—

Page 11, lines 32 to 34—Delete paragraph (b).

Under this paragraph a person who has his license suspended must wait one month before he can apply for a conditional license. I feel this could be very harsh on a person who has to use a vehicle in connection with his work. I knew of one mechanic who lost his license for, I think, two years. The owner of the garage where he worked approached me to see if it would be possible to get him a restricted license. This license was subsequently granted. Another instance I can recall to mind is that of a lady cleaner who had her own vehicle and drove herself to work. She had her license suspended also.

In my opinion the conditional license should be allowable at all times if it is needed in connection with work. If a person has to wait a month he could easily lose his employment as a result of this paragraph.

The Hon. F. R. H. LAVERY: This clause affects the Transport Workers' Union, which I mentioned when speaking on the Address-in-Reply debate. The union and its members believe that where the license of an ordinary person in civil life such as

myself, or a solicitor, or a clerk is suspended he can still retain his employment; but the driver of a commercial vehicle such as a bus or a heavy duty truck may be out with his wife and family on a Sunday afternoon and cross the double white lines and cause an accident, and he would lose his license and would also be penalised to the extent that he would lose his employment, because no transport employer requires an unlicensed driver. Heavy transport today might be termed the lifeblood of the nation; it has to be kept rolling.

Most big firms that have up to 100 or 200 drivers have a maintenance staff to do the maintenance work, and the driver who loses his license is doubly penalised because the company cannot employ him in the warehouse or the store yard. The Transport Workers' Union considers that where a transport driver loses his license in a private capacity he should be able to apply for a special license within a month.

Earlier in the year I anticipated that we would be asking for an amendment to the Traffic Act, and because of the Minister's words in reply to me, the matter has been left until this time.

The Hon. A. F. GRIFFITH: Would you clarify that, please.

The Hon. F. R. H. LAVERY: When the Minister was replying to the debate on the Address-in-Reply, the fact was mentioned that, in respect of the Transport Workers' Union, there would have to be an amendment to the Traffic Act, and as amendments would be brought down later in the year, that would be the time for me to take any action that was necessary.

We find that under this amendment a person will have to wait one month before he can apply for a special license. It has to be conceded that the Act now allows a delicensed person to apply to the court for a special license to drive within the hours of his employment. The Transport Workers' Union believes that its members are being penalised twice when they lose their employment; whereas a clerk, a school teacher, or anybody else can continue in his occupation even if he has lost his driver's license. I support the amendment.

The Hon. A. F. GRIFFITH: I think it was in 1959 that the Traffic Act contained a provision that had application to the taking away of a driver's license. At that time the only way a person could have his license returned to him during the period of suspension was by way of recommendation to the Governor by the Attorney-General or the Minister for Justice.

The Hon. F. R. H. Lavery: That is true.

The Hon. A. F. GRIFFITH: In 1959 Parliament wrote section 33A into the Act and made it possible for a person who had his license suspended to apply to the court

for a conditional license. In my portfolio, as Minister for Justice, I will not touch drivers' licenses because the court process is already available. I can think of only one case where I have recommended to the Governor that a license be given back, and that was in respect of a young fellow; and it was an exceptional case. To the best of my knowledge the lad has behaved himself.

The Hon. R. Thompson: He was a good lad from the start.

The Hon. A. F. GRIFFITH: The principle applying since 1959 is that the authority that takes away the license shall be the authority to which the offender shall apply to have it returned to him.

If we accept the argument put forward by Mr. Willesee and Mr. Lavery we could have this position: We could have two men, one who does not earn his living by driving a motor vehicle and the other who does, and if each of these two men commits an offence of the same nature we are going to say to the fellow who is dependent on his license for a living that he can apply the next day to get his license back, but the fellow who does not depend on his license for a living cannot; or, at least, he will not have the same basis for his application.

The Hon. F. R. H. Lavery: That is true; but one man would be penalised twice. He would lose his license and also his job.

The Hon. A. F. GRIFFITH: This amendment is in the interest of breaking down the traffic accidents that are occurring. The community is not up in arms over this matter, but it is very conscious of the terrific number of accidents.

The Hon. F. R. H. Lavery: So is every member here.

The Hon. A. F. GRIFFITH: I am glad to hear it. The Government has given a lot of thought to this question, and in an attempt to break down the number of accidents, and make people drive more carefully, and make them conscious of the fact that if they commit certain offences they will lose their license, it has provided that for a period of a month they will not be able to have their license returned to them.

I suggest that the magistrates and the justices of the peace will read this amendment in the terms in which Parliament expresses itself. They will be conscious of the fact that they will be taking a man's license away for a month without the right of the man to have it returned to him; or the period may be 6 months, or 12 months, according to the severity of the breach. People will know that they will not be able, after having their license taken away in the morning, to apply in the afternoon for it to be returned to them; and that is what is happening.

Every month I get the Traffic Court returns of the suspensions and the applications for licenses to be granted under section 33A, and there are literally dozens of them.

People come to me, and write to me, asking that I recommend that their license be reinstated; and I tell them to apply under section 33A of the Traffic Act, and they apply straight away. This has happened to the point where some licenses have been taken away in the morning and application for the restoration of them has been made in the afternoon. That is just making a farce of the law.

The Hon. J. M. Thomson: Absolutely.

The Hon. A. F. GRIFFITH: I am sure the Government does not want to see any person lose his livelihood. This amendment is introduced in the interests of the welfare as well as the livelihood of the people. If it will have a quietening effect on some drivers like the young fellow the other day—

The Hon. F. R. H. Lavery: He didn't get caught.

The Hon. A. F. GRIFFITH: He had gone before anybody could do anything; he had gone up the street like the shot out of a gun. The purpose of the amendment is to get people to realise that they cannot take their own lives and the lives of other people in their hands. I hope the committee will agree to the Bill in the form it is.

The Hon. W. F. WILLESEE: We have reached a point of difference in that I hold we should have a degree of equity in respect of a person who earns his living by holding a driver's license. I do not suggest he should get any benefit for the weekends, or that he should be able to use his license for pleasure purposes.

The instances given by the Minister sound drastic and almost silly when one thinks of the suspension of a license in the morning and the request for a renewal later in the same day. With the type of people I have in mind, speed is the essence of the contract because if they wish to hold their job they must, as near as possible, maintain continuity. People who lose their license and have it returned to them on a restricted basis suffer punishment; so much so that if we could have statistical evidence concerning those who have received suspensions and have then been given conditional licenses, it is probable we would find their conduct had been greatly affected. However, we cannot bring statistical evidence to bear on this matter. I wish to proceed with my amendment.

The Hon. A. F. GRIFFITH: It cannot be assumed that magistrates will continue to dole out the same sort of punishment

as they have in the past, because a magistrate will realise that under the Act, with these amendments in it, he can take away a driver's license for a period.

Whether or not magistrates have said to any offenders, "You can apply under section 33A", I do not know; but they have the knowledge that that section exists. With the words "one month from" written into the Act the magistrates will know that according to the severity of the offence so they will be able to suspend, or not suspend, a license. I do not think it can be assumed that the same type of punishment will be meted out. I think a different attitude will be adopted by the magistrates. They will know that once they take a license away it may not be redeemed within a period of one month. I hope this provision will have a salutary effect on people who have an attitude of careless abandon in regard to the taking away of their license.

The Hon. F. R. H. LAVERY: I desire to speak on the amendment because my remarks will be recorded in *Hansard*, which will be read by the officers of the Traffic Department and by magistrates. In opposing this clause I want it to be clearly recorded that if any of the heavy duty drivers commit a breach of the Act which results in their license being suspended, the union and myself have no sympathy with them whatsoever. If those drivers commit a breach of the Act whilst driving their wagons for the purpose of transporting merchandise, I repeat, the union and I will have no sympathy for them. However, I think some leniency should be shown to such drivers who commit a breach of the Act while driving their own private vehicles and are penalised to to extent of their license being suspended. In some instances such a driver is apprehended for driving his private car without a tail light, or perhaps it is found that his brakes are faulty.

The Hon. A. F. Griffith: In such instances he would not lose his license.

The Hon. F. R. H. LAVERY: Many drivers have lost their license not because of the minor breach for which they have been apprehended, but because they have inadvertently committed other minor breaches of the Traffic Act which have been discovered after their apprehension. Some drivers are having their license suspended for three months for an offence for which another driver is penalised only to the extent of a fine, or one month's suspension of his license.

Members must know of instances where young men have killed persons crossing at intersections and have been fined only £20. Yet we know of other drivers who, because they have been found guilty of negligent driving, have been committed to prison. The clause in the Bill is not as simple as one is led to believe. Mr. Willesee's amendment is one which could be given

consideration by the Committee in so far as it seeks to deal with the driver who loses his license whilst driving his own private vehicle.

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

#### Ayes—13

Hon. N. E. Baxter	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. H. C. Strickland
Hon. D. P. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. J. D. Teahan
Hon. E. F. Hutchison	(Teller)

#### Noes—13

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heltman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. J. Murray
Hon. A. L. Loton	(Teller)

#### Pair

#### Aye

#### No

Hon. F. J. S. Wise	Hon. H. K. Watson
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The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): There being an equality of votes, the question is resolved in the negative.

**Amendment thus negatived.**

**Clause put and passed.**

**Clauses 7 and 8 put and passed.**

**Title put and passed.**

#### Report

**Bill reported, with an amendment, and the report adopted.**

#### Third Reading

**Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and returned to the Assembly with an amendment.**

### BILLS (2): RECEIPT AND FIRST READING

1. Agricultural Products Act Amendment Bill.
2. Fruit Cases Act Amendment Bill.

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

### LAND ACT AMENDMENT BILL

#### Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

### FISHING INDUSTRY

#### Inquiry by Select Committee: Motion

Debate resumed, from the 21st November, on the following motion by The Hon. R. Thompson:—

That a Select Committee be appointed to inquire into and report upon the Fisheries Act, 1905-1962, in its application to the crayfishing industry in particular, and make such

recommendations as are considered necessary to safeguard the future of the fishing grounds and the industry generally.

**THE HON. N. E. BAXTER** (Central) [9.27 p.m.]: It is a pity this motion has been brought forward so late in the session. I believe that a Select Committee appointed by this House could go a long way in making inquiries into the crayfishing industry. Members may recall that I moved a similar motion some years ago, but it was dropped because it, too, was introduced too late in the session for the Select Committee to be appointed. In such instances it means that if the motion is agreed to and the Select Committee is appointed it would have to conclude its inquiries before the session came to an end so that it could report back to the House, otherwise the Government would have to agree to convert it to an honorary Royal Commission. If this were done, the Royal Commission would then report its findings to the Governor.

When speaking to this motion I would like the Minister to inform us whether, if a Select Committee were appointed, the Government would agree to converting it to an honorary Royal Commission so that it could eventually report its findings to the Governor.

**The Hon. L. A. Logan**: I have already spoken against the motion.

**The Hon. N. E. BAXTER**: Yes, I know, but the Minister did not indicate, at that time, whether he would agree to a Select Committee, if appointed, being converted to an Honorary Royal Commission. The situation in the industry, as I know it today, is that there is much room for inquiry. The Minister for Fisheries, who controls the Fisheries Department, has attempted, since 1960, to introduce amendments to improve conditions in the industry and has made a genuine attempt to control the activities of crayfishermen, particularly relating to the catching of undersized crayfish.

However, I am much afraid that despite the increased penalties that have been imposed by way of fines, and also additional penalties for each undersized crayfish caught, this has not prevented breaches of the Act by those engaged in the industry. I have been told by many fishermen that, in a way, the penalties imposed are rather farcical. For example, if a crayfisherman is fined, say, £10, this represents only another couple of bags of undersized crayfish which the offender can catch without much trouble. They can get undersized crayfish very easily. If this trend continues then the existing legislation will not be adequate to protect our fishing grounds, and eventually the effect upon the crayfishing industry will be very severe—just as severe

as it was in South Africa some years ago. In my opinion some inquiry should be instituted to see if something can be done to safeguard the industry.

There are other matters which arise within the industry, but I want to deal with the taking of undersized crayfish. It was reported by a person on very good authority that in one freezer works some 2,000 lb. of undersized crayfish were stored. A report was made to the Minister and an inspector was sent out to investigate. Unfortunately the crayfish had been broken up, and placed in polythene bags. Although the inspector was certain they were undersized crayfish, no charge could be laid because a case could not be proved. If that sort of thing goes on then strict action should be taken to inquire into this industry, so as to find ways and means to overcome this problem. I am convinced it can be dealt with if an inquiry is held.

This motion seeks an inquiry into all matters affecting the crayfishing industry. One aspect which has caused me concern for some time is the provision of fish baits to fishermen. This State is importing quite a lot of fish baits, and contracts are given by the abattoirs to certain people for the sale of hocks and cheeks of cows. This source of supply of baits is being made use of by certain people to derive a very handsome profit at the expense of the fishermen. This is a matter over which the Government could exercise some control; it should be inquired into, to ensure that fish baits supplied by the abattoirs were directed into channels where fishermen could obtain them at a reasonable price. If fishermen could buy these baits at a reasonable price there would be an incentive for them not to take undersized crayfish, particularly in times when catches were poor, because they would still have to buy the baits. This is a very expensive item.

I would like to support this motion, but at this stage of the session I feel it would be rather futile, unless the Government was prepared to convert the Select Committee into an Honorary Royal Commission. Nothing more can be said at this stage, as the Minister has already spoken to the motion and he cannot speak again. Thus he is prevented from giving an assurance on behalf of the Government that the committee would be converted into an Honorary Royal Commission.

**THE HON. R. THOMPSON** (West) [9.35 p.m.]: I am amazed at the interest shown by members in this House to the motion before us. The crayfishing industry is the fourth largest in the State, and it is our principal dollar earner. This industry is not being policed or conducted in the right manner, and I think I proved

that conclusively to the House when I introduced the motion five or six weeks ago.

If the motion had been acted on, and had not been left on the bottom of the notice paper for so long, it would have been possible to appoint a Select Committee, and Parliament would have received a report by now. There was a deliberate attempt to keep the item on the bottom of the notice paper, so that a Select Committee could not be appointed.

If the House agrees to this motion it is my intention to ask that the committee have power to call for persons, papers and documents, and to adjourn from place to place; that it may sit on days over which the Council stands adjourned; that the proceedings be open to the public and the Press; and that the committee report when the House reassembles. That would only be just and fair. I fully realise that the Minister does not want this inquiry. I was trying to be helpful to him and to the department, as I have been over the years, in respect of the crayfishing industry. The Minister is of the peculiar type who thinks one is telling him lies or is trying to put something over him. Nothing can be further from the truth. The people who have remained in the crayfishing industry have requested me to move for the appointment of a Select Committee, because they have been to the Minister so many times but no notice has been taken. I ask the Minister to challenge me on this if he wishes.

The Hon. L. A. Logan: I could.

The Hon. R. THOMPSON: When the Minister spoke on this motion he did not give any evidence of that. The legitimate fishermen in the industry are prepared to put forward certain objectives with a view to preserving this industry, not only for themselves, but for the State. I referred to a factory operating at Ledge Point, but the Minister did not mention one word about it.

The Hon. L. A. Logan: I gave the number of patrols which took place there.

The Hon. R. THOMPSON: I said that between 10,000 and 12,000 boxes of undersized crayfish were processed in that factory annually, and that that had been going on for years. I have had a look at the factory for myself and I have explained what took place. Undersized crayfish are being illegally processed on small boats which do not hold freezer-boat licenses. The crayfish do not meet the 3 in. minimum measurement, but the tails are in excess of the 5½ in. minimum. If the crayfish were brought ashore as a whole, the fishermen engaged in those operations would be penalised for taking undersized crayfish.

By pulling the tails out while the crayfish remained on the small craft, and placing the tails in bags, and by leaving the bags in the dinghies, they run little risk

of detection. The truck used by the processing firm is a four-wheel-drive vehicle, and the driver is so experienced that he can swing the vehicle alongside the dinghy, and, without getting out of the truck, he can swing the bags on to his vehicle with a hook. That was the point which the Minister did not explain. The number of crayfish per case would be kept down to the bare minimum in weight by that processor. I have seen the factory on numerous occasions, and also the operations.

On about the 26th March when I drove down to the beach in the morning the inspectors went off, but there were three bags of undersized crayfish there.

The Hon. L. A. Logan: You complained because one driver was fined for carting unlabelled bags. You spent 75 per cent. of your time during your introductory speech on that aspect.

The Hon. R. THOMPSON: The Minister did not reply.

The Hon. L. A. Logan: There was no need to. That case was finished.

The Hon. R. THOMPSON: It is far from being a finished case. It is easy for the genuine fisherman to have a small number of undersized crayfish in his bags, through using a bent gauge. One fisherman was fined £116, because his gauge was bent. He was not notified by the Fisheries Department, but by the processing firms when he sent in undersized crayfish for three days, from Ledge Point to Fremantle. Evidently there are protected people in the trade who are able to process undersized crayfish all the time.

The Hon. L. A. Logan: You are making a rather serious accusation against some inspectors.

The Hon. R. THOMPSON: I am not making any accusation against any inspector.

The Hon. L. A. Logan: It sounded that way. You said there were protected people.

The Hon. R. THOMPSON: I am not making accusations against any inspector. I did not imply that, nor did I intend that.

The Hon. L. A. Logan: What did you mean by protected people if you did not intend it that way?

The Hon. R. THOMPSON: They are being protected in that they are not being policed.

The Hon. L. A. Logan: Is not that equivalent to saying the inspectors are not doing their job? When you said there are protected people you must have implied that.

The Hon. R. THOMPSON: The Minister could put his own interpretation on my statement, and that is his prerogative, but I have my own interpretation. I have told the House that there were at least 60 to 80 bags of undersized crayfish being processed along the coast daily, and up to

100 bags on freezer craft. The inspectors have no chance in the world to police those operations.

The Hon. A. R. Jones: What about appointing more inspectors?

The Hon. R. THOMPSON: We could appoint 50 inspectors but they could not police these illegal operations. Members will recall that 12 to 18 months ago fishing vessels which were not permitted to operate north of Geraldton around the Abrolhos group were going up there during the Abrolhos season, and threats of shooting were made. This is a restricted area where freezer boats are not permitted to operate.

The Hon. L. A. Logan: You would need about 80 inspectors with two to each boat, and they would have to work 24 hours a day. How could that be done?

The Hon. R. THOMPSON: That will have to be done if we are to preserve the industry.

The Hon. L. A. Logan: There is not the accommodation for the inspectors. We would need to employ them for 24 hours of the day. There are 40 freezer boats, and that means 120 inspectors.

The Hon. G. C. MacKinnon: Cut out the freezer boats.

The Hon. L. A. Logan: I would be quite happy if you did that. You try it.

The Hon. R. THOMPSON: The Minister's interjection is typical of the sort of thing that we have been getting from him all along the line. It is in the hands of the Government whether or not the fishermen pay a subsidy. We have had many taxing Bills before the House. There have been increased license fees, increased land tax, and increased surcharges on third party insurance. This is an industry that is vital to Western Australia.

The Hon. L. A. Logan: We did not have a Bill in this House to increase third party insurance.

The Hon. R. THOMPSON: The Minister should not try to sidetrack the issue. The simple fact is that a levy should be imposed on every pound of crayfish caught, and inspectors should be used. Freezer boats should not get the greatest margin of profit from this industry.

The Hon. L. A. Logan: Would you cut out the freezer boats altogether?

The Hon. R. THOMPSON: Definitely, to preserve the industry. I will not have a bar of those people who take undersize crayfish. As a matter of fact, the Minister for Justice will know that a week ago a person who had his license suspended for three months for having undersized crayfish in his possession—and also spawner crayfish that had been scrubbed—contacted me and gave me a copy of the proceedings of a court case in which he was involved. I told him to leave my place; that I was not interested in his case.

Let me return to the point that the Minister raised a while ago concerning 10 bags of crayfish. Fishermen at Ledge Point were greatly concerned at the number of undersized crayfish being taken from Ledge Point. Enormous quantities were being taken and no prosecutions were being laid. There were 10 boats concerned, and the owners decided that they would each consign one bag. They wanted to be prosecuted. As a matter of fact, after the crayfish were seized from the truck—and the truck driver knew nothing about it—they went to the chief inspector, whose name was Bramley—he was present at Merindino's place—and asked that their names be taken. They wanted the case to be taken to the Supreme Court. From the transcript of the evidence of the case of the Fisheries Department versus Pittorino which was heard in August of this year, Vince Cappanaro gave sworn evidence in the court that the fishermen asked for their names to be taken so that proceedings could be launched against them in order that the undersized crayfish racket might be cleaned up. They were prepared to take the matter to the Supreme Court.

The Hon. L. A. Logan: They could have done it in a better way than by dobbling in an unknown driver.

The Hon. R. THOMPSON: It proved that the laws are not watertight. A Select Committee would not interfere with the correctness of the law, but it could submit recommendations which might assist the industry or suggest amendments to the Act or to the regulations.

Mr. Mattiske said that the majority of fishermen did not want a Select Committee. That was an amazing statement. The majority of fishermen—when I say majority, I mean over 300 of the fishermen—want a Select Committee. But the fishermen that the honourable member knows do not want a Select Committee. All I can say is, they must be the people who are infringing the Act at the present time, because the organised fishermen want this. They also want the season closed during the spawning period.

I do not know who gave the Minister his advice, whether his advice was correct on paper, or whether he jumbled it when he came to read it out. The Minister said that if spawned crayfish is pulled up from 20 fathoms, tipped on to a boat deck, and then returned to the water from the boat, the mortality rate is not affected. I will stand corrected, but I think he said that. I have seen the situation with my own eyes, and I say without fear of contradiction that nine out of 10 spawned crayfish that are thrown into the water are dead the minute they hit the water. I have seen hundreds of them around one boat.

If the Fisheries Department inspectors are trying to look for an answer to my argument, then they are not going to convince me of that; because they are definitely wrong.

The Hon. L. A. Logan: I gave you details of experiments that had been conducted by the C.S.I.R.O. I cannot do more than that.

The Hon. R. THOMPSON: Then all I can say is that it must have been a calm day, it must have been a small boat, and the crayfish must have been placed in the water. But that is not the usual practice.

The Hon. A. F. Griffith: While you have been talking I have been wondering what your Select Committee would discover that the department does not already know.

The Hon. F. R. H. Lavery: I think the Minister would be surprised.

The Hon. R. THOMPSON: The Minister pointed out what had been done by the Minister for Fisheries, particularly in the limiting of pots. He also said that in the past three years we have had amending legislation in an effort to do something for the industry. But we are not going to do anything for the industry if we do something in dribs and drabs. Positive action has to be taken, and a comprehensive Bill should be brought down whereby there could be complete control of the industry. At present we are getting amendments that do not mean anything.

As a matter of fact I had a telephone call only last week concerning the limiting of pots on boats. I was told that one boat that was licensed to carry 80 pots carried 139 pots branded with its license number. Is a fisherman entitled to be in possession of 139 pots if he is licensed to carry 80 pots? Of course, the others might have been spares, and I do not know whether the Act provides for spares. Perhaps the Minister can advise me.

The Hon. L. A. Logan: He can only use that number while he is fishing.

The Hon. R. THOMPSON: A person telephoned me and complained that 139 pots were being carried on a boat that was licensed to carry 80.

The Hon. L. A. Logan: Their losses are fairly heavy at times, of course.

The Hon. R. THOMPSON: They are when they have these brutal types of fishermen who go around and draw the other person's pots, cut the lines, and entangle the pots with a steel cable so that the pots cannot be untangled. I have seen those things happen.

Not at any stage when I moved this motion did I criticise anyone from the department; but if the department supplied the answers read by the Minister, then I criticise the department forcibly; because

it has tried to mislead not only me but also you, Sir, and the House. The Minister's comments were not fair comments.

The Hon. L. A. Logan: In what way?

The Hon. R. THOMPSON: The basis of my argument was not answered. Nothing of what I said was denied. The Minister's advisers did not deny anything at all; which should be sufficient proof for this House to support the motion. I am asking that the Select Committee should be turned into a Royal Commission at a later stage so that a comprehensive inquiry can be held and something can be done for the crayfishing industry. No one likes Select Committees or Royal Commissions at this time; but there is nothing political in this motion, so far as I am concerned. It is for the good of the industry, and the sooner an inquiry is held the better. If it is not held, then one day the Government will rue the day because there will not be any crayfishing industry left in Western Australia.

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

Ayes—13

Hon. N. E. Baxter	Hon. F. R. H. Lavery
Hon. D. P. Dellar	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. J. J. Garrigan	Hon. R. Thompson
Hon. E. M. Hoenan	Hon. W. F. Willesee
Hon. J. G. Hislop	Hon. J. D. Teahan
Hon. R. F. Hutchison	(Teller)

Noes—12

Hon. C. R. Abbey	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. J. Murray
Hon. J. Heltman	Hon. H. R. Robinson
Hon. A. R. Jones	Hon. S. T. J. Thompson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. J. M. Thomson
	(Teller)

Pairs

Ayes	Noes
Hon. G. Bennetts	Hon. A. L. Leton
Hon. F. J. S. Wise	Hon. H. K. Watson

Majority for—1.

Question thus passed.

*Select Committee Appointed*

**THE HON. R. THOMPSON** (West) [10.3 p.m.]: I would like to move for the appointment of personnel, but I seem to be having difficulty getting someone from the Liberal Party to act.

The Hon. A. F. Griffith: You seem surprised that your motion was passed.

The Hon. R. THOMPSON: I did canvass this among members of the Liberal Party. I move—

That The Hon. N. E. Baxter, The Hon. R. C. Mattiske, and the mover be appointed; that the committee have power to call for persons, papers, and documents, to adjourn from place to place; that it may sit on days over which the Council stands adjourned; that the proceedings of the committee be open to the public and the Press; and that the committee report when the House reassembles.

Question put and passed.

## MARKETING OF EGGS ACT AMENDMENT BILL

### *Second Reading*

**THE HON. N. E. BAXTER** (Central)  
[10.4 p.m.]: I move—

That the Bill be now read a second time.

This is not a complicated Bill, but it provides for the reconstitution of the Egg Marketing Board. At present the board comprises six members with the chairman selected by the Minister, two consumer representatives selected by the Minister, and three producer representatives elected by a vote of the producers.

The proposal in the Bill is to reduce the number on the board from six to five, with three producer representatives, as is provided in the present Act, one representative appointed by the Minister, and another person appointed by the Minister after selection from a panel of three names submitted by the Retail Grocers' Association of Western Australia. At the present time there is no representative of the retail selling side of the industry on the board in Western Australia. I believe, and the Poultry Growers' Association of this State believes, that a retailers' representative on the board would be of great advantage to the industry.

Over the years there has been some dissatisfaction in that retailers, particularly proprietors of shops, have not had representation on the board and they have had to contend with certain actions of the board. One of the principal purposes of the Bill is to give control of the industry to the people whose industry it is. At the present time the three producers' views can be negative at any stage by the other three representatives on the board—that is the present chairman and the two consumer representatives.

**The Hon. A. R. Jones:** It would be so the other way, too.

**The Hon. N. E. BAXTER:** That is so, but the honourable member has lost sight of the fact that the industry belongs to the producer. He is the person who pays the piper. Nobody else contributes to it.

**The Hon. F. R. H. Lavery:** The consumer pays.

**The Hon. N. E. BAXTER:** Yes, he pays for the product, but the industry is financed by the producers. They pay levies to balance the overseas price, and they also pay for the egg marketing floor itself. It is their industry. It is my belief, and the belief of my party, that producers should control their own industries. That is not the case with this particular industry, and I believe that all producers have every right to control their own industries.

Let me put it this way: Does any manufacturing company, or any business whatever, hand over control of the business to the purchasers of its product? Or do they control their own businesses, as owners of those businesses? Of course they do. If that is so, surely producers should have the right to control their own industry, whatever it might be!

Let us have a look at the legislation in existence in other states in regard to egg marketing boards. In South Australia the Act, in relation to the constitution of the board, was amended this year. In that State there is a board of six members with one producer from each of the three electoral districts specified in the schedule to the Act, and they are elected in accordance with section 4a of the Act. Then there are two persons who in the Governor's opinion have knowledge of, and have had experience in trade in, eggs, one of them being a person who, in the Governor's opinion, is suitable to represent the interests of retailers of eggs. The last person is one not engaged in the business of producing or selling eggs, and he has to be appointed chairman of the board.

That is a similar situation to that which has been in existence in this State for some years, except that in South Australia, under the amendment recently introduced, provision is made for people who have had experience in trade in eggs, which covers persons suitable to represent retailers. That has not been the position in this State up to date.

The position in the other States is as follows:—

	Members	Producers' Representatives	Government Nominees
Queensland .....	6	5	1
South Australia .....	6	3	3
Victoria .....	6	3	2
New South Wales .....	7	5	2
Tasmania .....	4	3	1

I have already explained the position in Western Australia. In New Zealand there is producer control, and one can see that overall, except for South Australia, which has a set-up similar to ours at the present time, all States have producer control of their egg marketing boards.

It might be said that over the years producers in Western Australia have done very well with their board. Admittedly they have, and the industry has been handled reasonably well, but matters have now reached a stage where they are not proceeding as well as they could be. It was reported that the producers' representatives on the board this year wished to increase the price. I will admit they did, but it was for a short period only when eggs were in short supply. At that time producers' returns were down 2d. on last year's figures, and, as soon as the slack

period ended, the producers' representatives agreed to a reduction of 5d. and also a shilling levy which brought the price down considerably to the producers. I do not think anybody could be fairer in their attitude than the producers have been in this industry over the years.

This Bill is an attempt to put the industry on a proper basis; because I believe that a board of five members, with one consumers' representative, one retailers' representative and three producers' representatives can comfortably handle the egg marketing business of this State with great advantage to all concerned.

The Hon. A. R. Jones: Is the chairman to be appointed from among that number?

The Hon. N. E. BAXTER: Yes, from one of these members. In the past the chairman has been appointed by the Minister, but it was on the basis that no producer member could be the chairman of the board. I think it is an unreasonable proposition to say to the people whose industry it is, "At no time shall one of your number be the chairman of the Board." It does not matter what organisation or business there is, one of the directors or shareholders is appointed chairman of the board. No outsider can be appointed; and I believe, in the interests of the industry, that a producer should be given an opportunity to be elected chairman of this board. He knows the industry better than anyone else, and who has more to lose or more to gain than the producer himself?

Many people hold the view that consumers should have representation on boards. That sounds all very well, but on the boards of companies what consumers get representation? There is no consumer representative on the board which controls General Motors Holdens Ltd., or any other manufacturing concern. Are any consumers invited to have representation on a board which controls a business to say what the prices of the goods of that firm should be? The board is selling eggs in this State, and to countries overseas.

The Hon. A. R. Jones: One is a business and the other is a board.

The Hon. N. E. BAXTER: One is selling manufactured goods, and the other is selling primary products in the form of eggs. The producers should be given the opportunity to control an industry in which they are vitally interested and for which they are paying the piper. The Government does not make any contribution at all. If the Government contributed, perhaps we could say that it should have a representative and that the consumers should have a representative, but, as I have said, the Government makes no contribution at all.

**Debate adjourned, on motion by The Hon. J. M. Thomson.**

## TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL (No. 4)

### *Receipt and First Reading*

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

## RESERVES BILL (No. 2)

### *Second Reading*

**THE HON. L. A. LOGAN** (Midland—Minister for Local Government) [10.18 p.m.]: I move—

That the Bill be now read a second time.

This Bill contains 22 clauses, 21 of which deal with reserves, and the other with the short title of the Bill. The reserves in question cover a fair part of the State. I have laid a copy of the summary of the notes on the Table of the House, together with the plans, and these will be available to any member who cares to see them.

The clauses provide as follows:—

Clause 2 provides for excision from Class "A" Reserve No. 1454 at Boyup Brook of one rood 4.2 perches which has been isolated from the main portion of the reserve by a road deviation.

Clause 3 provides for excision of Bruce rock Lots 44 and 45 from Class "A" Reserve No. 21380 for the purpose of creating a separate reserve for Recreation and Kindergarten Site.

Clause 4 provides for excision of 8 acres 1 rood 11 perches from Class "A" Reserve No. 8485 at Busselton for a new road along the waterfront and for the extension of existing roads to connect with the new road.

Clause 5 provides for the excision of 1 acre 3 roods 29.8 perches from Class "A" Reserve No. 24522 at Cervantes to provide a separate reserve for water supply for the adjacent Cervantes townsite.

Clause 6 provides for authority being given to the Trustees of the Public Education Endowment to subdivide and sell Dalwallinu Lot 156 as comprised in Public Education Endowment Reserve No. 17188.

Clause 7 provides for amendment of purpose of Class "A" Reserve No. 20403 at Denmark from Park Lands to Recreation as portion of the Reserve has been developed as a bowling clubsite.

Clause 8 provides for the amendment of the purpose of Class "A" Reserve No. 25337 at Denmark from Park to Park and Kindergarten Site.

Clause 9 provides for the excision of Fremantle Lots 1038, 1040, 1042 and 1044 from Public Education Endow-

ment Reserve No. 11384 and to give authority to the Trustees of the Public Education Endowment to sell the land.

Clause 10 provides for cancellation of Class "A" Reserve No. 10216 at Guilderton for the purpose of including the land in the adjacent Guilderton townsite wherein adequate reserves are being provided for public purposes.

Clause 11 provides for amendment of Class "A" Reserve No. 9286 at Kalgoorlie to comprise only the portion required and used for water supply purposes. The portions excised will be used for roads and for a new reserve for Park, Gardens and Arboretum.

Clause 12 provides for excision of Victoria Location 9764 from Class "A" Reserve No. 2076 ten miles north of Mingenew, for the purpose of making the land available for selection for agricultural purposes.

Clause 13 provides for authority being given to the Trustees of the Public Education Endowment to sell to the State Housing Commission, Mingenew Lots 31 to 40, 47 and 48, as comprised in Public Education Endowment Reserves Nos. 12070 and 21556.

Clause 14 provides for excision of an area of 1 acre and 34.3 perches from Class "A" Reserve No. 15162 at Mount Barker for a national television transmitter site as required by the Commonwealth of Australia.

Clause 15 provides for amendment of Class "A" Reserve No. 12085 at Parkerville to excise portion for inclusion in the Parkerville schoolsite and to also re-include in Reserve 12085 portion of the schoolsite excluded by resurvey.

Clause 16 provides for cancellation of Class "A" Reserve No. 25339 at Parkerville on which the new Parkerville school was built. A new reserve with boundaries amended by survey will be set apart as a schoolsite.

Clause 17 provides for an adjustment of the area of Class "A" Reserve No. 15962 at Quairading to agree with a recent survey.

Clause 18 provides for excision of 11 acres and 30 perches from Class "A" Reserve No. 7478 at Southern Cross to provide a new schoolsite reserve.

Clause 19 provides for excision of 1 rood 22 perches from Class "A" Reserve No. 17391, at South Nedlands, for the purpose of creating a separate reserve for the portion occupied by the old Gallop House and to vest the new reserve in the City of Nedlands in trust for the purpose of conservation of historical buildings, with power to lease.

Clause 20 provides for excision of an area of 1 rood 24.6 perches from Class "A" Recreation Reserve, at Manning, in the City of South Perth, for the purpose of creating a separate reserve for drainage.

Clause 21 provides for amendment of Class "A" Reserve No. 1275 at Wyndham to excise portions used for road, residential and public works purposes.

Clause 22 provides for amendment to excise portions from Cemetery Reserve No. 20359 at Wyndham, for the same purposes as referred to in clause 21.

I have a few notes on each particular reserve, and if any member desires further information I will be happy to supply it. The notes will be left on my desk where members may have a look at them at their leisure.

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

## ROAD CLOSURE BILL

### *Second Reading*

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [10.23 p.m.]: I move—

That the Bill be now read a second time.

This Bill has eight clauses, seven of which deal with road closures and one with the short title. The same remarks apply to this measure as to the previous one. There are notes on each of the particular clauses, together with maps showing each road closure. These will be available for any member who might care to have a look at them.

Clause 2 provides for the closure of a small road widening at the intersection of Beaufort and Drake Streets, in the Shire of Bayswater.

Clause 3 deals with the proposed closure of a private right-of-way opening on to Murray Street, Bayswater.

Clause 4 provides for the closure of a section of Swan Street, North Fremantle, which is to be included in the railway reserve, where the new railway bridge is being constructed.

Clause 5 refers to the proposed closure of a very small portion of a private right-of-way within a subdivision of Kalgoorlie Lot 917 situated at the corner of Hanbury Street and Boulder Road.

Clause 6 provides for the closure of a private right-of-way adjoining the works of the Diamond Ice & Cold Storage Coy. Pty. Ltd., at Osborne Park in the Shire of Perth.

Clause 7 provides for the closure of a road widening at the intersection of Eric Street and Melville Parade, Como, in the City of South Perth.

Clause 8 provides for the closure of the various undeveloped roads on the western side of the No. 2 Rabbit Proof Fence, the maintenance of which has been discontinued by the Department of Agriculture which has sold various sections of the fence to the holders of adjoining properties.

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

House adjourned at 10.25 p.m.

## Legislative Assembly

Tuesday, the 26th November, 1963

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

### TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL (No. 4)

#### Message: Appropriation

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

### QUESTIONS ON NOTICE

#### HIGH SCHOOL HOSTELS AUTHORITY

##### Purchases: Procedure and Delays in Delivery

1. Mr. W. A. MANNING asked the Minister for Education:

- (1) Is it a fact that the High School Hostels Authority has to channel authorisations for utensils, such as kitchen needs, fly doors, electrical goods, etc., through the Public Works Department?
- (2) If not, what is the position?
- (3) Is he aware that items already authorised for Narrogin by the authority dating back as far as June last are still outstanding?
- (4) Can some other procedure be adopted which will save delays?

Mr. LEWIS replied:

- (1) Yes.
- (2) Answered by No. (1).