

I said before, this is probably aggravated by the weakening effect on the lungs of the miners. It is a very bad thing that this should be so, and it does not help our State figures at all. It is a great worry to me to know that there is this incidence of tuberculosis on the goldfields.

I have not been able to get the figures for 1963 in regard to migrants, but I read a report of the Commissioner of Public Health on migrants a couple of years ago, and I find that the rate amongst them is very high. So, if it were not for these two factors that I have mentioned, our figures in Western Australia would be very good indeed. The people conducting the campaign against tuberculosis are doing a very good job, and I have much pleasure in supporting the Bill.

Debate adjourned, on motion by The Hon. R. F. Hutchison.

House adjourned at 9.19 p.m.

Legislative Assembly

Tuesday, the 24th August, 1965

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

QUESTIONS (23): ON NOTICE**PUBLIC RELATIONS COURSES***Availability, and Qualifications Awarded*

1. Mr. EVANS asked the Minister for Education:

- (1) Does the Technical Education Division provide education in public relations?
- (2) If so, what qualification is awarded to candidates who successfully complete a course?
- (3) Is the practice of public relations accorded the status of a profession in this State or in any other and, if so, what States?
- (4) Is he aware of any body in Australia akin in nature to the Public Relations Society of America?
- (5) Is he aware of any, and if so which, universities in Australia that provide courses (undergraduate or post graduate) in public relations?
- (6) If any of the information sought in previous questions is not immediately known or available, would he please endeavour to procure same and notify the questioner subsequently?

Mr. LEWIS replied:

- (1) Short courses have been provided from time to time at the request of particular firms or organisations. Provision is being made to include this subject as an optional study in the certificate in salesmanship and the diploma in business studies.
- (2) None for public relations as such.
- (3) This question cannot be answered since there is no generally accepted definition of what is a profession.
- (4) There is a Public Relations Institute of Australia but no branch in Western Australia.
- (5) There are none.
- (6) All the information has been provided in reply to previous questions.

FOODSTUFFS*Dye Additives*

2. Mr. HALL asked the Minister representing the Minister for Health:

- (1) Is he aware of the article appearing in *The West Australian* of the 14th August, 1965, headed "Illegal Dye Used in Fish"?
- (2) If so, how does he reconcile his thoughts with the fact that dye used was made from coal tar, a cancer suspect, yet this same type of dye is permitted to be added to solid foodstuffs in this State?

- (3) Can he give the names of dyes and colouring which are permitted to be added to foodstuffs in this State under the Health Act regulations and the proportion that is permissible?

Imports: Inspection by Health Department

- (4) What means has the Public Health Department at its disposal to inspect imported foodstuffs, canned and otherwise, for impurities and additives, such as dye stuff and the like?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.
- (2) No dye suspected of causing cancer is permitted to be used in food-stuff in this State.

- (3) The following colourings are permitted by the food and drug regulations:—

Caramel,
Cochineal,
Saffron,

Chlorophyll and other vegetable colouring matters, including any synthetic vegetable colouring chemically the same as natural vegetable colouring (except Gamboge and other harmful vegetable colouring matters, the use of which is prohibited).

Coal tar dyes as follows:—

Red Shades—

Amaranth,
Brilliant Scarlet 4R,
Carmoisine,
Chlorazol Pink Y,
Erythrosine,
Fast Red E,
Ponceau S.X.,
Rose Bengale,
Scarlet GN.

Orange shades—

Orange G.G.N..

Yellow shades—

Acid Yellow G. (Kond.)
Sunset Yellow F.C.F.,
Tartrazine,
Yellow R.F.S.,
Yellow R.Y.,
Yellow 2G.

Green shade—

Green S.

Blue shades—

Brilliant Blue F.C.F. (disodium salt),
Indigo Carmine.

Violet shade—

Violet BNP.

Brown shades—

Brown FK.,
Chocolate Brown FB.,
Chocolate Brown HT.,

Black shades—

Brilliant Black BN,
Carbon Black prepared from vegetable sources and free from any polycyclic hydrocarbons.

The concentration of any artificial colouring matter in food shall not exceed—

- (a) one part in 15,000 in aerated waters;
 - (b) one part in 7,500 in cordials;
 - (c) one part in 3,500 in any solid food.
- (4) Imported food is checked at Fremantle wharf by a departmental inspector. Fish or other food suspected of containing a prohibited additive is submitted to the Government Chemical Laboratories for analysis.

ALBANY HARBOUR*Berthing Facilities for Small Craft*

3. Mr. HALL asked the Minister for Works:

Can he advise what provision has been made in the overall plan for Albany Harbour development respective to berthing facilities for small commercial craft and work boats associated with and attending to shipping barges associated with harbour works and shipping, lighthouse tenders, passenger launches, fishing boats, tug and whale chasers?

- Mr. ROSS HUTCHINSON replied:

No special provision was made for these craft in the overall plan for Albany Harbour development as recommended by Mr. F. W. E. Tydeman in his report dated February, 1948, which was subsequently adopted by the Government.

It is considered that the existing situation is reasonably satisfactory. However, it will be kept under review in close association with the Albany Harbour Board.

TOWN PLANNING: MANDURAH AND MURRAY SHIRES*Restrictions on Subdivisions*

4. Mr. RUNCIMAN asked the Minister representing the Minister for Town Planning:

- (1) Has the Town Planning Department placed any restrictions on the subdivision of land in the Mandurah and Murray Shire Council areas?
- (2) If so, what are these restrictions and what period of time do they cover?

Mr. LEWIS replied:

- (1) and (2) Restriction on subdivision of land in Mandurah and Murray Shire, as elsewhere in the State, is imposed under the Town Planning and Development Act, 1928. Under this Act approval of the Town Planning Board is necessary for every subdivision, subject always to a right of appeal to the Minister. The responsibilities of the board in this respect are exercised in accordance with town planning principles and objectives. The objective of town planning in the simplest terms is to secure economy, amenity and convenience in development and use of land. Control of subdivision is part of the process of town planning, and in exercising such control the board must always try to relate subdivision to the intended use of the land. In the board's judgment, coastal and riverfront subdivision within Mandurah and Murray Shires has in recent years extended so far that there is no longer a satisfactory relationship between subdivision and the use or likely use of the resultant lots. In consequence, the objectives of economy, amenity and convenience are receding further from reach. It is the responsibility of Murray and Mandurah, as with other shire councils, to plan the development of their districts by the medium of town planning schemes so that subdivision of land can be controlled in relation to their plans. Pending the shire councils making their planning schemes, the board is limiting its approval of further subdivisions generally to the rounding off of areas already partially subdivided. It is the board's intention to initiate discussions with the two shire councils concerned in an endeavour to jointly agree upon the adoption of an overall plan as the basis of both the councils further planning and control of subdivision. In the meantime any intending subdivider has the right of appeal to the Minister against the board's refusal.

FORESTS DEPARTMENT LAND*Acquisitions and Releases*

5. Mr. DUNN asked the Minister for Forests:

Could he advise the amount of land dedicated to or otherwise acquired by the Forests Department in each of the years—

1960, 1961, 1962, 1963, 1964, and 1965 and the amount of land released by the Forests Department in each of these years?

Mr. BOVELL replied:

Yes, details hereunder.

Year	Land dedicated as State Forest or otherwise acquired		Additions to timber reserves Forests Act	
	Acres		Acres	
1960	7,226	.....	3,584
1961	16,293	.....	11,458
1962	8,202	.....	5,705
1963	109,211	.....	54,105
1964	5,818	.....	11,986
1965	3,255	.....	12,794

Land released by Forests Department			
State Forest		Forested Crown Land	
		Acres	
1960	.....	410	33,321
1961	.....	2,626	69,900
1962	.....	627	13,582
1963	.....	12,072	15,630
1964	.....	1,320	13,165
1965	.....	1,375	22,227

METROPOLITAN TRANSPORT TRUST

*Workers' Compensation Insurance:
Companies Involved*

6. Mr. GRAHAM asked the Minister for Transport:

- (1) Since its inception with what insurance companies has the Metropolitan (Perth) Transport Trust done its workers' compensation business, and for what periods respectively?
- (2) What is the method employed to determine with which company such business will be transacted?

Mr. O'CONNOR replied:

- (1) At the inception of the trust, various operators absorbed were insured with different companies and these policies were allowed to continue until the 30th June, 1959. From that date onwards the companies with which the trust has been insured for workers' compensation are as follows:—

1/7/59 to 30/6/60—South British
British Insurance Co. Ltd.

1/7/60 to 30/6/63—State Govern-
ment Insurance Office.

1/7/63 to 30/6/66 — Automobile
Fire and General Insurance
Co. of Australia.

- (2) By competitive quotation.

POLICE MOTORCYCLE PATROLS

Number

7. Mr. GRAHAM asked the Minister for Police:

What is the number of motorcycle patrols on the roads each two-hour period of the day from 6 a.m. to midnight?

Mr. CRAIG replied:

The hourly road patrols provided from Perth Traffic Office are—

- 6 a.m. to 8 a.m.—7 men.
- 8 a.m. to 10 a.m.—15 men.
- 10 a.m. to 12 noon—20 men.
- 12 noon to 2 p.m.—17 men.
- 2 p.m. to 4 p.m.—10 men.
- 4 p.m. to 6 p.m.—18 men.
- 6 p.m. to 8 p.m.—22 men.
- 8 p.m. to 10 p.m.—22 men.
- 10 p.m. to 12 midnight—24 men.

In addition to the above, Fremantle and Midland traffic offices each provides one man over the same shifts as Perth.

On Monday to Thursday, inclusive, two men in Perth continue on duty until 3 a.m. the next morning and on Friday and Saturday, two men continue until 7 a.m. the next morning.

The hourly coverage as shown is that for a day on which traffic courts are not held. This coverage would be reduced on days to the extent that men are required to attend court.

GOVERNMENT EMPLOYEES

Salaries in Excess of £2,560 per Annum

8. Mr. GRAHAM asked the Premier:

How many persons in the employ of the Crown are in receipt of salaries in excess of £2,560 per annum?

Mr. BRAND replied:

There are 1,830.

KALGOORLIE POLICE STATION

New Building: Provision

9. Mr. EVANS asked the Minister for Police:

As the repeated placing of an amount of expenditure on the Estimates to provide Kalgoorlie with a new police station has aptly proved the old adage that "there is often many a slip 'twixt the cup and the lip," the result being that police authorities in this town are still housed in a building that remains substantially the same as at its date of origin, sometime prior to 1908, will he now ensure that no further delays occur in the provision of a new station at Kalgoorlie in keeping with the needs and status of this town?

Mr. CRAIG replied:

Plans and specifications are now being prepared. It is proposed to commence building operations during this financial year.

GOVERNMENT BUILDINGS IN COUNTRY AREAS

Local Materials: Use

10. Mr. WILLIAMS asked the Minister for Works:

(1) What Government or semi-Government buildings, in the erection of which other than bricks manufactured within the region have been used, have been built within the last three years in the following towns:—

(a) Harvey, Collie, Busselton, Margaret River, Bunbury;

(b) Narrogin, Wagin Kataning, Kojonup, Albany?

(2) Is the decision with regard to materials used left entirely to the architect of the proposed building?

(3) If the answer to (2) is "Yes," are the architects informed that it is Government policy that products of the region will be used wherever possible?

Mr. ROSS HUTCHINSON replied:

(1) During the last three years the Architectural Division of the Public Works Department has

(2) Yes.

(3) Yes.

erected 71 buildings in the towns listed in (a) and (b), excluding timber-framed buildings.

The attached schedule lists the buildings not built exclusively of wire-cut bricks.

Where buildings have been built of wire-cut bricks it has been assumed that these bricks would have been obtained by the builder from the closest brick manufacturer, as local bricks should have a price advantage due to freight costs.

It is also assumed that in the buildings listed the wire-cut bricks used on the internal leaf of the buildings were also of local manufacture.

The buildings referred to are only those for which the Public Works Department was responsible. The department has no knowledge of any other building which may have been erected for the Government or semi-Government authorities.

SCHEDULE GROUP (a)

	External	Internal	Remarks
BUNBURY—			
Amenities Building—Land-backed Berth	Pressed	Wirecuts	External work required to match adjoining building.
Court House—Additions	Pressed	Wirecuts	Additions job.
Regional Hospital — Nurses' Quarters	Pressed	Wirecuts	
Regional Hospital	Pressed	Wirecuts	External in pressed by arrangements with Caligaro Brick Co.
St. Clair's Primary School	Pressed	Pressed	Private architect.
Sewerage—No. 2 Pumphouse	Pressed	Pressed	
Sewerage—No. 3 Pumphouse	Pressed	Pressed	
R. & I. Bank	Pressed	Pressed	Caligaro couldn't supply suitable face bricks due to flooding of his clay pits.
South Bunbury High School	White quartz concrete masonry block	White quartz concrete masonry block	Small quantity of clay bricks required specified as hard burn Bunbury wirecuts. Private architect.
HARVEY—			
High School—Agricultural Wing	Wirecuts	Mainly wirecuts, some pressed	All rendered work is wirecuts. All facework is pressed bricks. Private architects' job.
Court House and Police Station	Concrete blocks	Concrete blocks	Private architects.
COLLIE—			
High School—Additions	Pressed	Wirecuts	Additions job. To match existing work. Private architects' project.
BUSSELTON—			
Forestry Department—Offices	Pressed	Wirecuts	Private architects' job.
High School—Additions	Pressed	Wirecuts	Additions job. Private architects.
West Busselton School	Pressed	Wirecuts	Private architects.
MARGARET RIVER—			
High School—Additions	Pressed	Pressed	Additions job to match existing. Private architects.
Primary School—Additions	Pressed	Wirecuts	Additions job to match existing. Private architects.
Court House	Pressed	Pressed	Private architects.

SCHEDULE GROUP (b)

	External	Internal	Remarks
NARROGIN—			
High School—Additions	Pressed	Pressed	Additions job to match existing work.
Sewerage Pump-house	Pressed	Pressed	
WAGIN—			
Hospital—Additions	Pressed	Pressed	Additions job to match existing work.
KATANNING—			
High School—Additions	Pressed	Pressed	Additions job to match existing work. Katanning Brickyards couldn't supply and requested that matching bricks be obtained from Perth.
Primary School—Additions	Perth wirecuts	Perth wirecuts	
Pump Station	Pressed	Pressed	
KOJONUP—			
Hospital—Nurses' Quarters	Pressed	Wirecuts	Private architects.
Junior High School—Additions	Pressed	Pressed	To match existing work.
Hospital—Additions	Pressed	Wirecuts	Private architects.
Police Station	Pressed	Wirecuts	Private architects.
ALBANY—			
Gaol	Pressed	Pressed	Local brickyards could not supply quantities or quality. Letters on file from managers.
Sewerage Works	Pressed	Pressed	

ROAD INTERSECTIONS

Staggering on Main Roads: Investigation

11. Mr. FLETCHER asked the Minister for Traffic:

With a view to slowing traffic at intersections—as with Petra Street, East Fremantle—will he investigate the advantage and prospect of similarly staggered intersections where side streets are to cross principal streets in residential and other areas to be developed in future?

Mr. CRAIG replied:

Yes. An investigation is in hand by the Main Roads Department to evaluate the effects of traffic accidents on this kind of layout. Meantime, the Town Planning Board requires staggered intersections on residential streets in new subdivisions.

NOLLAMARA POLICE STATION

Staff: Number and Proposed Increase

12. Mr. GRAHAM asked the Minister for Police:

- (1) What is the staff strength at present at the Nollamara Police Station?
- (2) Are there any proposals to increase the number of police attached to this station?
- (3) If so, when and to what extent?

Mr. CRAIG replied:

- (1) One sergeant, two constables.
- (2) This is currently under investigation.
- (3) Answered by (2).

NATIVES

Economic Survey: Dr. H. P. Schapper's Proposals

13. Mr. GRAHAM asked the Minister for Native Welfare:

Will he give examples of the questions which he considers are of a "personal and private nature" and would be "an intrusion into their private lives" in relation to the proposed economic survey of natives in Western Australia suggested by Dr. Schapper?

Mr. LEWIS replied:

Examples of the questions are—

- (a) regarding the marital status, i.e., whether legally married, *de facto*, legally divorced, *de facto* separated, deserted, number of years with present spouse, number of children, etc.;
- (b) concerning whereabouts of parents, where they were born, etc.;
- (c) concerning specified illnesses and diseases suffered;
- (d) concerning the value of possessions, including cash in a bank.

BRITISH T.P.I. EX-SERVICEMEN

Travel Concessions

14. Mr. TONKIN asked the Premier:

- (1) Have any British ex-servicemen who are T.P.I. been granted travel concessions which are available to Australian ex-service T.P.I.'s?
- (2) If "Yes," how many have been given the concessions?
- (3) Will he consider extending the privilege to British T.P.I.'s?

Mr. BRAND replied:

- (1) Yes.
- (2) One.
- (3) Answered by (1) and (2), but subject to evidence from the Repatriation Commission that the British ex-serviceman is receiving a total of pension and associated allowances equivalent to that payable to Australian ex-servicemen, who are totally and permanently incapacitated.

HERBICIDE 2, 4-D

Ingredients and Source

15. Mr. JAMIESON asked the Minister for Agriculture:

- (1) What are the active ingredients of the herbicide 2, 4-D?
- (2) From what source are these ingredients obtained?

Mr. LEWIS (for Mr. Nalder) replied:

- (1) Esthers, amines or salts of 2, 4-dichlorophenoxy acetic acid.
- (2) Some of the chemicals required to manufacture these ingredients are available in Australia. Others are obtained from the United Kingdom, Europe, and the United States of America.

AIR TRANSPORT

M.M.A.: Freights, Charges, and Priorities

16. Mr. BICKERTON asked the Premier:

- (1) Will he ascertain the amount of air freight carried by M.M.A. over the last twelve months?
- (2) Of the freight carried, what amounts came under the following categories:—
 - (a) ordinary air freight;
 - (b) air express;
 - (c) subsidised perishable?
- (3) What is the difference in freight charges between ordinary air freight and air express?
- (4) What is the average difference in delivery times between ordinary air freight and air express?
- (5) What priority, if any, has air express over—
 - (a) perishable freight;
 - (b) mail;
 - (c) passengers?

Mr. BRAND replied:

- (1) General freight 5,242,531 lb., mails 475,587 lb.
- (2) Actual figures for ordinary air freight and air express, respectively, are not immediately available, but air express represents approximately 10 per cent. of the total freight. The quantity of perishables carried under subsidy was 652,312 lb.

(3) The charge for air express freight is twice the charge for ordinary freight.

(4) Delivery of ordinary freight could be delayed by up to three days where priority has to be given to air express freight. This degree of delay occurs only where peak demands are created by uncontrollable circumstances, such as peak demands for equipment to prevent hold-up of urgent works, extra freight thrown on to air services where road services are delayed by bad weather, or on school holidays when demands for passenger travel reaches a peak.

(5) None. Air express cargo is given priority over ordinary cargo only. There are extremely few occasions when at least some ordinary cargo cannot be loaded.

CHILD WELFARE DEPARTMENT

District Offices: Clerical Assistance

17. Mr. EVANS asked the Minister representing the Minister for Child Welfare:

- (1) Is any clerical assistance made available on a full-time or part-time basis to child welfare district officers?
- (2) If so, at what district offices does this apply?

Mr. CRAIG replied:

(1) Yes. Occasional assistance is given to three district officers with typing.

(2) Bunbury—typiste from the court office.

Geraldton—typiste from the State Housing Commission, and she also takes messages.

Albany—typiste from the court office and messages through the State Housing Commission.

AIR TRANSPORT

Intrastate Licenses: Applications

18. Mr. BICKERTON asked the Premier: Has any airline other than M.M.A. approached the Government to operate a commercial air service in Western Australia either for freight and passengers or freight only since he became Premier and, if so, what was his attitude to the approach?

Mr. BRAND replied:

Several operators of light aircraft have applied for, and been granted, licenses for casual charter work, but there is no record of any application for a license to operate an airline service.

WORKERS' COMPENSATION*Silicosis and Bronchitis: Determination of Claims*

19. Mr. BURT asked the Minister for Labour:

- (1) Is a miner who, having contracted silicosis, not associated with chronic bronchitis, and who has been compensated therefor and elects subsequently to return to the industry, entitled to further compensation should the incidence of silicosis increase as a result of his re-entering the industry?
- (2) Under similar circumstances, what would be the position if the employee, during his return to the industry, became a sufferer from chronic bronchitis in association with silicosis?

Mr. O'NEIL replied:

- (1) Yes, provided section 8 (4) of the Workers' Compensation Act does not apply in any specific case.
- (2) The right to compensation in these circumstances lies in subsection 1 (c) of section 8 of the Workers' Compensation Act, which provision was inserted by an amending Act, No. 96 of 1964. To date, the Workers' Compensation Board has not been required to make a determination on any claim of this nature.

Silicosis: Liability of Employers

20. Mr. BURT asked the Minister for Labour:

Is an employer who is not engaged in an industry entailing exposure to mineral dusts harmful to the lungs, liable to compensate an employee previously engaged in the mining industry, who, whilst in his employ—

- (a) contracts silicosis for the first time; or
- (b) suffers an increase in the incidence of silicosis which disease he contracted during his period in the mining industry?

Mr. O'NEIL replied:

Subsection (5) of section 8 of the Workers' Compensation Act states that compensation shall be recoverable from the employer who last employed the worker in the employment to the nature of which the disease is, or was, due. Thus, an employer engaged in an industry not entailing exposure to mineral dusts harmful to the lungs could deny liability.

EFFICIENT SCHOOLS*Names, Secondary Education Facilities, and Fees*

21. Mr. DAVIES asked the Minister for Education:

- (1) What are the names of schools recognised as efficient schools by the Education Department?
- (2) Which of these schools provide—
 - (a) first, second, and third years;
 - (b) fourth and fifth years; of secondary education?
- (3) Which of these schools do not charge fees?

Mr. LEWIS replied:

- (1) and (2)—

"EFFICIENT" PRIVATE SCHOOLS.*Schools Giving Tuition to Leaving Standard (any Post Junior Students).*

Albany—Christian Brothers' College.
 Attadale—Santa Maria.
 Bedford Park—St. Thomas Aquinas.
 Bunbury—St. Joseph's High.
 Carmel—W.A. Missionary College.
 Churchlands—Marist Brothers.
 Claremont—St. Louis.
 Claremont—Methodist Ladies' College.
 Claremont—Christ Church.
 Coolgardie—St. Anthony's.
 Cottesloe—Presbyterian Ladies' College.
 Dongara—Dominican Ladies' College.
 Doubleview—Siena Dominican.
 Floreat Park—Brigidine Secondary.
 Fremantle—Christian Brothers' College.
 Fremantle—St. Joseph's College.
 Fremantle—Sacred Heart High.
 Geraldton—Christian Brothers' College.
 Geraldton—Stella Maris.
 Goomalling—Presentation.
 Guildford—St. Charles Seminary.
 Highgate—Christian Brothers' College.
 Highgate—Sacred Heart High.
 Kalgoorlie—Christian Brothers' College.
 Katanning—Kobeelya.
 Leederville—St. Mary's.
 Leederville—Christian Brothers' College.
 Lesmurdie—St. Brigid's.
 Mosman Park—Iona.
 Mosman Park—St. Hilda's.
 Mt. Henry—Aquinas.
 Mt. Lawley—Perth College.
 Nedlands—Loreto.

New Norcia—St. Gertrude's.
 Perth—Our Lady's College.
 Perth—St. Joseph's High.
 Perth—Trinity College.
 Perth, South—Penrhos (Methodist Ladies' College.)
 Perth, South—Wesley College.
 Perth, West—St. Brigid's College.
 Perth, West—St. Mary's.
 Swanbourne—Loreto.
 Swanbourne—Scotch College.
 Tuart Hill—St. Philip's High.
 Victoria Park—St. Joachim's High.
 Wembley Downs—Hale School.

Schools Giving Tuition to Junior Standard (15 Post Primary Students or More).

Albany—St. Joseph's High.
 Applecross—St. Benedict's.
 Bindoon—St. Joseph's Boys' Town.
 Boulder—St. Joseph's.
 Bridgetown—St. Brigid's.
 Bunbury—Marist Brothers'.
 Busselton—St. Joseph's.
 Carnarvon—St. Mary's.
 Collie—Christian Brothers' College.
 Collie—St. Brigid's.
 Donnybrook—St. Philomena's.
 Fremantle—St. Joseph's Girls'.
 Harvey—St. Anne's.
 Kalgoorlie—St. Mary's.
 Kalgoorlie—St. Michael's.
 Kellerberrin—St. Joseph's.
 Leederville—St. Clare's.
 Manjimup—St. Joseph's.
 Merredin—St. Joseph's.
 Midland—St. Brigid's.
 Midland—De La Salle.
 Mt. Barker—Sacred Heart.
 Narrogin—St. Matthew's.
 New Norcia—St. Benedict's.
 Norseman—Sacred Heart.
 Northam—Marist Brothers'.
 Northam—St. Joseph's.
 Palmyra—Our Lady of Fatima.
 Pemberton—St. Joseph's.
 Perth, South—St. Columba's.
 Perth, West—St. Brigid's Primary.
 Pinjarra—St. Joseph's.
 Rivervale—St. Augustine's.
 Tardun—Agricultural Christian Brothers' College.
 Toodyay—St. Aloysius.
 Tuart Hill—St. Kieran's.
 Victoria Park—Clontarf.
 Victoria Park—Central Seventh Day Adventists'.
 Victoria Park, East—St. Francis Boys'.
 Wagin—St. Joseph's.

Primary Schools.

Albany—St. Joseph's Primary.
 Albany—The School of the Bible.
 Armadale—St. Francis Xavier's.
 Armadale—John Calvin.
 Attadale—St. Joseph's Pignatelli.
 Bassendean—St. Michael's.
 Bayswater—St. Columba's.

Beaconsfield—School of Christ the King.
 Beachlands—St. Joseph's.
 Bedford Park—St. Peter's.
 Bedford Park—Christian Brothers' College Prep.
 Bellevue—St. Anthony's.
 Belmont—St. Anne's.
 Bentley—Santa Clare.
 Beverley—Presentation.
 Bickley—Seventh Day Adventists'.
 Bluff Point—St. Laurence's.
 Boyup Brook—Presentation.
 Broome—Beagle Bay.
 Broome—St. Mary's.
 Bruce Rock—Presentation.
 Brunswick—St. Michael's.
 Bunbury, South—St. Mary's.
 Bunbury, South—St. Thomas.
 Carilla—Mater Gratiae.
 Carlisle—Holy Name.
 Claremont—St. Thomas.
 Cloverdale—Notre Dame.
 Como—Holy Family.
 Corrigin—Presentation.
 Cue—St. Gabriel's.
 Cunderdin—Holy Cross.
 Dalwallinu—St. Joseph's.
 Dardanup—Our Lady of Lourdes.
 Darlington—Helena.
 Derby—Holy Rosary.
 Derby—Lombadina.
 Doubleview, North—St. Dominic's.
 Doubleview, South—Holy Rosary.
 Dowerin—St. Theresa's.
 Fremantle, East—Mary Immaculate.
 Fremantle, North—St. Anne's.
 Geraldton—Nazareth House.
 Glendalough—St. Bernadette's.
 Gooseberry Hill—Mary's Mount.
 Gosnells—St. Munchin's.
 Guildford—Grammar Prep.
 Guildford, East—St. Mary's.
 Herne Hill—St. Michael's.
 Highgate—Sacred Heart Primary.
 Hilton Park—Our Lady of Mt. Carmel.
 Hilton Park—St. Brendan's.
 Karrinyup—Our Lady of Good Counsel.
 Katanning—St. Patrick's.
 Kensington—Holy Cross.
 Kojonup—St. Bernard's.
 Mandurah—Presentation.
 Manjimup—Seventh Day Adventists'.
 Manning—St. Flax X.
 Margaret River—St. Joseph's.
 Maylands—St. Mary's.
 Medina—St. Vincent's.
 Meekatharra—Dominican.
 Mingenew—Dominican.
 Mirrabooka—St. Gerards.
 Moora—St. Joseph's.
 Morawa—Marian.
 Morley—Divine Child.
 Mt. Lawley—Perth College Primary.
 Mt. Lawley—Sacred Heart Prep.

Mt. Magnet—St. Brigid's.
 Mullewa—Presentation.
 Mundaring—Sacred Heart.
 Myaree—Corpus Christi.
 Nannup—St. Joseph's.
 Nanson—St. Joseph's.
 Nedlands—St. Theresa's.
 New Norcia—St. Joseph's.
 Nollamara—Our Lady of Lourdes.
 Nollamara, North—St. Laurence's.
 Northampton—Presentation.
 North Beach—Our Lady of Grace.
 Perenjori—St. Joseph's.
 Perth, East—St. Francis.
 Port Hedland—Presentation.
 Quairading—Presentation.
 Queen's Park—St. Joseph's.
 Queen's Park—St. Norberts.
 Queen's Park—Castledare.
 Redcliffe—St. Maria Goretti.
 Riverton—Queen of the Apostles.
 Rockingham—Sacred Heart.
 Scarborough—St. John's.
 Shenton Park—St. Aloysius.
 Southern Cross—St. Joseph's.
 Spearwood—St. Jerome's.
 Subiaco—Marist Brothers.
 Subiaco—St. Joseph's Brigidine.
 Subiaco—St. Joseph's Orphanage.
 Thornlie—Sacred Heart.
 Three Springs—St. Paul's.
 Trayning—St. Joseph's.
 Tuart Hill—St. Denis.
 Victoria Park, East—Our Lady
 Help of Christians.
 Wandering—St. Francis Xavier.
 Wanneroo—St. Anthony's.
 Waroona—St. Joseph's.
 Wembley—Brigidine.
 Wembley Downs—School of the
 Holy Spirit.
 Wiluna—Seventh Day Adventists'
 Mission.
 Wittenoom—Presentation.
 Wonthella—St. Patrick's.
 Wyalkatchem—Presentation.
 Wyndham—St. Joseph's.
 Yokine—G. Korsunski. Carmel.
 York—St. Patrick's.

- (3) The department has no information on this point.

RAILWAY EMPLOYEES

Temporary Workers: Dismissals and Re-employment

22. Mr. EVANS asked the Minister for Railways:

- (1) What number of workmen classified by the usage "temporary workers" employed to do such work as covered by the W.A.A.S.R.E. (No. 3 of 1961) award have been dismissed since the 30th June, 1964, before such men had completed six months' unbroken service?
- (2) Of this number how many have been subsequently re-employed as temporary workers?

- (3) What have been the reasons for such dismissals?
- (4) How many instances have there been since the 30th June, 1964, of such workers being dismissed and then re-employed within a short intervening time, so that the real effect of the dismissal has been only to break a man's service?
- (5) How many temporary workers have been dismissed and subsequently re-employed on more than one occasion during the period the 30th June, 1962, to the present date?
- (6) Does he not agree that whatever reasons have been advanced to justify such dismissals and subsequent re-employment, it is not unreasonable for railway personnel who may be thus affected to believe that a major factor motivating such dismissals has been the desire on the part of the Railways Commission to avoid the coming into operation of certain provisions of the award beneficial to employees, after six months' unbroken service?

Mr. COURT replied:

- (1) Four.
- (2) Four.
- (3) Over age, medically unfit and, in consequence, unsuitable for permanent appointment.
- (4) Four.
- (5) Eight.
- (6) No. The employees concerned are not members of the permanent staff and are at liberty to accept or reject railway employment under the conditions which apply in their case.

Appointments: Delays

23. Mr. EVANS asked the Minister for Railways:

- (1) What is the reason why long delays in time occur between the appointment of railway personnel, who have been successful in filling advertised positions and the relieving such appointees of their previous positions so as to take up the new appointments?
- (2) Is he aware that such long delays are causing concern and inconvenience to the workmen involved and are disquieting to railway employees generally?
- (3) Will he give an assurance that action will now be taken to expedite the taking up of new appointments that are at present pending, and to avoid such long delays in the future?

Mr. COURT replied:

- (1) Delays in personnel taking up appointments are principally due to the difficulty experienced in obtaining suitably qualified staff for appointment to subsequent vacancies.

Where a transfer in location is involved, an employee is normally not transferred until his successor, or suitable relief, takes up duty.

- (2) Yes, although employees involved should be aware of the reasons, which are of equal concern to the department.
- (3) Every effort continues to be made to expedite transfers including conducting special courses of training to provide additional qualified staff.

POLICE ACT AMENDMENT BILL

Introduction and First Reading

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

EDUCATION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 19th August, on the following motion by Mr. Lewis (Minister for Education):—

That the Bill be now read a second time.

MR. W. HEGNEY (Mt. Hawthorn) [4.48 p.m.]: In introducing this Bill on Thursday last the Minister for Education was very brief in his comments, but he did outline the four provisions contained in it. If the Bill is passed, subsidies to the extent of 25 per cent. of the cost of swimming pools, with a maximum of £1,000, will be made available in respect of private or efficient schools. I shall deal with the other provisions in the Bill before I make further reference to this matter.

The next item in the Bill provides for an increase in the supplies which are issued—such as first aid equipment and other materials used by the schools. I understand that duplicating machines will also be included in this item.

Other provisions will make it possible to subsidise the interest on money borrowed by private schools for the purpose of erecting residential accommodation for the students; and to contribute £15 a year in respect of students in their first, second, and third years of secondary education, and £18 a year in respect of fourth-year and fifth-year students.

I think the first time that an amendment was made to the Act to provide subsidies to private schools was in 1955 when

subsidies were provided for projectors and radios and the supply of school stationery and publications. Then, some years later, the ex-Minister for Education (The Hon. A. F. Watts) introduced a Bill extending the subsidy to pianos and library books. Last year, of course, we passed an amendment providing for uniform subsidies to be paid to State and private schools.

With regard to the annual payments to be made for the children, which I have mentioned already, I understand it is proposed that these will be paid to the school authority concerned which will deduct the amount from the accounts of the children.

Mr. Lewis: Tuition fees you are talking about?

Mr. W. HEGNEY: Yes. That, I understand, is the case. I want to know what is to prevent the money being paid direct to the parents. Also, will it be necessary for the parents of the students to apply to the department for the payment of £15 or £18 a year, as the case may be, after which the school authority will deduct the amount from the account?

The matter of textbooks for primary-school children has not been mentioned, but I hope they will be covered because I know there is considerable anxiety regarding this on the part of a number of parents who have primary-school children. It has been discussed by various organisations; and although I know the Government cannot do everything overnight, if some payment could be made to the parents for these textbooks, it would greatly assist them.

Reverting for the moment to the matter of swimming pools, I did make reference during the debate on the Address-in-Reply to the fact that the Minister for Education would make available £1,000 to a school at Subiaco towards the construction of a swimming pool. The Tuart Hill Parents and Citizens' Association, which was the first in the metropolis to undertake the construction of a pool, is anxious to complete this construction, which will cost in the vicinity of £11,000. However, it is experiencing difficulty in meeting the monetary obligations attached to the project.

I understand this subsidy is to be retrospective to the 1st January; and although I know the Minister said he was trying to say "No" in a nice way, I would like to know whether part of the subsidy could be made available to this school.

As I have said, the Bill is a short one and the Minister, when introducing it, gave a very brief speech, but he did outline the main points incorporated in it, and I support the second reading.

MR. LEWIS (Moore—Minister for Education) [4.55 p.m.]: I want to thank the member for Mt. Hawthorn for his general support of the Bill. I certainly was brief in my introduction, but I thought I covered the main points in the Bill.

In regard to the tuition fees, which I think was the first point raised by the honourable member, he asked why the fee could not be paid direct to the parents instead of the school. I cannot give the answer off-hand, but I would assume that it is one of convenience. A cheque covering several hundred children can be issued to a school in one month, and then the school can merely deduct this from the accounts of the children; no other cheques are necessary. But if the cheques have to be sent to the individual parents, it would be costlier and would involve far more time. I would assume that is the reason but I will inquire if there is another reason and let the honourable member know.

With regard to swimming pools, it is true that Tuart Hill was the first to commence the construction of a swimming pool and then Applecross followed. However these were commenced before the subsidy was even contemplated. I did tell the member for Mt. Hawthorn by way of interjection that I was trying to devise a nice way of saying, "No." What I should have said perhaps was—and what I am telling him now is—that I am trying to find a way of saying, "Yes," and this is receiving my very close consideration at the moment.

It is not easy to go beyond a starting date, as members will appreciate. Subsidies have been given for various things in State schools over the years and then these subsidies from time to time have been increased. If the subsidies were made retrospective and we had to go back many years, we would be in an impossible position. However, I do appreciate that in the case of swimming pools only two were commenced prior to the introduction of the subsidy.

I cannot give any firm promise that the request will be met, but we are looking at it to see if it is possible to do something in regard to the Tuart Hill High School and the Applecross High School. However, I cannot give a definite answer at the moment.

I thank the member for Mt. Hawthorn. I do feel that this measure, if passed, will result in some very considerable benefit to the independent schools of the State which, by and large, are doing a very good job.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 19th August, on the following motion by Mr. Ross Hutchinson (Minister for Works):—

That the Bill be now read a second time.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [5 p.m.]: When the Minister introduced the Bill, he said it was brought down because of the desire of the Government to implement certain of the recommendations of the Royal Commissioner. I immediately asked myself: Why so few of the recommendations? The recommendations which the Bill proposes to implement are very few in number compared with the total number of recommendations made. I think it would have helped us considerably if the Minister, during the course of his speech, had indicated to the House whether it was the intention of the Government to do anything else with regard to the recommendations of the Royal Commissioner, or whether the Government was going to content itself with this fiddling with the question.

In order to have a proper appreciation of what ought to have been done in these circumstances, one should refer to the report of the Royal Commission which was set up in relation to the safety of ships to which the Western Australian Marine Act applies and which proceed outside inland waters and those aboard them while at sea.

It appears rather incongruous that the Government is introducing a small amount of legislation here to tighten up the law with regard to some ships, yet insists at the same time on having a regulation which gives it power to exempt ships completely from complying with any of the provisions of the Western Australian Marine Act.

Mr. Ross Hutchinson: I will tell you about that tomorrow.

Mr. TONKIN: All right. That does not make sense to me at present; possibly.

Mr. Ross Hutchinson: It will tomorrow.

Mr. TONKIN: I say, "possibly." It may tomorrow; but I must await tomorrow to see whether that can be borne out. It is enlightening to read what the Royal Commission had to say about these various matters; and, by so doing, we can get in proper perspective the small effort the Government is making to comply with the recommendations which the Royal Commissioner suggested should be followed.

It will be appreciated that it would be quite wrong for me, however desirable it might be, to attempt to read the whole of the Royal Commissioner's report. It is available to members; and I would hope

they would do the same as I have done, and read it from cover to cover before this Bill is finally disposed of.

All I can do is to extract portions here and there in order to illustrate the point I am now taking and to emphasise how much short of what ought to be done is the Government's action in this matter. I refer to page 17 which reads at the bottom—

Your Royal Commissioner and my advisers are unanimously of the opinion that far too little has been done at Government level for the protection of ocean-going fishing and private vessels by way of the provision of shore facilities, which play such a vital part in the welfare of vessels while at sea and travelling to and from the sea. Such facilities include light-houses, leading lights, day markers, deep channels, safe anchorages, slipways and mooring pens.

It would have been helpful if the Minister had indicated that in addition to this tightening of the legislation the Government proposed to take some cognisance of these suggestions in the commissioner's report. But there has not been a word of that so far.

Mr. Ross Hutchinson: It has nothing to do with this.

Mr. TONKIN: Oh yes! It is closely related to it. It has this much to do with it: that the Minister stated that his legislation stemmed from the Royal Commissioner's report and the desire of the Government to implement certain of the recommendations.

Mr. Ross Hutchinson: That is right.

Mr. TONKIN: I submit the Minister cannot separate these particular items from the whole plan which the Royal Commissioner suggested was necessary and desirable in the interests of boat safety.

Mr. Ross Hutchinson: I will tell you about that in a moment.

Mr. TONKIN: Further along, on page 17, referring to Carnarvon and Shark Bay, the report has this to say—

As with many of the undeveloped or underdeveloped anchorages, immediate surveys are required to determine the best positions for locating anchorages and channels, as well as day and night beacons.

I suggest that is far more important than tightening up, in one or two instances, the existing legislation, which is not so very far from being adequate, anyhow, as I propose to show. At page 18, referring to Port Denison, the report says—

The port of Denison stands out as having a major and immediate claim on available public financial resources for the establishment of a completely equipped boat harbour.

Further on we find—

It follows that Dongara is entitled to an all weather boat harbour with facilities equal to Geraldton boat harbour. The need is urgent and embraces all facilities such as breakwater, lighted entrance, mooring pens, slipways and loading wharf.

Jurien Bay and Lancelin follow closely behind Denison in order of importance. Here the financial outlay required should not be so great.

At page 19 reference is made to necessary work on safety being done at Mandurah, with regard to the bar. At page 20 reference is made to the need for safe anchorages, and the report has this to say—

Boat harbours at Fremantle and Rockingham are highly desirable in the interests of small boat safety.

Also on the same page we find this—

Provision of an all-weather "outside" anchorage would greatly influence prospective owners and assist the clubs in their efforts.

At the foot of page 21 reference is made to the need for navigational aids for small craft, and on page 22 we find—

Many of these smaller anchorages require navigation aids, either day markers or lighted beacons and there is an urgent need for charting of many of the anchorages.

At the bottom of page 22 reference is made to the seaworthiness of boats; and this has direct connection with the legislation now under consideration. The report states—

The seaworthiness of boats and the competence of their skippers and coxswains is already under the control of the department.

I want that to be fully emphasised: it is already under the control of the department. To continue—

Steps will be recommended for catching up with boat owners who avoid annual surveys.

The law already contains provision—except when the Government sets it aside—for annual surveys; but some people are dodging these surveys because the department is understaffed and is not strict enough. So, instead of tightening up the law in this regard, the Government ought to be giving consideration to the provision of more staff and of ensuring that the existing law is carried out. I shall read now from page 23—

The Western Australian Marine Act and Regulations thereunder give surveyors an equally wide discretion in the issue of a certificate of seaworthiness. Provided that examiners and surveyors do not exercise their powers arbitrarily and that they take note of

modern development, they are in complete control of the competency of a skipper or coxswain and of the seaworthiness of a vessel for the purpose for which an owner intends to use it.

That does not suggest any inadequacy in the legislation.

Mr. Ross Hutchinson: That is out of context. He does recommend that the legislation be altered to make possible snap inspections.

Mr. TONKIN: I will come to that in a moment. I have not yet been able to find—and I have read the report carefully—the specific recommendations upon which the Minister reckons he has acted in connection with this Bill. I would hope the Minister would point them out to me.

Mr. Ross Hutchinson: I have not got the report here.

Mr. TONKIN: The Minister can soon get it; and he must have read it, so it should not take him long to find these recommendations. I have to admit that although I have looked through it several times I have not been able to locate these specific recommendations.

Mr. Ross Hutchinson: You know how big it is. I do not say I could find it myself off the cuff.

Mr. TONKIN: There is some excuse for me, then.

Mr. Ross Hutchinson: It is a very long and laboured report.

Mr. TONKIN: I would not agree with that in the slightest.

Mr. Ross Hutchinson: It is a very long report.

Mr. TONKIN: I would not say it is a laboured report; I would say it is a carefully prepared, and an interesting and objective report.

Mr. Ross Hutchinson: I might say that; but it changes and it is very difficult to summarise.

Mr. TONKIN: This is interesting. Having said that the examiners and surveyors are in complete control—

Mr. Ross Hutchinson: That is as far as annual inspections are concerned.

Mr. TONKIN: —it goes on to say this—

But the department has been most inadequately staffed and equipped to cope with statutory requirements relating to vessels in use.

That does not suggest any inadequacy in the legislation. That is a straightout statement of inadequacy in the administration because of lack of staff; and I complain that the Government is giving scant consideration to that aspect. It brings down a bit of a Bill which just touches the fringe of the problem.

On page 26, still referring to the construction of vessels and, therefore, their seaworthiness or otherwise, the report says—

It is hoped that faulty construction of vessels for both commercial and private use will be overcome if recommendations, which will be made for the enforcement and strengthening of existing regulations, are adopted.

On page 27, referring to faulty construction, the report says—

That is something that should be looked at from the production side. That is, a survey should be made before they are sold;

This refers to boats which are hastily constructed; they are unseaworthy, and very little attention is given to them when they are being constructed; so they are dangerous boats when they are put into the water. The report continues—

It is recommended that these precautions be made compulsory by regulation for all classes of vessels.

These are the precautions recommended—

(1) The carrying of the prescribed fire extinguishers in easily accessible positions clear of the danger zone.

Mr. Ross Hutchinson: That has nothing to do with the Bill.

Mr. TONKIN: Of course it has not; that is my complaint. There is very little that has to do with the Bill, because there is very little in the Bill.

Mr. Ross Hutchinson: You are not dealing with the Bill.

Mr. TONKIN: I am dealing with the Bill pretty thoroughly.

Mr. Ross Hutchinson: No you're not.

Mr. TONKIN: The Minister will have the opportunity of answering what I am saying when he exercises his right of reply. As he has the opportunity to speak twice to my once I would ask him to be silent and listen to what I have to say.

Mr. Ross Hutchinson: I hope you keep to the Orders.

Mr. TONKIN: The Speaker will tell me when I am out of order much quicker than the Minister for Works is capable of doing.

Mr. Ross Hutchinson: I hope he does.

Mr. TONKIN: When I was so rudely interrupted I was reading out the recommended precautions. To continue—

(3) The fitting of an efficient valve at the fuel tank outlet.

(4) The adequate ventilation of all engine compartments to the atmosphere.

(5) The carriage of fuel in sound containers or tanks of prescribed material at all times.

The Minister could have aided me considerably if he had said that the Government rejects these recommendations; or it does not put anything in the legislation here to deal with that; that it proposes to deal with it by regulation. But, as the Minister was completely silent on these aspects, he leads me to the conclusion that this is most inadequate legislation, because it does not go nearly far enough.

Mr. Ross Hutchinson: Are you going to support it?

Mr. TONKIN: Of course I am going to support it! But I am going to support it on the understanding that I want a lot more in it. I cannot see why these particular recommendations were singled out.

Mr. Ross Hutchinson: I said I would tell you.

Mr. TONKIN: I hope the Minister will; he has not done so up to date.

Mr. Ross Hutchinson: You will not give me a chance.

Mr. TONKIN: All the Minister said was that evidence was given before the commission that the Harbour and Light Department had been hampered in its endeavours to enforce the provisions of the Marine Act and the regulations by the lack of power in such Act. I did not see very much about that in the report. I did see where it was hampered by lack of staff.

Now we come to the question of snap inspections, which is the subject of the legislation. I read from page 27 as follows:—

If the engine or engines and all ancillary appliances were sound and in good working order when the vessel left its anchorage there is little that can be done about guarding against all of the mishaps that can occur in the field of mechanical propulsion. If the engineer surveyor has carried out his duties diligently and if the owner of the vessel keeps the engine and ancillaries in trim between surveys it follows that failures will be reduced to a minimum. Snap inspections would help to keep owners and skippers up to the mark.

There is nothing there to say that these snap inspections cannot be made under the existing law.

Mr. Ross Hutchinson: They cannot.

Mr. TONKIN: We will see whether they cannot.

Mr. Ross Hutchinson: I know the section to which you are going to refer, but there is a doubt.

Mr. TONKIN: Section 15 of the Western Australian Marine Act reads as follows:—

All officials of and persons engaged to act on behalf of the Department and all inspectors and surveyors appointed in pursuance of the provisions of this Act—

- (a) may at all reasonable times go on board any ship or vessel to which any of the provisions of this Act extend, for the purpose of examining the hull, boilers and machinery, and making any report thereon required by the department;
- (b) may inspect any boats, equipment or materials on board or belonging to any such ship or vessel; and
- (c) may go on board and inspect any such ship or vessel for the purpose of inquiring into or reporting upon the nature and causes of any casualty which the ship or vessel has sustained or caused, or is alleged to have sustained or caused.

That seems to me to be a pretty wide provision.

Mr. Ross Hutchinson: I understand this does not cover fishing vessels. I would not have introduced the Bill were it not so. This is to cover fishing vessels. Snap inspections can be made on other vessels.

Mr. TONKIN: Is not a fishing vessel a boat?

Mr. Ross Hutchinson: I am telling you there is a legal doubt. There was a meeting between the various States when this matter was discussed.

Mr. TONKIN: That may be so. I have given up trying to follow the arguments of some lawyers. One must endeavour to rely upon the English language. I ask you, Mr. Speaker, what you think of this? Do you think the following would include vessels used for fishing:—

All officials of and persons engaged to act on behalf of the Department and all inspectors and surveyors appointed in pursuance of the provisions of this Act—

- (a) may at all reasonable times go on board any ship or vessel to which any of the provisions of this Act extend . . . ?

If the provisions of this Act cover a ship, whether it is a fishing boat or anything else, that gives the officers of the department power to go on board, despite what any lawyer says to the contrary. Reading on about the snap inspections from page 27—

It sounds fatuous to say that a good working kit of tools and an adequate supply of spare parts should be carried at all times, or that at least one

member of the ship's complement should be able to detect faults and carry out running repairs, but the evidence discloses that all of these features are missing in instances too numerous for complacency. There again, apart from education and sea sense, snap inspections seem to be the only corrective.

I will say this: If the law does not provide at present for such snap inspections, and if they will be only provided by this Bill which is before us, then undoubtedly we should pass the Bill and give that power. But I have yet to have it demonstrated to me that the law is inadequate in that regard; that the trouble is not in the fact that the department has been too lax for one reason or another—mainly through lack of staff—to enforce the law, and further tighten the law; that the provision of additional staff will not improve the position in the slightest degree. On page 28 of the report we find the following:—

Briefly stated the present legislation and regulations are inadequate concerning the seaworthiness of and life saving equipment to be carried on commercial ships which proceed outside inland waters. Substantial improvements are desirable. Nevertheless the majority of the recommendations in this Report will concern the enlargement, amplification and enforcement of existing statutory requirements.

Could anything be clearer? Whilst the Royal Commissioner draws attention to certain inadequacies in the legislation and in the regulations, he points out that the majority of his recommendations have to do with the enforcement of the existing law. That is why I say it would have helped considerably had the Government given some indication that, in addition to selecting a few—a very limited few—of the Royal Commissioner's recommendations, it proposed to do something to ensure the adequate enforcement of the existing law.

Again I must remind the House that I very much doubt the Government's sincerity in this matter, because it has taken power under a regulation completely to set the Act aside, and that will include the additions which we are now proposing to make. I think one action laughs at the other.

Mr. Ross Hutchinson: That is nonsense.

Mr. TONKIN: The Minister might think it is nonsense, and it will explain the way in which he is administering the Act.

Mr. Ross Hutchinson: You do not know how regulation 102 works.

Mr. TONKIN: Oh yes I do, because I read English! When the regulation says that the Executive has power completely to set the Act aside for all persons and

vessels, it means precisely what it says—that the Executive can exempt from compliance with any part of the Marine Act any ship it so desires to exempt.

Mr. Ross Hutchinson: You will have your fill of that tomorrow night.

Mr. TONKIN: And, fortunately, in that case, I will have the right of reply.

Mr. Ross Hutchinson: That is fair enough.

Mr. TONKIN: In further emphasis of the adequacy or inadequacy of the existing law, let us read on from the Royal Commissioner's remarks, which state—

Where it is necessary to bring regulations up to date or to prescribe more modern equipment recommendations have been made accordingly.

Concerning private vessels, which proceed outside inland waters, the desirable improvements are greater, but a very important beachhead has been established by the promulgation of the Navigable Waters Regulations, as reprinted up to 16th December, 1963, and the establishment of a registry of vessels to which these regulations apply. As stated earlier upwards of 8,000 vessels have been registered.

I ask you, Mr. Speaker, to listen particularly to this—

The enforcement of the regulations has been hampered by the inadequate staffing of the Harbour and Light Department . . .

That is not an argument for enlarging the regulations; that is an argument to say that the existing law is quite adequate, but the failure of the Government adequately to staff the department to enforce these regulations is the real source of the trouble. So the Minister, by adding further legislative power to the department, does little or nothing towards a solution of this problem of boat safety unless, at the same time, the Government has determined to enlarge the staff of the department.

Mr. Ross Hutchinson: This will come about.

Mr. TONKIN: That is what I want to know: Is it intended to do that?

Mr. Ross Hutchinson: It has already been stated in the Press by me months ago.

Mr. TONKIN: A lot of things are stated in the Press, but that does not mean the Government is going to do them.

Mr. Ross Hutchinson: It will take time to implement. I said that about the recommendations, too.

Mr. TONKIN: That calls to mind a statement made in the weekend Press some years ago by the Minister about some hospital he was going to build. I will not

go into that, Mr. Speaker, as you will not allow me to do so; but I remind the Minister that one cannot believe what all Ministers are reported to have said. I take my guidance in this matter from straightout action to increase the staff; and I suggest to the Minister that that should have been done before this Bill was brought here, because if the existing law is not being adequately enforced, the first thing to do is to provide the staff to do that and then enlarge the powers if that is necessary. But this is putting the cart before the horse. To continue from page 28—

It is likely that the regulation making powers contained in section 17, 204 and 207 of the Western Australian Marine Act will not be wide enough to embody some of the recommendations made in the Report. However, it is a matter which may well be left to the draftsmen at the Crown Law Department ...

No attempt is made in this legislation to meet that suggestion; and I wonder why. Why has that been overlooked? Surely that is just as important as these other matters to which attention has been given!

I read again from page 28 on this question of snap inspections and the seaworthiness of vessels. I quote—

Consideration of statutory provisions relating to seaworthiness and safety equipment would normally divide itself into two parts, firstly, concerning provisions which are now law and secondly, concerning provisions which would be desirable improvements. However, this approach is not practicable in the present case because some existing enactments and regulations are not being enforced ...

I repeat: The first step that the Government ought to be taking is to enforce the existing law and then, if need be, extend the statutory requirements. I now quote from page 29, "Unseaworthy Vessels—Faulty Construction" as follows:—

The principal sources of supply of vessels in the first instance are professional or amateur boatbuilders and dealers.

In the case of all commercial vessels of 15 tons gross tonnage or larger the application for survey must be accompanied by plans, data and the like to the satisfaction of the Department in accordance with the provisions of Regulation 6 of the Survey and Equipment Regulations.

That gives the Government considerable power. To continue—

All commercial fishing vessels are subject to somewhat similar conditions in accordance with the provisions of regulation 64. Private vessels are not subject to either the submission of

plans or to survey under any circumstances, although private motorboats as defined are subject, when in use within the 3-mile limit, to limited control according to "the circumstances for the time being prevailing". It is considered essential in the interests of safety and as a warranty against exploitation that all new vessels, whether for commercial or private pleasure purposes, should be subject to a general regulation requiring the submission and approval of plans and specifications prior to construction or sale and the Commission recommends accordingly.

Why has not the Government done something about that? To continue—

All vessels in the course of construction within the State should be subject to inspection by Departmental surveyors, and approval as to quality of material and workmanship as well as adherence to plans and I so recommend.

Mr. Ross Hutchinson: This has nothing to do, I repeat, with the Bill.

Mr. TONKIN: Of course it has! It has a lot to do with the Bill, because it shows the inadequacy of the Bill. The Minister stated that this Bill came out of the recommendations of the Royal Commission; and I am complaining that the Minister is only fiddling with the question, because a lot of other recommendations came out of the Royal Commission, recommendations which the Minister has disregarded.

Mr. Ross Hutchinson: They are not in the Bill.

Mr. TONKIN: I am entitled to say what I think.

Mr. Ross Hutchinson: You should talk to the Bill.

Mr. TONKIN: I would point out that the title of this Bill—and this is where the Minister has completely missed the point—is "An Act to Amend the Western Australian Marine Act." Therefore it is wide enough to permit me to put a whole sheath of recommendations on the notice paper to amend the Act; and yet the Minister has the effrontery to sit there and tell me that what I am saying is not relevant to the Bill—a Bill entitled, "An Act to Amend the Western Australian Marine Act." The fact that you, Sir, have not seen fit to call me to order so far shows that you appreciate I have not for one second spoken out of the limits of the Western Australian Marine Act and the recommendations of the Royal Commissioner in connection therewith.

Mr. Ross Hutchinson: I admit you have not spoken outside the Marine Act.

Mr. TONKIN: All right! That is what the Bill is: "A Bill for an Act to Amend the Western Australian Marine Act;" and

surely the Minister, with his long experience in Parliament, is not going to put up to this Assembly that my discussion must be limited to the clauses in the Bill! If that be so, nobody would be competent to move a new clause, because one would not be allowed to advance an argument in support of it. Of course, that is a ridiculous situation.

Whilst the Minister was amending the marine Act, he should have done this in accordance with the recommendation of the Royal Commissioner, on page 32, which reads—

The existing legislation under the West Australian Marine Act is fairly comprehensive but could be improved by amendment to force all skippers of vessels referred to in Regulation 75 (3) of the Regulations to the Marine Act (Survey and Equipment) to carry inflatable or rigid type life rafts . . .

Well, the Minister did not say whether he thinks that a good recommendation or a bad one; and I submit that as Parliament is being called upon to consider an amendment to the marine Act, ostensibly for the purpose of contributing to the seaworthiness of vessels and boat safety, there was an obligation on the Minister to explain why so few of the recommendations on the subject were being adopted.

This statement is interesting on this point; and it refers to a fisherman's licence and the Fisheries Department—a department which, as you know, Sir, was for a long time under the control of the Minister for Works. Page 33 says—

The Department does not appear to worry much whether a vessel is seaworthy or not,—

Does that suggest there need be a tightening of the law for snap inspections? To read on—

and in my opinion has a very poor attitude towards life at sea. The evidence of the Director of the Fisheries Department at folios 1898, 1899 and 1900 bears this out. I am firmly of the opinion that there should be greater liaison between the Fisheries Department and the Harbour and Light Department in regard to the use of unseaworthy vessels. If boat-owners, such as fishermen, know they must produce a certificate from the Harbour and Light Department before a fishing licence will be granted, they will see that their boats are in good order.

Is that not better than a snap inspection? To me, it seems infinitely better to deal with the situation in that way; but no, the Minister prefers to extend the existing legislation to provide for additional power for snap inspections. As far as I am concerned, I think the power is there already.

Mr. Ross Hutchinson: What did you say? The one you just read out.

Mr. TONKIN: Page 33—

If boatowners, such as fishermen, know they must produce a certificate from the Harbour and Light Department before a fishing licence will be granted, they will see that their boats are in good order.

On page 34, the report states—

I consider it essential that every boat used in the open sea should receive a thorough inspection of craft and equipment, preferably on the slips. This would appear to necessitate more staff to cope with this work and additional slips to enable thorough inspections to be carried out.

You will note, Mr. Speaker, that the Royal Commissioner does not say this requires more legislation, or this requires an extension of the legislation. He says that this requires more staff; and, again, it emphasises the point I have been trying to make all along; that this Bill is only a gesture. The real work to be done can be done under the existing legislation if the Government will only knuckle down to it in a sincere way. Then there are references to the need for charts. We do not need legislation for that, of course.

On page 36 one of the Royal Commissioner's references mentioned as follows:—

Reference (b) "the ability of the Harbour and Light Department effectively to administer such legislation and improvements thereto, and to take Court action thereunder, having regard to present staff and legal requirements and what further staff and facilities (if any) should be made available to the Department for such purposes";

Now, the Government set out to get information about that, I take it, with a view to amending the marine Act accordingly. The Royal Commissioner stated further—

It is strongly recommended that the Harbour and Light Department be increased by the addition of more supervisory and examining staff to enable a proper survey of all vessels and their equipment—

That does not say that the Government cannot do this until it has expanded existing legislation. I quote further—

It is recommended, if not already in operation, that the owners of all boats subject to survey should be posted a notice of survey at least three or four weeks ahead of the due date advising the place, date and time of the annual survey; and a heavy penalty apply for failing to comply. This will necessitate additional staff on the clerical side to enable proper recording and the issue of such notices and licenses.

I have come to the conclusion that neither the Minister nor the Government has properly studied this report. I can mention some subjects which it takes months to consider, like the redistribution of seats: a simple question like that. However, this report obviously has not been adequately considered or we would never have had legislation of this type which is only fiddling with the question.

Mr. Ross Hutchinson: The report has received a great deal of consideration.

Mr. TONKIN: No; it has not; the Minister cannot convince me of that.

Mr. Ross Hutchinson: I have given this particular subject perhaps as much consideration as any other one subject since I have been handling the Works portfolio.

Mr. TONKIN: The subject, yes: The Royal Commissioner's report, no!

Mr. Ross Hutchinson: I have given the report plenty of consideration.

Mr. TONKIN: If that be truthful it is all the more remarkable that all we get is a Bill to implement certain recommendations—

Mr. Ross Hutchinson: Now you are being naive.

Mr. TONKIN: —and those recommendations, very few indeed. Through you, Mr. Speaker, I would ask the Minister—seeing that he has made such a great study of the report—how many recommendations were made and how many the Government has adopted. Of course, the answer is that the Minister does not know.

In addition to passing this legislation, I hope the Government will provide those high-speed ocean-going patrol vessels which are recommended. I would like to hear if that is being done.

Mr. Ross Hutchinson: In time, yes.

Mr. TONKIN: Yes, in time. In the sweet by-and-by! Now, this is interesting, and I quote from page 37 as follows:—

The Department should seek a ruling from the Crown Law Department if it has not already done so, concerning the effect of regulation 67 (1) of the Survey and Equipment Regulations. It appears to be the opinion of officers of the Department that the effect of the first part of the subregulation down to "equipment to be carried" is to bring fishing vessels within the scope of all other regulations relating to equipment, whether or not such vessels come within the description or classes to which the other regulations relate. I do not agree with this interpretation.

So it seems that this Bill is before us because although the department has told the Government the situation is all right, the Royal Commissioner says he does not agree with that. I ask the Minister through you, Mr. Speaker:

Is that the position? Of course the Minister is not able to answer, because he has not the slightest idea what I am talking about.

Mr. Ross Hutchinson: I do not think you have the slightest idea.

Mr. TONKIN: I regret I am obliged to read it again, because this is a very interesting point and I want to develop my argument subsequent to this. To repeat—

Although regulation 74 of the Survey and Equipment regulations requires every seagoing vessel to be provided with an approved first aid kit—

I am sorry, Mr. Speaker, I am quoting the wrong section.

Mr. Ross Hutchinson: It does not matter to you.

Mr. TONKIN: Yes it does. To quote the correct section, it is as follows:—

The Department should seek a ruling from the Crown Law Department, if it has not already done so, concerning the effect of regulation 67 (1) of the Survey and Equipment Regulations.

I am wondering, Mr. Speaker, whether you will permit me to ask, and the Minister to reply to this question: Has the department sought a ruling from the Crown Law Department on this regulation?

Mr. Ross Hutchinson: Not to my knowledge.

Mr. TONKIN: That is fair enough. To continue—

It appears to be the opinion of officers of the Department that the effect of the first part of the subregulation down to "equipment to be carried" is to bring fishing vessels within the scope of all other regulations relating to equipment, whether or not such vessels come within the description or classes to which the other regulations relate. I do not agree with this interpretation.

It seems to me that one of the clauses of this Bill has a relationship to that statement in the report of the Royal Commissioner; and I would like the Minister, when replying, to indicate whether that is so or whether the department completely disregarded that recommendation as it seems to have done with so many others, and has contented itself with this very limited Bill which is now before the House. Further down on page 38 it reads as follows:—

Within the Department there is ample work to keep a naval architect fully engaged.

Further on—

Such an appointment is recommended, the officer to be given the statutory powers to make binding decisions on the matters discussed including plan approval and loading determinations.

That should have been in this Bill. That is most important, and I regard it as one of the most important recommendations in the report; and in order to give effect to it statutory provision is needed to be made and should have been included in this Bill. However, there is not a line in this Bill to deal with it.

The report goes on to refer to hydrographic surveys, and there is a further recommendation which reads as follows:—

It is recommended therefore that a hydrographic survey section of the Department be established forthwith, suitably equipped with a vessel and technical staff.

Then the commissioner recommends what the staff ought to be. I say it would have assisted this Assembly tremendously if the Government could have indicated whether or not it proposed to take any cognisance of recommendations of that nature.

The next reference worries me considerably, and it refers to the requirements and standards of the qualifications for masters, mates, engineers, marine motor engine drivers, and coxswains' certificates, respectively, and any improvements considered to be desirable. This is one of the provisions of the marine Act which the Government, under regulation 102, can set aside. To quote further—

It is also apparent that the recording of sea-time for crew members has been most haphazard.

That is a requirement under the marine Act. To quote further—

There is in fact no accurate record kept of the time actually served by a crew member on board a vessel.

That does not need additional legislation. It is already there. But I repeat: in some instances the Government sees fit to set the legislation aside.

There are many other passages to which it would be desirable, I think, to refer if one did not want to take an inordinate length of time. But this is a very important subject, so important that the Government considered it necessary, without any motion in the House, to appoint a Royal Commission. I say that it is to the discredit of the Government that it has paid such scant attention to the recommendations which have been made.

In no way does this Bill represent a fair and honest and sincere attempt to deal with the situation as explained by the Royal Commissioner. It appears to me to be little more than a gesture, so it cannot be said that the Government completely disregarded what was said and done. There is nothing in the Standing Orders to prevent the Government from introducing another Bill to amend the marine Act, and I suggest that is what it is obliged to do after a further close study of the recommendations made here.

At the same time it ought to set out, for the information of the general public, what other recommendations it proposes to put into operation. What does it propose to do with regard to the new departments for inspections? What does it propose to do with regard to increasing the staff of the departments to enable the officers adequately to discharge their duties? We are entitled to know that. We cannot be fobbed off with this Bill containing so few of the recommendations which have been made. If these are necessary—and I believe the Minister will show that the existing legislation does not at present provide for them—he should have no hesitation in agreeing to what I have suggested. But, in so doing, I for one would indicate my dissatisfaction that the Government has not done enough in connection with the matter and I expect it to do more, and pretty, quickly too, both with regard to additional legislative requirements, the staffing of the department, and the setting up of these additional branches in order that the matter may be adequately dealt with. With those remarks, which I hope have been pertinent to the subject—although the Minister had a different idea—I support the Bill.

Mr. Brand: You had some doubts about it yourself.

MR. FLETCHER (Fremantle) [6.1 p.m.]: It would be inconsistent of me if I did not pass some comments on this Bill in view of what I have had to say on this subject in the House and the questions I have asked on boat safety, not only during last session but also in previous sessions. I admit that the Bill is worthy of support for the little that will be achieved by its passing, because it puts beyond doubt the fact that the Harbour and Light Department has authority to enforce the parent Act. To that extent the Bill is worthy of support, and an article in *The West Australian* of the 20th August, 1965, was quite factual in its reference to the effect that if a vessel was unseaworthy, overloaded, or did not have the necessary certificates, it could be ordered to port.

That aspect in the Bill is worthy of support, but I join with the Deputy Leader of the Opposition in asking, "Where is the staff to ensure that this is done?" As I said when speaking to a motion on this subject the other evening, this Bill will put legislation on the Statute book that can be cancelled out by regulation 102; and, quite frankly, I wonder why the Minister goes to the bother of introducing legislation such as this when that can happen. Regulation 102 can exempt from the provisions of this legislation any craft associated, for example, with dredging in the north.

I know that the owners of fishing vessels, by devious means, evade regulations made under the Act, and I know the means they use. This Bill will enable the Act to be

enforced, and in that regard it will at least close some of the loopholes that are now in the legislation. The Bill gives officers of the Harbour and Light Department the right to demand that the owner or person in charge of a vessel shall identify the persons manning the craft. That provision is a commendable one; but I ask the Minister, as did the Deputy Leader of the Opposition: Where is the staff to carry out this work? In that regard I would refer members to a question which I asked the Minister for Works last year and which is reported in volume 1 of *Hansard* 1964, at page 919. It is as follows:—

- (1) Is he aware that advantage could be found in the appointment of one or more qualified persons to act as outport pilots?
- (2) Will he investigate the need having in mind that such appointees when not required for outport work could act as marine surveyors of fishing and other craft at Fremantle and where necessary, other W.A. ports?

I hope the Minister read my comments subsequently.

Mr. Brand: He always does.

Mr. FLETCHER: Coming events cast their shadows; and I asked the questions I am now quoting because of the staff position. I was concerned about staff being available for the purpose of policing the Act, and my questions were related to the inquiry into boat safety. I further asked—

- (3) That such appointees could among other duties—
 - (a) assist Harbour and Light, Fisheries and other Government departments in ensuring that fishing and other craft comply with safety regulations before going to sea;
 - (b) ensure by occasional inspections that such regulations continue to be complied with?
- (4) Will he discuss the above suggestions with Merchant Service Guild and other interested officials with a view to safety of craft and crews?

As I said, I asked that question last year, and it is relevant to the comment I recently passed in connection with regulation 102. The Minister for Works' predecessor replied to my questions as follows:—

- (1) A recommendation on this subject has already been made to me and at present is being investigated.
- (2) Answered by (1).
- (3) These matters are included in the terms of reference of the Royal Commission on Safety of Vessels, the report of which is awaited.

- (4) This will be considered when the Royal Commission's report is received.

It is quite evident that consideration has not been given to this aspect; or, if it has, why is this Bill so limited in its scope and why does it not include more of the recommendations of the Royal Commission in regard to boat safety? Also, why has not my suggestion been adopted so that a pool of personnel would be available for policing all aspects of the Act? Another question which I consider is relevant to this matter was asked by me in 1962, and it is to be found on page 694 of *Hansard* No. 1 of that year. The question reads—

- (1) Will he, with a view to the elimination of fishing craft loss and crew fatalities, have a coastal survey undertaken between Fremantle and Geraldton, for the purpose of—
 - (a) surveying all possible anchorages as refuge for fishing craft in bad weather, engine or other trouble;
 - (b) having such anchorages marked with lights by night and trigs or other prominent signs for use by day;
 - (c) having such anchorages marked on charts or maps, to be made available to skippers of fishing craft?

I went on to suggest in the question that craft be painted sea-contrasting colours, and so on.

Like the Deputy Leader of the Opposition, I support the Bill, but I only wish I were supporting a measure that contained far more than this one does, one which included in it some of the recommendations which are set out in a letter to *The West Australian* of the 28th July, 1965, under a heading "Case For Marine Services Board." If this Bill contained provision to set up a marine services board it would be rendering a great service and would enable a better job to be done. The suggested board could consist of many of the personnel I mentioned in the questions I asked of the Minister—men with an expert knowledge of the sea. The person responsible for this letter to *The West Australian* was Captain C. R. Cox; and although I shall not read the letter in its entirety, I intend to quote a few paragraphs from it because they are the worth-while comments of an expert. He said—

The W.A. branch of the company of Master Mariners urged at the Royal Commission on boat safety that a Maritime Services Board be established.

This board would include the Fisheries and Harbour and Light Departments, the Fremantle Port Authority, all other harbour authorities and the P.W.D. harbours and rivers branch.

There is no provision in the Bill for the establishment of such a board. He continued—

Under such a board a comprehensive survey and inspection branch could be set up and an advisory council to help the State Government on all marine matters.

Mr. Ross Hutchinson: Was that one of the recommendations of the Royal Commission?

Mr. FLETCHER: It has been mentioned, but it is not to be found in the Bill.

Mr. Ross Hutchinson: But was it one of the recommendations of the Royal Commission?

Mr. FLETCHER: Captain Cox said—

The W.A. branch of the company of Master Mariners urged at the Royal Commission on boat safety that a maritime services board be established.

No; apparently the company of master mariners urged that a maritime services board be established and the Deputy Leader of the Opposition, having the report before him, would probably be in a better position than I am to say whether the Royal Commissioner recommended it in his report. However, the opinion was expressed by the company of master mariners at a hearing of the Royal Commission on boat safety that a maritime services board should be established and their representative went on to detail the nature of the work that the board could carry out. Another paragraph of Captain Cox's letter reads—

However, the royal commissioner, Mr. W. J. Wallwork, said the proposal was outside his scope.

Nevertheless there is a lack of cohesion between the Fisheries and Harbour and Light Departments. The P.W.D. has a survey vessel and a hydrographic surveyor whereas the Harbour and Light Department has none.

I shall quote another short paragraph which illustrates the position in other States and if the legislation which has been introduced had contained some of the provisions in operation in those other States it would be far more worthy of support. I quote—

In his report Mr. Wallwork mentions the improvements to N.S.W. fishing ports and how well treated the fishing industry is there.

I wish the same thing applied here. To continue—

N.S.W. has one unified Maritime Services Board and is able to direct its expenditure suitably and economically, as do Queensland and South Australia.

Every maritime nation or State of consequence has seen the necessity of unification of maritime services in the interest of overall efficiency.

This branch has a greater wealth of maritime experience than any other single body and many of its members are frustrated with the present devious and unnecessary controlling bodies.

If all bodies connected with this subject were under the one control it would be far better for all concerned. I would support the Bill with more enthusiasm if it contained provisions along the lines I have outlined. I was prompted to ask the questions I have asked in the House because of what fishermen and other people at the port of Fremantle, including the Merchant Service Guild, have mentioned to me. They have asked me to request more facilities for boat safety, but this Bill does little in that regard. I only wish the Bill contained a lot more than it does; but unfortunately arising from the big inquiry into boat safety came this very small Bill which, on the whole, will achieve very little.

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [6.14 p.m.]: I wish to thank the two honourable members who have contributed so much towards this debate, and I trust that in a short time I will be so fortified that I will be able to pursue this subject with greater strength after the tea suspension.

Sitting suspended from 6.15 to 7.30 p.m.

MR. ROSS HUTCHINSON: Two members of the Opposition spoke to this measure to amend the Western Australian Marine Act. Both supported it, but both criticised it for what, according to them, was not included. The Deputy Leader of the Opposition, in particular, made great play of the fact that a large number of the recommendations of the Royal Commissioner had not been included in the text of the Bill. He spent a lengthy time reading slabs of the report of the Royal Commissioner. I felt he was outside the scope of the Bill. However, he was able to pursue his line, and so be it. It could be he was in order.

When the honourable member made mention of those recommendations I did not think he was so naive as not to realise that many of them could be considered with the idea of reducing them eventually to regulations made under powers which were already in the Act.

There were two things which could not be done by regulation, and one of them is contained in the Bill before us. It is a very important piece of legislation, and one which has been lacking in the Act; that is, the power to make provision for snap inspections of fishing vessels to be carried out by surveyors. The Deputy Leader of the Opposition endeavoured to point out by reading section 15 of the Act that fishing vessels were included. I know that provision in the Act, and I know a good deal generally about the Act,

without knowing it completely. I was informed there were serious legal doubts as to whether fishing vessels were included. If I had thought they were included I most certainly would not have brought forward this legislation. The Bill seeks to resolve the legal doubt, and to make it possible for snap inspections to be carried out.

It is mandatory for annual certificates of seaworthiness to be issued to vessels. That is definitely contained in the Act. During this period of 12 months it is possible for the owners or skippers of fishing vessels to neglect to keep their equipment up to the mark, and one or two of them have said that they even avoided the annual survey. The Royal Commissioner considered this gap should be closed, and here in the Bill the attempt has been made to close it.

The member for Fremantle spent a good deal of time in discussing the merits of a maritime services board. I think that, too, is outside the scope of the Bill, and indeed the Royal Commissioner thought it was outside the scope of his Royal Commission. Regarding the Deputy Leader of the Opposition I admit that he has a sense of humour—perhaps a rather wry sense of humour as far as I am concerned—because at one stage he said at no time had he gone outside the ambit of the marine Act, and he was quite right.

This piece of legislation is introduced to provide for snap inspections of fishing vessels to be carried out, and, if necessary, for an inspector or a surveyor to order a vessel ashore if it does not comply with the requirements.

This is quite an important, although a small piece of legislation. It does not by any manner of means put into effect all the recommendations of the Royal Commissioner. As Minister for Works I frankly state that I doubt very much whether all those recommendations will be implemented. As a matter of fact, very rarely in the history of this or any other Parliament have the recommendations of Royal Commissions or Select Committees been fully implemented. Some of them have been disregarded entirely. It is up to the Government in power to determine whether or not such recommendations should be implemented: it is the Government's responsibility to attend to this; it is the Government which makes the final determination on whether they should be introduced in Parliament; and then it is for Parliament to decide the course of action which the Government shall take. That is the procedure.

Many of the recommendations which have been made by the Royal Commissioner can be implemented by regulation, and quite a number will be; but this is no easy task. Some of them will be very difficult to implement, and a number of them pose quite difficult problems. Some

of them have still to be given very thorough consideration, and we must secure information from small-boat owners, yacht clubs, and others. If these were easy to put into effect it would have been done previously.

My predecessor gave a great deal of consideration to these matters, and I have done the same. They have been brought before Cabinet on a couple of occasions. At the present time my office is trying to get these regulations into some sort of form. I could read a number of the ones which we tackled, but there is no necessity to do that. Suffice it to say there must be between one and two score of these recommendations which will be implemented in one way or another—perhaps in part, perhaps in full, or perhaps with some modification.

The Deputy Leader of the Opposition, in the course of his speech, said that this Bill laughed at regulation 102 which created exemptions for certain foreign vessels that were working to implement the developmental project in the north-west. That has no bearing on the Bill, but I will deal with that aspect at the appropriate time when the Bill introduced by the honourable member comes up for discussion, which might be tomorrow evening; and also when the motion introduced by the member for Fremantle is dealt with, which might be tomorrow evening.

In one voice the Deputy Leader of the Opposition said that I had not covered enough ground in this Bill, and had not included enough provisions; and then in another voice he said there was no necessity for these provisions to be introduced at all, because there was already power under the Act.

He spent quite a long time on another matter. He read much of the report of the Royal Commissioner, and then he referred to the section in which the Royal Commissioner recommended that it should be mandatory for a certificate of seaworthiness to be held by a fishing vessel before a fishing license was granted. He said there should be close liaison between the Fisheries Department and the Harbour and Light Department. For his information I state that I was still the Minister for Fisheries when I issued a ministerial directive under the powers given to the Minister in the Act, to ensure that this was the case. At first I thought I would have to introduce legislation, but I found out subsequently this could be done under the powers vested in the Minister for Fisheries, so the ministerial directive was issued. At the time this matter was given publicity in the Press. I also referred to the regulations which I am attempting to have drawn up, but this is not an easy matter. In the fulness of time—I hope it will not be too long a time—we will be able to do something.

I agree with the Deputy Leader of the Opposition and the member for Fremantle that it is important for this department to obtain more staff and improved equipment, to enable it to carry out its responsibilities under the terms of the Act. Steps are being taken to ensure that this suggestion is implemented, but here again I would point out that many demands are made for money for this or that purpose by every department and every subdepartment. It is not always easy for the Treasurer to provide the money. In this case steps are already being taken to increase the staff of the department to fill some of the gaps which exist, and to try to set money aside to build a certain craft in the course of time.

In this respect I cannot make a specific promise on these matters. Money is required for many things; money is even required to build a new prison. It is astonishing how well the Treasury spends the money.

Mr. Brand: Money is easy to spend, but hard to obtain.

Mr. ROSS HUTCHINSON: I do not think there is any need for me to pursue this matter further, because the terms of the Bill are sound.

Question put and passed.

Bill read a second time.

In Committee

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

Clause 1 put and passed.

Clause 2: Section 195A added—

Mr. TONKIN: This clause seeks to add a new section which commences as follows:—

195A. (1) An authorised person may, where he considers it necessary for the due enforcement of this Act, with the assistance of such persons as he may require board any vessel

... This power is necessary in connection with an inspection but it introduces a principle which I very much dislike. Comment on this is to be found in *Australian Administrative Law*, second edition, by Friedmann and Benjafield. I quote from page 73 from the section dealing with the validity of delegated legislation, as follows:—

The "Conclusive Evidence" Clause
The Committee on Ministers' Powers felt that this clause "seems on its face to have been designed with the express purpose of completely and finally excluding all control by the courts."

The unfortunate part about this is that if this authorised person has a grudge against someone and therefore takes these steps, there is no legal redress under the

Bill. He just has to put up with it. He cannot take a case against the person concerned for wrongful use of authority or for damages sustained as a result of a wrongful act because this clause prevents any recourse to the court.

That is going back a bit. It is similar, of course, to regulation 102. It has the same principle. That regulation takes away power from the Parliament and gives it to the Executive. The Minister does not appear to understand what I am driving at, so I will have to be more explicit.

An authorised person is a delegated authority. In the first instance the statute confers power upon the Minister to do certain things. Now when there is introduced into a Bill the phrase "an authorised person" that is a delegation of power. I have no objection to a delegation of power, but when that authorised person is enabled to do something if he thinks it is necessary, then he is the sole judge; and if someone disputes what he is doing, all he has to say it, "I considered it necessary", and that is the end of it. The person aggrieved can take no action. In my view, that is a bad principle of law to extend.

Mr. Brand: What is the alternative?

Mr. TONKIN: I think some other way should be found to do it, and the alternative is to be specific—to enumerate the circumstances under which the authorised person may use this authority, or word it in such a way that it has to be based upon facts, which facts can be proved in a court.

Mr. Ross Hutchinson: What about if you knew who the authorised person was. Would that be all right?

Mr. TONKIN: No. That does not make any difference. The difficulty is in the words, "where he considers it necessary." There is a delegated authority and all the person exercising this power has to say is, "I considered it necessary", and there is no measuring stick by which it can be determined whether it was necessary or not. That is a very weak drafting in law.

If the facts have to be set out and good cause shown, then it can be argued in the court that no such good cause existed, because it would be possible to call upon this authorised person who took such action upon good cause being shown to show what the good cause was; and that is a question of fact. However, if a man is justified in taking action because he says he considers it necessary, then he might be the only one in a thousand people who consider it necessary. But the fact that he said he thought it was necessary is sufficient, and he cannot be challenged in court.

That is the weakness in that, and that is not my dictum. It is the dictum of qualified lawyers of considerable eminence who are reporting on this type of evidence.

Because of its importance and the fact that it is new to a lot of members, I propose to read again the portion which emphasises the point. It reads—

The Committee on Ministers' Powers felt that this clause "seems on its face to have been designed with the express purpose of completely and finally excluding all control by the courts".

In other words, no legal redress is open to a man who feels aggrieved if under some delegated authority a person says in his opinion he was entitled to do it because he thought it was necessary.

Mr. O'Neil: This only gives him the power to inspect if he thinks it necessary.

Mr. TONKIN: It goes further than that.

Mr. O'Neil: I do not think so. Read the second part. There are other qualifications.

Mr. TONKIN: According to this provision an authorised person may board a vessel for certain reasons and if necessary he may take someone with him.

Mr. Ross Hutchinson: Other Acts have this power.

Mr. TONKIN: That does not make it right.

Mr. Ross Hutchinson: You must have the system work.

Mr. TONKIN: I have shown the Minister how he can get a system that will work.

Mr. Ross Hutchinson: This does it like you want it to.

Mr. TONKIN: The Minister could make it so that this delegated person could take action dependent on certain facts which could be proved. We might as well say that the police should have delegated authority to enter any person's house if they think fit or if they consider it necessary. Just imagine that! A policeman comes along and he says, "I consider it necessary to come into your house and have a look and I have the authority to do it and you can take no action to prevent it." But if he has to have some cause or if he has to show he has good reason for believing that he has some cause, then these are the facts which can subsequently be proved. If he cannot prove these facts then he came to a wrong conclusion and he acted without authority. However, we cannot prove that in this case because all he has to say here is, "I want to board because I consider it necessary", and it does not matter what the person concerned thinks or a thousand other people think as to whether it is necessary.

Despite what might be in other Acts—and that is no argument with me—I say it is a bad principle of legislation and one to which I cannot subscribe. I do not think any citizen ought to be denied recourse to

a court if he feels aggrieved; but if the Government will agree to the appointment of an ombudsman, the problem is solved.

Mr. ROSS HUTCHINSON: I do not know whether there is any real necessity for me to reply to the remarks made by the Deputy Leader of the Opposition who just seems to give forth a lot of words on this matter or that matter. However, if members will read the whole of clause 2 they will see that it makes sense. Proposed new section 196A (2) indicates that an authorised person is a member of the Police Force or a person employed by the department.

Clause 2 is absolutely necessary to implement the snap inspections which are the reason for the introduction of this Bill. If after boarding a vessel the authorised person finds certain things lacking on that vessel, he can order it back to shore.

Mr. TONKIN: All I want to say is that the Minister's reply boiled down means that in order to provide for these snap inspections and implement this law it is necessary completely and finally to exclude all control by the courts. That is what the Minister is saying. I do not agree.

Will the Minister dispute that on the wording of this provision it is impossible for any aggrieved person to approach the court? That is the question which has to be answered, and I say it is impossible, because he has nothing upon which to bite. The justification for this action is that the authorised person considers it necessary. He may be a person of very poor judgment and may have a grudge against someone. He may be just a nark and all he has to do is to say that he thinks it necessary to board the vessel. There is no measuring stick by which the courts can determine whether it was necessary or not.

That is my complaint about this, and I refuse to accept the postulation that no other wording can be found which will give the power to carry out a snap inspection without depriving the citizen of the right to approach the court if he feels aggrieved. At the moment he likes it or lumps it, and that is a method of legislation which finds no favour with me in these days of increasing bureaucratic control—and this is the cause of it, this sort of development. We are having insufficient regard for the interests of the individual.

Do not tell me that where people have the power to wield a big stick, they are not encouraged to do so when they know the person against whom they wield it has no redress! An authorised person under this provision would know quite well that he could do what he liked and that no person who felt aggrieved could take any possible action. It is all right for the Premier to laugh about it.

Mr. Brand: Of course you know that is a gross exaggeration.

Mr. TONKIN: I do not know anything of the sort.

Mr. Brand: Of course you do!

Mr. TONKIN: I do not know anything of the sort.

Mr. Brand: You know that what you are talking is all my eye!

Mr. TONKIN: It is obvious the Premier cannot follow my argument at all.

Mr. Brand: I might be forgiven for that, too.

Mr. TONKIN: All I can do is put the argument that way.

Mr. Brand: This legislation is according to the wording of the Bill.

Mr. TONKIN: What the Premier is saying is: No matter what the words are in the Bill, if they are in the Bill, they are all right. I remind the Premier of a number of instances where there have been words in Bills and we have been told by the Ministers in charge that they meant certain things, but have been told subsequently by the Premier himself that they did not mean those things at all.

Mr. Brand: It was ever thus.

Mr. TONKIN: Will the Premier deny that? That is a fine basis for confidence, is it not? So we are entitled to argue this on its merits. There are plenty of lawyers on the Government side; let them get up and tear my argument to pieces.

Mr. Brand: They are not going to waste their time.

Mr. TONKIN: They would not hesitate to do it if there were a case. There is plenty of evidence to prove my contention that, unless the action of delegated authority is dependent upon certain facts which can be established or proved in court, then there is no possible course of redress. How can we attack a decision which rests upon a statement that a man considered it necessary to do something? You cannot prove that he did not consider it necessary if he said he did; but if we lay it down in the Act—

Mr. Brand: Lay what down in the Act?

Mr. TONKIN: The circumstances under which he may use this delegated authority.

Mr. Brand: What circumstances? What will you lay down?

Mr. TONKIN: Plenty.

Mr. Brand: What are they?

Mr. TONKIN: Do you want a few of them?

Mr. Brand: Yes. What are the circumstances you are going to set down in respect of an inspector going out to try to stop a boat in order to make a snap inspection?

Mr. TONKIN: The Premier is postulating, without knowing any of the circumstances which will justify an inspector

going aboard a boat, that an inspector will go aboard to have a look. I would say that any genuine authorised person proposing to make a snap inspection of a vessel would, first of all, be aware of the fact that it had not been in for annual survey. That would justify an inspection—his knowledge that there was an absence of annual survey and that the master did not possess a certificate. The next would be faulty gear, which would be obvious from observation.

Mr. Brand: How would he know the gear was faulty, one hundred yards from the vessel?

Mr. TONKIN: He could have a look at the bent gantry and know that.

Mr. Ross Hutchinson: How is he going to see it if he does not go aboard?

Mr. Brand: And if he had not seen the boat before?

Mr. TONKIN: I suggest the Premier do not continue to show his ignorance of this subject by saying a lot of things which mean nothing.

Mr. Brand: You have not answered my question; and that is the hard cold core of the reason for bringing this piece of legislation here.

Mr. TONKIN: I ask you, Mr. Chairman, would not a knowledge of the fact that the ship had not been in for annual survey for several years be a reason which would cause you, if you were an inspector, to go aboard and ask for a certificate?

Mr. Brand: How would you know it had not been in for survey?

Mr. TONKIN: By looking at the records.

Mr. Brand: Where would you get the records?

Mr. TONKIN: In the office. If the Premier were the authorised officer, there would not be much result.

The CHAIRMAN (Mr. W. A. Manning): The honourable member's time has expired.

Clause put and passed.

Clauses 3 and 4 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

BILLS (3): RECEIPT AND FIRST READING

1. Coal Mines Regulation Act Amendment Bill.

2. Mines Regulation Act Amendment Bill.

Bills received from the Council; and, on motions by Mr. Bovell (Minister for Lands), read a first time.

3. Debtors Act Amendment Bill.

Bill received from the Council; and, on motion by Mr. Brand (Premier), read a first time.

BUSH FIRES ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 19th August, on the following motion by Mr. Bovell (Minister for Lands):—

That the Bill be now read a second time.

MR. ROWBERRY (Warren) [8.10 p.m.]: The Bill sets out to amend the Bush Fires Act by adding to it another section to be called section 25A. Members will recall that section 25 deals with the prohibition of the lighting of fires in the restricted burning periods. Therefore it is necessary for an addition to be made to the Act; because in section 25 mention is made of the various trades and practices which have exemption in the restricted burning periods.

Today there is much oil exploration; and, by the way, the Minister in his speech mentioned that £27,000,000 had been spent on oil exploration in this State and that 149 wells had been drilled. I would remind the House that if £27,000,000 has been spent on oil exploration, then the companies carrying out the exploration gain their income from the selling of petrol and petroleum products, and so the purchasers of those products will eventually—if they have not already done so—pay for the wells that are being sunk.

There is no other way that the oil companies can get their income, so that really we are not getting something gratuitously; we are getting something for which we have already paid. So, if this State has not paid, somebody else has. However, that is by the way.

The Bill contains a provision by which the Minister will, before he grants exemption, or grants the privilege to these companies of allowing them to burn waste, excess gas, and excess oil, be advised by the Bush Fires Board, which is a competent, dedicated and efficient body of persons who have the welfare of the State very much in their minds when they approach any subject; and I am satisfied they will see that the necessary precautions are taken for the preservation of the public safety before they advise the Minister to grant exemption to these companies during prohibited burning times.

The Bill contains ample provision, I think, for the prevention of fire, and also to deal with the control and extinguishment, if necessary, of any fire. I point out that the Bill now opens the gate for everybody—not only people who want to burn gas and oil during testing operations, but others, because it contains these words "for the purpose of burning any trade refuse from or in connection with that industry." It also includes any industry or trade process which may require the burning of trade refuse.

It appears as if the burning of oil and gas wastes was included in the Bill as an afterthought, whereas the main purpose of the Bill is to grant exemption to the oil companies. As there appear to be ample means in the Bill for the preservation of public safety, and as the Minister will be advised by his board, I commend the measure to the House, and it has my support.

MR. BOVELL (Vasse—Minister for Lands) [8.15 p.m.]: I thank the member for Warren and the House for their reception of the Bill. As the honourable member has said, there has been included in the measure every precaution, first of all in regard to the granting of permission for the burning of industrial waste which, of course, includes, oil, gas, and petroleum. It goes further than that, because the Minister can cancel this authority at any time. Having given the authority to burn waste on the advice of the Bush Fires Board that the conditions are satisfactory in the opinion of that board, and later finding it would be advantageous to public and private property to cancel that authority the Minister, under this legislation, will have power to void his previous permission.

I think every precaution has been taken to protect private and public property. As I said in my introductory remarks, the shire council concerned at Yardarino, from where the first request for this burning came, agreed to the burning of the waste at Yardarino. I am confident that with the provisions in the Bill public safety will be guaranteed.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BUNBURY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 19th August, on the following motion by Mr. Ross Hutchinson (Minister for Works):—

That the Bill be now read a second time.

MR. ROWBERRY (Warren) [8.20 p.m.]: The Bill seeks to amend the Bunbury Harbour Board Act, 1909-63, by repealing certain sections and by amending another. I commend the original Act to the House for perusal. It is interesting to go back to these old Acts that were drawn up so many years ago, in the early part of the century, because one notices how clear and concise the phraseology is in those old Statutes. It would be a shame if that Act were amended and brought up to date, and if the phraseology were couched in the

gobbledygook we sometimes have presented to us here. The wording of the old Acts was clear and unambiguous.

When presenting this Bill to the House the Minister mentioned that recommendations had been made by a committee. I asked the Minister if he could make this committee's report available to the House. I believe that if the Minister was influenced by the report of the committee in question then the considerations which influenced the Minister should have been made available to the entire House. I resent very much the manner in which the Minister dealt with my ordinary, courteous request asking whether this report could be made available. The answer he gave was a peremptory "No."

I then asked the Minister whether the report was confidential, and he said it was not a report at all; that the committee made certain recommendations. I ask you, Sir, whether that is not splitting words? What is the difference between a report and recommendations? Before we get away from the question of the Act I would like to inform the House that the Minister appeared to be a bit sensitive; he felt I was stickybeaking into what the gentlemen on the board were going to be paid because he said—

The honourable member may ask in a question if he is interested in the scale of fees which is going to be paid to these members of the board.

It is a strange thing that our ancient brethren had no scruples at all about making public the amount of money that should be paid to members of a board, because the original Act contains the fact that the chairman of the board shall not be paid in excess of £100 per annum, and the members of the Board shall not be paid in excess of £50 per annum.

So, obviously, there was no question of drawing a veil of secrecy about what should be paid to people who work in the public interest. I cannot understand the Minister's attitude, unless of course he is suffering from occupational syndrome, which is a disease caused by too much exposure to ministerial stress. I think the Minister might have affected the Premier with it also, because the Premier seems to have similar symptoms. It would appear as if the stress and strain of office is taking its toll and is becoming apparent in little bursts of irritability which will become the members of a front bench of a Government.

While I have no objection to the gentlemen on the Bunbury Harbour Board being paid a scale commensurate with the responsibilities of their position, I would like to take this opportunity to tell the Minister that there is nothing really wrong in a member of this House wanting to know what influenced him in making his decision.

Having introduced the question of a small Committee on a very high level into the House, the Minister should have made available to Parliament the deliberations of that committee. The attitude of the Government seems to be, "We shall make the decisions as to what shall come before Parliament." That is all very well. But if that is so, then why does the Government bring matters before Parliament at all unless it proposes to give the Opposition—which is part of Parliament—and every member of Parliament, full information as to what is going on behind the scenes?

I am sorry the Minister is not present, because I do not like running a person down behind his back. I am afraid the Minister has caused me to say many more words than I needed to say on the second reading of this Bill. Instead of paying the members by piecework—that is, paying them so much for each meeting they attend—the Bill proposes that they be paid annually. Incidentally, if the maximum scale is to be £50 per annum, and if the gentlemen at Bunbury meet twice a week I do not think it will even pay for the cigars they might smoke.

We have no objection to the provisions of the Bill. What I have said has been by way of minor rebuke to the Minister for Works and the other members of the Government on the front bench, with the exception of the Minister for Lands.

MR. WILLIAMS (Bunbury) [8.28 p.m.]: I do not intend to detain the House long over this small Bill, which proposes to make annual payments to the members of the Bunbury Harbour Board, instead of an amount for each meeting, as is the case now. Had the member for Warren taken the trouble to pick up the phone and ring the Public Works Department I am sure he would have been informed of the fees prescribed for the members of the Bunbury Harbour Board which, incidentally, are £300 maximum to the chairman and £150 maximum for each member.

It is interesting to look back on the reason why some of these boards were formed in the first place, and why some of the Acts were promulgated. I referred to the *Hansard* debates of 1908, volume 1, and I found the following on page 453 when a Bill was being introduced by the then Premier (The Hon. N. J. Moore):—

The proposal for the Trust—

It was called a trust then, but it has since been changed to board—

—emanated in Bunbury some considerable time ago, and was supported not only by the Shipping Association, but also by the Chamber of Commerce, the municipal council, and the Lumpers' Union of that town.

He then said—

The Bill generally is founded on the experience of Fremantle and the other States. The fact that divided control exists there has, no doubt, caused a considerable amount of friction. At the present time the Harbour and Light Department, under the Colonial Secretary, control a portion of the lighting and the pilotage; the Railway Department are responsible for the berthing of vessels, and also for the lighting of that portion of the jetty used in connection with the shipment of cargo; the Works Department are responsible for the works and maintenance in connection with the jetty; while the municipal council control the shore end of the jetty. Members will therefore realise, that with so much divided control, a certain amount of friction must occur. To secure responsible control is the object of the Bill, and the fact that there are so many conflicting interests in connection with the export trade, the allocation of berths and other controversial matters incidental to the trade of a busy port, prompts me to endeavour to secure the approval of members to this measure, which I feel sure is in the best interests of the State and the port.

This, I feel, is quite true, because it is through the enthusiasm of the board members and their dedication to the duty for which they are appointed and for which they receive a small remuneration, that things are made to buzz.

This has been the case in Bunbury. Looking back through the history of the port it has, from time to time, had its ups and downs with the rest of the State's economy which affects the port. However, these board members have tackled the problems before them and have done a good job.

I wish to refer to the first Bunbury Harbour Board report dated the 30th June, 1910. The inaugural members of the Bunbury Harbour Board were Mr. H. M. Beigel, chairman, Mr. William Balston, Mr. John Bolden, Mr. F. W. Roberts, and Mr. F. W. Steere.

On looking through the history of Bunbury, one will see that certain names crop up, from time to time, in many fields. When one looks at the names of the members who have served on this board between 1909 and the present day, one will find that those people have been very busy people, but they have found enough time to interest themselves in the development of the port and the region, as it is the port that serves the region.

There are men like Mr. McKenna, who is present chairman of the board, and who was appointed to the board on the 1st January, 1930. He is still a member, but will, I believe be due for retirement shortly.

He has spent 35 years on the board, and has been chairman since 1940. This is no mean task for a man who is as busy as Mr. McKenna. He has interested himself in affairs generally around the town and has done a fine job in the development of the harbour and of the port.

Among the other members of the board one finds a man like Mr. Orton Bell, who has been a member for 13 years. There is Mr. Guppy, the waterside workers' representative, who had spent 34 years on the board; and Mr. Webber, the present secretary of the Waterside Workers' Union, who has been seven years on the board. I feel that having representatives from the Waterside Workers' Federation on the board provides harmony in the relationship between the port authority and the workers at that port.

The board is responsible for the operation and control of the port, which is entirely in its hands. We know that from time to time the board receives help from the Public Works Department—in other words, from the Government—for various projects in the port area. Looking through the history of the port, I believe that the men who, from time to time, served on the board have had a very wide vision of things that would happen in the port and the region.

The first mention of a land-backed wharf for Bunbury was made in 1915. If I remember rightly it was in its 1914 report that the harbour board stated the jetty had done a good job but that it was time thought was given to the provision of land-backed wharves. Prior to that, several suggestions had been made by various people on different types of land-backed wharves to be made available at Bunbury in the estuary and in the harbour itself.

With those few words, I support the Bill and pay tribute to the gentlemen on the board; to the great work they have done; and to the great work they are doing.

MR. BOVELL (Vasse—Minister for Lands) [8.35 p.m.]: On behalf of the Minister for Works, I wish to thank the member for Warren and the member for Bunbury for their contribution to this debate. Both members took the opportunity of going further than the Bill does. It is interesting to note the history of the Bunbury Harbour Board given by the member for Bunbury. He mentioned the late Mr. F. W. Roberts, who was the father of the late George Roberts, a former member of this Parliament. He also mentioned Mr. F. W. Steere, and other members of the day, including Sir Newton Moore, who was Premier of the State and member for Bunbury. It was interesting to hear the history in regard to the port of Bunbury.

Of course, the principal intention of this Bill is to enable the Government to pay a suitable remuneration to the members of

the harbour board, which not only includes businessmen, as mentioned by the member for Bunbury, but also members of the Bunbury branch of the Waterside Workers' Federation.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

ALBANY HARBOUR BOARD ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 19th August, on the following motion by Mr. Ross Hutchinson (Minister for Works):—

That the Bill be now read a second time.

MR. HALL (Albany) [8.38 p.m.]: The measure before the House is to amend the Albany Harbour Board Act, 1926-63. It is similar in character to the previous Bill we dealt with.

In it I notice one rather disturbing feature; that is, the extension of power to the Governor. We find that he has rather extensive powers; and on perusing the proposed amendments, we discover that his powers are going to be further enlarged by making him the administrative body or person who will say what amounts will be paid by regulation prescribed under the Act. As stated by the member for Warren, Parliament, in most cases, has some chance to review amounts that are paid; and I hope to show the changes that have been made in regulations at different periods of time. These particular changes coincide with the development of the area and the amount of work that has to be put in by board members in regard to their respective duties.

I am not against the remuneration being altered. In regard to the natural development of both Bunbury and Albany, and in regard to the number of hours board members have to spend carrying out their duties and the number of sittings which they have to attend, the remuneration those members receive is very small indeed. Therefore there is justification for an increase.

The catchment area for cargo for the port of Albany is from the hinterland; and shipping tonnages will eventually be greater than they are at the moment. I look forward to great improvements there, particularly as a result of the hours of sitting by the board, and the board's co-ordinated planning. Recently I asked questions with this in mind to see what activities the Government contemplated with regard to the development of the hinterland in association with the Albany Harbour and the Harbour Board.

In regard to the action being taken respecting the board, section 10 of the Albany Harbour Board Act is to be repealed. It reads as follows:—

Each member, other than the chairman, may receive a prescribed fee for every ordinary meeting of the Board at which he attends.

This measure proposes to insert a new section 10 as follows:—

The chairman and the other members of the Board shall be paid such remuneration respectively as the Governor shall from time to time determine.

This disturbs me. The Governor is being given this extra power on top of the powers he already has. He has power to appoint members of the board; and power to appoint the chairman of the board; and now we are giving him power to fix the remuneration that shall be paid to members of the board. That is giving the Governor of this State a tremendous power. I would think that Parliament would want to know, from time to time, what this amount was. The Act states the composition of the Albany Harbour Board will be as follows:—

There shall be five persons for carrying this Act into execution, who shall be a body corporate by the name of the Albany Harbour Board, with perpetual succession, a common seal, and power to hold land.

That is O.K. The Act states further—

- (1.) The members shall be appointed by the Governor.
- (2.) One of the members shall be annually appointed by the Governor as chairman.

I think I have made my point in regard to appointments. Now I will refer to the regulation of 1953 which controls the destiny of the Albany Harbour Board. At this point I would mention that Charles Bolt, the chairman of the board at that time, is now deceased, but I would like to pay a compliment to him for his work in that office. He carried out his duties admirably. I forget which Government appointed him but I would say it was well rewarded by the efforts he put forward in that area. I now come to the regulation of the 13th November, 1953. The schedule read as follows:—

The abovementioned regulations are amended as follows:—

1. Delete regulation 2 and insert in lieu thereof the following new regulations 2 and 2a as follows:—

2. Meetings—The ordinary meetings of the members shall be held on the second and fourth Thursday in each month, at such hour as shall from time to time be decided upon by the members. For

the conduct of Board business deemed necessary between ordinary meetings, a quorum of three members shall constitute a meeting.

2a. Remuneration of members—For his attendance at each meeting of the board there shall, subject to section 12 of the Act, be payable to the Chairman the sum of £2 10s. and to each other member the sum of £1 17s. 6d., together, in the case of any member not ordinarily resident within the municipal district of Albany, with car mileage allowance as payable to officers of the State Public Service.

That was in 1953 and Parliament would have access to that information. Again on the 13th August, 1957, the regulations were amended as follows:—

- (1) By inserting in regulation 2 after the word "month" the words "or upon such other days and"
- (2) By deleting from regulation 2a. the words "subject to section 12 of the Act".
- (3) By deleting from regulation 2a. the figures and symbols "£2 10s." and "£1 17s. 6d." and inserting in lieu thereof the words "four guineas" and "three guineas" respectively.

Now the House would be well acquainted by research on that particular occasion or on a future occasion, with exactly what the remuneration was, and I can only reiterate my previous remarks. I believe that Parliament is entitled to know the actual amount members of the board will be receiving. I think that is a fair and just proposition.

The next amendment is to section 61 of the principal Act and reads as follows:—

Section sixty-one of the principal Act is amended by deleting paragraph (2a).

That paragraph reads as follows:—

(2a) Prescribing the fees payable to the chairman and each member for every ordinary meeting of the Board at which he attends, and the total amount of fees which may be paid to the chairman and each member in any year.

By this deletion from section 61 we take away the controlling power and place the whole matter in the hands of the Governor. I do not believe that Parliament should completely agree with that. I am of the opinion that we should add certain words so that the amendment will be subject to revision by Parliament. I think that from time to time the matter should come to the House so that we will have a

chance of review. That is essential. We would then be able to see that the Governor did not overstep the mark and that he was doing the right thing by the board.

I do not condemn the legislation; I think it is a step forward. However, I believe it is dangerous to take away the power of Parliament and place it in the hand of the Governor, by regulation.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr. Mitchell) in the Chair; Mr. Bovell (Minister for Lands) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 10 repealed and section substituted—

Mr. HALL: I would like to test the feelings of the Minister on this particular clause.

The DEPUTY CHAIRMAN (Mr. Mitchell): Do you wish to move an amendment?

Mr. HALL: I would like to know the opinion of the Minister first.

Mr. BOVELL: The practice envisaged in the Bill is recognised as the correct system regarding the payment of fees. The Governor is mentioned, but only because he will act on the advice of his Executive Council, of which the Treasurer—and, incidentally, the Premier—of the State, is the senior member. It is unlikely that the Governor's advisers will recommend any remuneration that is not in accordance with duties being performed by the members of the Harbour Board. I would certainly oppose any move that the accepted practice be altered.

Mr. HALL: What disturbs me is that in the first paragraph of the Minister's introductory notes, he said that the Bill was introduced to provide for payment of fees to be made on an annual basis and they would be prescribed by regulation, made possible by the inclusion of regulation-making power. However, the regulation-making power already exists in the Act at the moment, so I do not see why the inclusion of this particular measure will improve it. The power is already there.

Mr. BOVELL: This Bill proposes a different system of remuneration. The Governor is authorised to approve of certain payments which he considers, on the advice of his Ministers, a fair remuneration.

Clause put and passed.

Clauses 3 and 4 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

SPEAR-GUNS CONTROL ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 19th August, on the following motion by Mr. Craig (Minister for Police):—

That the Bill be now read a second time.

MR. TOMS (Bayswater) [8.55 p.m.]: Since the Minister introduced this amendment to the Spear-guns Control Act, I have taken the opportunity to familiarise myself with the whole of the Act.

I might say that it did not take very long, because it is a small Act. It was passed in this House in 1955, and since then there has been no need for any amendment. I think members can appreciate that spear-gun fishing in 1955 was much easier to control than it is today. There are many more people interested in spear-fishing and the only section of the Act which has been taken advantage of—and the provision is there for it—is that providing for the proclamation of certain areas in which spear-fishing is banned. During the whole of the time since 1955, only six areas have been declared and at no time has there been any interference with ingress or egress from the sea.

The Minister said that no spear-fisherman had been inconvenienced because certain areas had been defined for spear-gun fishing. The sport of spear-gun fishing has increased considerably, and this is the first time there has been an amendment to the Act, and it is only a minor one inasmuch as it amends the interpretation of "inspector" to include certain persons appointed by the shires in the various areas. I think it can be appreciated by the members of this House that it would be impossible for the police to protect the particular zoning, and it would be impossible for the fisheries inspectors to carry out this duty.

We have had an indication tonight that there are not enough inspectors. Whilst there are not many spear-fishermen who are not members of associations, there are still the odd one or two who could perhaps get among children in swimming areas—which, of course, are banned—and perhaps cause an unsavoury accident.

The purpose of the Bill is to extend the power to people appointed by the local authorities. I see no objection to it and I am prepared to support the measure, because when a local authority does appoint a beach inspector his main duty is to see to the safety of the swimmers in that particular area. I consider local authorities should give power to those inspectors to deal with people who transgress the particular section of the Act.

I think that is all I need to say. If there were any unnecessary obstruction to the freedom of the people, I would possibly take strong exception; but I believe this is a necessary amendment, and I support the second reading.

MR. CRAIG (Toodyay—Minister for Police) [8.59 p.m.]: I thank the honourable member for the support he has given to this Bill. He said that the sport has grown since 1955 and it has become very popular indeed. There is an association of which people interested in this type of fishing can become members. I had a deputation from the association some months ago in connection with the proclaimed Trigg Island area, and they did raise some objection to that. As I told them at the time, if everyone who used spear-fishing guns was a member of the association and could be instructed in the proper use of spear-guns, I believe there would not be the same need to police the regulations as we now hope to do.

As the honourable member points out, the Bill simply seeks to allow greater policing of the regulations so that a municipality or a shire can appoint its own beach inspector as a policing officer.

Mr. W. Hegney: You want a wider scale?

Mr. CRAIG: Yes.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 19th August, on the following motion by Mr. O'Neill (Minister for Labour):—

That the Bill be now read a second time.

MR. W. HEGNEY (Mt. Hawthorn) [9.3 p.m.]: When the Minister for Labour was about to introduce this Bill, I thought there may have been some matters of substance contained in it; but on close examination I find that largely the Bill contains only a few provisions for the removal of any legal doubts regarding certain activities of the State Government Insurance Office. This office was established on an illegal basis, I think in 1926, and it operated illegally for 12 years until it received the sanction of this Parliament in 1938. When I was Minister for Labour I was deputed by the then Labor Government to introduce amendments to the State Government Insurance Office Act to enable the office to engage in general forms of insurance, including fire insurance, but all our attempts were nullified by the activities of another place.

Some of the matters that were raised then are still of interest to the people of Western Australia. As an example, to show how illogical we can be, let us take the case of the State Housing Commission

which owns thousands of homes. The Government has an insurable interest in those properties, but I understand that when a purchaser who is buying his home on time payment pays the final instalment, and receives the title to his house, the Government is no longer competent, through the State Government Insurance Office, to accept premiums on an insurance policy. I think the Minister in charge of this legislation, and who also happens to be Minister for Housing, might look into that aspect; and, if the matter were presented to his Cabinet, I am sure there would be sound grounds for some suitable amendment to be made to the Act to cover that aspect.

I do not propose to go into detail on those items; suffice it to say that no doubt the Minister has introduced the Bill on the advice of and after consultation with senior officers of the State Government Insurance Office, and I can well understand the reasons for its introduction.

A couple of provisions in the Bill provide for the State Government Insurance Office to accept reinsurance. At present there is a doubt about the office being able to do this and, as a matter of fact, it has had to reinsure through reinsurance brokers and consequently, in the course of time, a considerable sum of money has found its way to London; and, as the Minister has pointed out, that has helped with the adverse trade balance we have. A provision in the Bill will to a great extent remove that disability.

There is another provision in the Bill which, although it will affect only a few workers, is an important one. At the moment workers who enter into a contract of employment with an employer in Western Australia and who, by reason of their employment, find they are forced to work outside the State, are in a difficult position if they meet with an accident. The question is: Under which law would they be entitled to apply for compensation? The Bill will remove any doubts about this matter and a worker so affected, although working outside the State, will be entitled to claim, under the provisions of the Western Australian Act.

Before I proceed with the next matter I propose to quote an extract from a speech made some years ago by the member for Blackwood, and I refer now to section 37 of the Bush Fires Act. The Bush Fires Act of 1937-1950 was repealed, and in 1954 a comprehensive Bush Fires Act was introduced and passed through this Parliament. Section 37 provides that local authorities may establish bushfire organisations within their jurisdictions; but, having done so, it is obligatory on those local authorities to take out compulsory insurance policies to cover the members of those brigades. As I understand the position, the State Government

Insurance Office has, for a number of years, accepted premiums in this regard from local authorities.

Speaking from memory on the local authorities pool, at one stage 123 out of the 146 local authorities were transacting their business through the State Government Insurance Office, and I think the Minister said that 109 local authorities were involved with bushfire brigades. As I understand the position, the State Government Insurance Office was the only one which was prepared some years ago to accept the risk, and it is interesting to read an extract from a speech made by the then member for Blackwood—and he is still the member for Blackwood—when he was a private member. On page 904 of *Hansard* No. 1 of 1953, on the debate on the State Government Insurance Office Act Amendment Bill, the member for Blackwood (Mr. Hearman) in opposing an extension of the office's activities—and as a matter of fact, Mr. Speaker, it was the first Bill that I as Minister had the honour to introduce into this Chamber—

Mr. O'Neill: Me, too!

Mr. W. HEGNEY: The member for Blackwood had this to say—

There is no necessity for members to approach these Government undertakings, but they do, and such approaches must affect detrimentally the efficiency of the organisation concerned.

I think he was referring to the State Housing Commission at the time. He continued—

In this particular case, it could easily happen that, through string-pulling or political pressure put upon the State Insurance Office, it might be asked to provide a policy which would not be good business. My mind goes back to the first year I was in Parliament. At that time an amendment to the Bush Fires Act was introduced and, during my second reading speech, I indicated that in the Committee stage I would move to insert a new clause which would make it compulsory for companies to insure equipment and fire-fighters working under the direction of a fire control officer. Subsequently members accepted that provision and thought it was a good idea. But, between the time I made my second reading speech and the Committee stage, the question arose as to who would accept this insurance, because the Fire Underwriters' Association said that its members would have nothing to do with it.

Several members said to me, "Lad-die, you have nothing to worry about. We will see that the State Insurance Office will carry it, if necessary." I

think we could have done that—and I think the Minister would agree with that contention too—

this was Phil Garlick!

—but it is all a question of whether it would have been good business to ask the State Insurance Office to accept business at premiums which the normal trading companies would not accept. If it is not good business for the private companies, why should it become good business for the State Insurance Office?

The Minister for Justice: All the risks the State Insurance Office has taken up to date have been quite all right.

I quote that to show that the gloomy forecast of some members of the then Opposition were well wide of the mark. If the Fire Underwriters' Association decline to accept the risk that is their business; but surely if legislation were passed which would protect fire fighters, including voluntary fire fighters under the jurisdiction of local authorities, those same responsible authorities should see that they are protected. The State Government Insurance Office stepped into the breach and protected the workers concerned and they have continued, as far as I know, to accept the responsibility.

We have before us now amendments to the Act which will remove any legal doubt as to whether the State Government Insurance Office has the legal right to cover them by the acceptance of premiums, and I think the Minister is quite right in introducing this Bill. I quoted that extract from the speech of the member for Blackwood to show that from the time the State Government Insurance Office was founded illegally it has functioned efficiently. It was founded illegally to protect the miners of Kalgoorlie in regard to industrial diseases because the private insurance companies would not accept the liability. The Labor Government of 1926, under the premiership of Philip Collier, and with Mr. McCallum as Minister for Labour, decided to set up the State Government Insurance Office; and for 12 years from 1926, it operated on an illegal basis and it has gone from strength to strength.

Incidentally, there is a provision in the Bill which proposes to remove from the Act the provisions of subsection (6) of section 7 which requires the office to keep separate accounts for each type of insurance. I do not propose to go into details on that aspect; suffice it to say that I know separate accounts have not been kept, and I think the member for Boulder-Eyre and the member for Kalgoorlie will be particularly interested in that aspect, and as we may hear from them on that angle, I will not elaborate on it.

I hope this Bill will be carried, though there is nothing in it which extends the franchise of the State Insurance Office.

There is provision to remove certain verbiage, which has become redundant with the passage of legislation since that verbiage was incorporated in the Act. I appeal to the Minister to make a close study of the activities of the State Insurance Office. If he does he will find that every officer is dedicated and has a great interest in his work. I have heard only commendation from people who have had business dealings with the State Insurance Office; I have not heard one complaint against the attitude of or the attention given by any officer. I have heard nothing but praise, and as a consequence much goodwill has been created.

I hope the Minister will do something in his capacity as Minister for Labour to administer the Act sympathetically, and to extend, at every opportunity, the franchise of the State Insurance Office.

MR. MOIR (Boulder-Eyre) [9.17 p.m.]: I shall not cover the ground which has been so ably covered by the member for Mt. Hawthorn. However, as he indicated, I am vitally interested in one provision in the Bill which has for its purpose the deletion of a section of the Act which at present prescribes that the accounts of the State Insurance Office shall be so kept as to show separately the industrial diseases insurance transactions, as distinct from other insurance transactions. To delete that provision in the Act is unthinkable. There are other industrial diseases which are of minor consequence, compared with silicosis and asbestosis, with which I am particularly concerned. These two diseases are now designated as pneumoconiosis under the Workers' Compensation Act, as a result of amendments which were brought down not long ago.

In the past it has been a bone of contention over many years, because the amount and the availability of compensation to the unfortunate workers who contracted these diseases were small. At times it has been a political football. One of the most important aspects is the availability of figures to members of Parliament who wish to ascertain the funds which are held by the State Insurance Office to cover these industrial diseases. A few years ago I was responsible for revealing to the public and to those affected by the diseases that a very large sum of money was held by the State Insurance Office against those risks.

At times I found the State Insurance Office to be rather coy about revealing the amount standing to the credit of that fund. When the very substantial amount which it held was revealed, it did not have the effect which I hoped it would have; that was, that the Government would drop the cry that the goldmining industry could not afford to pay higher premiums in order to do the right thing by the workers. When it was discovered that a huge amount of money was held by the State Insurance Office against these risks, instead of the

worker being treated better by making available more readily compensation payments, the Government of the day—of the same political complexion as the present Government—reduced the premium rates.

At that time the rate stood at 80s. per cent, but it was gradually reduced until it stood at 20s. per cent. In the last year or two it has been found necessary to increase the premium rates, and although I am not too sure of the exact figure, it is between 40s. and 60s. per cent.

One has to make a search to ascertain these figures. They are not mentioned in the report of the Auditor-General, although there is mention of a loss in this particular fund. There is a brief outline in the financial statement of the State Insurance Office, and this is also embodied in the Auditor-General's report. In the report of last year of the State Insurance Office the reserves were shown to have decreased by £116,034. That is a large sum of money, but I say the reserves decreased as a result of the very low premium rates which the employers paid over the years. When I reveal what is still left in this fund members will appreciate there is still a substantial credit. The sum mentioned in the report is £1,145,120.

When the Minister introduced the Bill he stated that figures will continue to be supplied. I trust that his undertaking will be honoured. Personally I am a little sceptical of legislation to do away with some provision, with an undertaking given by the Government that although it is to be taken out of the Act the Government will still supply the figures. I am sceptical of that type of performance. However, I do have enough confidence in the Minister for Labour to realise that when he gives an undertaking he will honour it; and he has said that if members wished to obtain such figures they would be supplied in a report, or in answer to questions.

In the past the State Insurance Office, to my knowledge, has been very co-operative when members of Parliament sought information from it. Because I had cause to ask some questions recently in this House, it seems the officers of that office have become a little upset. They gave the Minister a very impertinent reply to be supplied to my question, because I cannot believe it was the Minister's own reply. The reply given to the question which I had asked—although I had not used the word "personal"—was that it was unethical to supply me with personal particulars.

I did not ask for personal particulars; and I am not so silly as to think the State Government Insurance Office would be in possession of the personal particulars of claimants. I resent that, particularly when the answer went on to give the information for which I asked, which proved that the office was not in any doubt as to what I wanted. However, the word "personal" was taken out of its context; but never at any time did I use

it. I am an even-tempered man, but I felt wrathful at getting a reply like that. It is very important that we have these particulars about industrial diseases, as a lot of controversy takes place in regard to these claims, because of the parsimonious attitude adopted by the State Government Insurance Office to claimants in some cases.

As I have said, we are continually subjected to the suggestion that by requiring reasonable treatment of these people we are placing an undue burden on the State Insurance Office. I have had that thrown at me in this Chamber and in other places. I feel it is absolutely essential that we have the true picture as far as these funds are concerned especially when, in my opinion, some claimants have an unshakable claim for compensation, yet are denied that compensation.

The Minister will be hearing more about that from me, because some things have happened recently about which I am indeed disturbed. I can assure the Minister that even though his officers may be getting a little tired of the questions I have been putting up, I will be asking more until I obtain the information I require. I will also enlighten the Minister as to some of the things that have taken place.

If the Minister, for my benefit, will repeat the assurance I am told he gave, I will be prepared to go along with this Bill as it is.

MR. O'NEIL (East Melville—Minister for Labour) [9.28 p.m.]: I thank members for their contribution to the debate, particularly the member for Mt. Hawthorn, who indicated in his speech that the first Bill he introduced to this House as Minister for Labour was one to amend the State Government Insurance Office Act. Since this is my first Bill as Minister for Labour I trust I will receive the same courtesy and kindness from that honourable member in the future.

Mr. W. Hegney: I will improve it, if possible.

MR. O'NEIL: The member for Mt. Hawthorn supported the Bill in every respect, but the member for Boulder-Eyre had some reservations and before he sat down he requested me to give him the assurance I gave in my second reading speech relative to the keeping of the records with respect to the industrial disease of pneumoconiosis separate from others. I will do this by repeating what I had to say when introducing the Bill—

At present, the Act requires the office to keep separately from the other accounts the transactions referring to industrial diseases. This has never been done as it is impossible of performance. The third schedule to the Workers' Compensation Act lists

numerous diseases as industrial diseases, yet no separate premium is collected in respect of them, nor are the claims paid separated from other claims.

There is no point in having a provision in an Act for the performance of the impossible. Even if it were possible and performed, it would seem to be of no particular value. If it was intended to refer to pneumoconiosis disease only, then there is still no necessity for this being mentioned in the Act. This information is kept separately in the accounts, as members will know from reading the accounts tabled each year, and they will continue indefinitely to be so kept. The proposed amendment will not in any way alter the practice being adopted by the S.G.I.O.

The honourable member went further and said it is rather difficult to obtain information. I do not know whether he meant in respect of the fund, or in respect of the splitting up of the accounts into two parts. If members will look at page 6 of the report for the year ended the 30th June, 1964, they will see how the payments in respect of industrial diseases and pneumoconiosis are separate from the other accounts.

The honourable member was also a little critical of the premiums being charged and did say that they were reduced drastically in 1955 from 80s. per centum to 20s. per centum; and he mentioned there has possibly been an increase in this premium quite recently, because the 1964 statements showed a deficiency of £190,328 in the fund. I would point out further that the Premium Rates Committee, which determines the premiums paid, has on it a gentleman known as the Auditor-General. So we can be assured he will keep his eye on the operations of the office to ensure there is an adequate premium paid to meet the liability.

I think the rest of the honourable member's remarks related principally to workers' compensation. I would like to say that if he took offence at any answer which I gave him to his question—of course he and other members realise the information was supplied by the manager of the State Government Insurance Office, which office, other than a few commercial companies, has a monopoly of this type of business—then I apologise, as no offence was intended. When one gets down to approximately five cases it would seem that if a specific reply is given, there is a danger that it is easy to identify any one of those cases. I think that in answering the question I indicated to the honourable member that if he wanted to see these cases the State Government Insurance Office would have no objection.

Mr. Moir: The point was that I did not ask for personal particulars, and the reply stated that it was unethical to give me personal particulars.

Mr. O'NEIL: No offence was intended, and I apologise. The office will be happy to co-operate in every respect. However, a considerable amount of research was required in answering the question asked and several hundred files had to be investigated, some of which, at the time, were not in the Perth office. I think I have covered the points raised by the speakers.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 19th August, on the following motion by Mr. Craig (Chief Secretary):—

That the Bill be now read a second time.

MR. EVANS (Kalgoorlie) [9.36 p.m.]: There are three very particular and intimate occasions in a person's lifetime in regard to which we find the law intervening by requiring the registration of the occasions. I refer, of course, to births, marriages, and deaths. These very particular occasions also provide a lucrative source of income for newspapers which I am sure people will realise if they pick up a newspaper and turn to the back and observe the hatched, matched, and despatched columns.

This Bill seeks to amend the principal Act in three separate directions. I would like to indicate my unreserved support of the first and third proposed amendments. However, I have some reservations with regard to my support of the second amendment, to which I will refer in a moment.

The first seeks to vary the definition of "birth" in the principal Act by requiring the registration of the birth of infants occurring in the lower gestationary periods. Medical opinion now holds that 20 weeks' gestation is the lowest feasible period at which a baby could be born alive. However, by far the majority of infants born at this early stage are not born alive at all. Nevertheless, it is the contention of the authorities and those who are interested and make a research of the subject that the law in the various States should take cognisance of this fact and that the law should facilitate the registration of births of infants after the low gestationary period of 20 weeks.

This Bill is intended to facilitate the registration by amending the definition in the principal Act, and I commend the Minister for introducing this amendment, because it is a worth-while one. Not only will it provide the registration of the birth of infants born after this low gestationary period, but it should also provide material for adequate and effective research with regard to the number of still-births at that age, and also for research into the causes of these early foetal deaths.

The second amendment is the one in respect of which I wish to make particular comment. It involves the centralisation of data processing, which I understand will be done with the use of computers. Such processing can be done only in Perth because it is a question of economics as well as convenience. This I accept, but I do so with some reservation.

I have read the Minister's assurance that this is only to be an internal arrangement and that as far as the public are concerned they should not suffer any inconvenience. The Minister said—

The proposed change is purely an internal matter. It does not impose any additional obligation on the public whatsoever, nor does it curtail any of the services the department provides. District registrars throughout the State will still furnish the services, documents, and information they now provide.

I would like the Minister if he replies to the debate to be a little more explicit regarding the service now rendered by a district registrar.

For instance, at present, if a request is made to a district registrar for a copy of a person's birth certificate, the registrar is able to provide it on the spot if the person concerned was registered there. As I understand the situation, after the coming into operation of this amending legislation with its centralised processing, in the same instance the registrar would have to take the particulars and refer them to Perth where the certificate would be compiled and then returned to the district registrar in the country district concerned.

Under this legislation the district registrar will still provide a service, but there will be some delay, if I am not mistaken. I would like the Minister to make this point clear.

That is the only reservation I have. I do not like to see the implementation of centralisation at the expense of the service provided now on a decentralised basis. However, I know that in this modern age we must bow to the efficiency and the services that are and will be offered by the use of computers in the recording of vital information. I know that the use of computers will add to the efficiency of this service in other ways, but I hope it will not lead to the delay in service to which I have referred.

The third and final amendment in this Bill is one to which I give my whole-hearted support. The Act provides that in respect of inquiries made by a member of the public for a search of the register or for a certified copy of a person's birth certificate, if such birth or copy would be likely to lead to the disclosure of a person's illegitimacy, the Registrar-General may refuse to allow the search or to provide a certified copy of the entry in the register. A person has no control over the registration of his birth or over the registration of the sad event of his death. However, they are matters of a private nature, and very much so, and they must be regarded as much as possible and as much as the law will allow as being sacrosanct.

Therefore, unless a person has a very proper reason for wanting information concerning these particulars of a person's life, I feel the Registrar-General should be clothed with sufficient power to use his discretion, before deciding whether or not he should allow a search or provide a copy of an entry in the register.

There is provision in the Bill for the Registrar-General, having been clothed with the additional powers, to use his discretion in the issuing of a certificate or extract of an entry for birth, death, or marriage. He should be clothed with that discretion, and I agree with the provision in the Bill. There is machinery whereby an aggrieved person, who has been refused information by the Registrar-General, can appeal to the Minister. However, I have enough confidence in the person who would be attracted to the position of Registrar-General to be quite satisfied that the machinery for an appeal to the Minister is one which will probably not be very much used. I feel the Registrar-General will exercise discretion in a true and proper manner. With those few remarks, I indicate my support for this Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Craig (Chief Secretary) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 6 amended—

Mr. CRAIG: I want to take this opportunity to correct any thoughts that the member for Kalgoorlie might have in regard to my not replying to his support of the Bill. I understood the member for Wembley was going to offer some opinion on the Bill and I was waiting for him to speak.

Dr. Henn: I was only going to speak if there was any opposition to the Bill.

Mr. CRAIG: The point the member for Kalgoorlie made was whether any delay would be caused as a result of the

central registration of births, marriages, and deaths. I am not quite clear on this point, although I am given to understand that the same services that exist today will still continue with the district registrars, of whom there are some 26. However, I will endeavour to clarify the position, and I will inform the honourable member.

Mr. JAMIESON: I made some inquiries from the Canning registrar to see what he had in mind, and he expressed the opinion that it might be a means of speeding up registration because very often the certificates issued by various doctors are indecipherable. There is often considerable delay because they have to be referred back to the doctors to get the required information. So I should imagine that with a central office there will probably be readier access to the doctors concerned. I think that this move will speed up rather than delay.

Clause put and passed.

Clauses 5 to 32 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

House adjourned at 9.54 p.m.

Legislative Council

Wednesday, the 25th August, 1965

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

QUESTIONS (8): ON NOTICE

PHOSPHATE ROCK DEPOSITS

Surveys

1. The Hon. J. M. THOMSON asked the Minister for Mines:

(1) In view of the future requirements of superphosphate in Western Australia, will the Minister inform the House if any surveys have been carried out in recent years to ascertain what phosphate rock deposits exist in the State?

(2) If the reply to (1) is "Yes," what was the extent of the surveys, and what was the result?

(3) If the reply to (1) is "No," is he aware that important information concerning the existence of phosphate rock deposits could be available from private sources?

The Hon. A. F. GRIFFITH replied:

(1) and (2). No recent surveys by the Mines Department of phosphate rock deposits have been made. The two main periods of investigation on the phosphate surface deposits were during the two world wars, when supplies were urgently needed. Such deposits as located were generally small and uneconomic.