an incalculable capacity to debate the legislation which comes before us and which is ultimately placed on the Statute book. I say that without the slightest political bias. There are men in this Chamber with great capacity and we should allow them more time to develop opinions and express them when we institute legislation in this Chamber.

I hope that we develop in the future so that more time can be given to the consideration of legislation which will be to the benefit of the future of the State. It is my belief that in the second period of this session of Parliament we will surely develop more than we have done during this first period.

I do not wish to discuss that matter to any degree, in view of the more or less premature Christmas greetings extended by the Minister for Mines. I appreciate the front bench, and I appreciate the Leader of the House more and more as time goes by. Probably I appreciate him more than his wife does! The Minister for Mines has an incalculable capacity to absorb all the problems which come before him, and he seems to do it with a nicety and an approach which is good for the Government and the State.

I would like to add to what was said earlier this afternoon with regard to your birthday, Mr. President. I am sure it was a most pleasurable occasion for you and I am also sure that everybody in the House joins with me in my opinion. I hope you will be here for many other birthdays, and we will once again be able to join in wishing you a happy birthday.

I suppose I should say that we have a grizzle with regard to the Bills which came into the House during the last stages of this first period of the session, but I have so much confidence in the three Ministers that I feel certain this situation will not arise again under the new system of two periods in the one session of Parliament. This first period has been one of trial, and some error. Let me say that the error has not been the fault of any individual.

We have witnessed something which has not occurred before and with an intelligent Government—and I am sure the people of the State have decided that this is an intelligent Government—we will not be faced with the situation of late nights and hurried legislation ever again.

So in congratulating the Ministers upon the work they have done, I foresee the necessity to congratulate them on what they will do in the future.

This is the end of the first period of the session, but I could not let the opportunity pass without thanking the staff, and in particular our own clerical staff—that is, Mr. Roberts, Mr. Ashley, Mr. Hoft, Mr. Hoar and all the others—for the great work they have done over the past few months. In this connection, Mr. President, I would like to include the staff of all the other sections of Parliament. As the Leader of the House has said, this is an opportunity for us to extend good wishes for Christmas and the New Year, and I join with him wholeheartedly in his remarks.

THE PRESIDENT (The Hon. L. C. Diver) [7.46 p.m.]: Before I put the question I should like to say a few words. First of all, I would be remiss if I did not express my appreciation for the good wishes extended to me by the Leader of the House and Mr. Willesee in regard to my birthday. I appreciated also the sentiments expressed by the Leader of the House in connection with my wife and family, and also his hope that we would have a happy Christmas.

I do not wish to weary the House with repetition—repeating what the Leader of the House had to say in connection with his appreciation for the work the staff have done. I sincerely endorse his remarks but as your President I think I would be expected to set an example and therefore I shall not engage in repetition. I shall let the matter rest, but I sincerely thank all members for their expressions of goodwill on my birthday.

Question put and passed.

House adjourned at 7.47 p.m.

Legislative Assembly

Tuesday, the 5th November, 1968

The SPEAKER (Mr. Guthrie) took the Chair at 11 a.m., and read prayers.

TUESDAY SITTING

Luncheon Suspension

THE SPEAKER: Before opening proceedings I would remind members that this sitting is unique. This is the first occasion, in my memory, that we have sat at this time on a day when a certain event occurs elsewhere. I discussed the matter with the Chairman of Committees, and, to meet the convenience of members, whoever is in the Chair will leave the Chair at 12.30 p.m. today.

Unless any member is adversely affected —having made other arrangements—we will resume at 2 p.m. Perhaps the Whips could check with members and, if arrangements have been made by any members on the assumption that we would resume at 2.15 p.m., adjustments will be made.

BILLS (8): ASSENT

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

1. Western Australian Marine Act Amendment Bill.
2. Aerial Spraying Control Act Amendment Bill.
3. Kewdale Lands Development Act Amendment Bill.
4. Timber Industry Regulation Act Amendment Bill.
5. Firearms and Guns Act Amendment Bill.
6. Traffic Act Amendment Bill.
7. Argentine Ant Bill.
8. Western Australian Institute of Technology Act Amendment Bill.

QUESTIONS (2): WITHOUT NOTICE

MARKET STREET LEVEL CROSSING

Closure

1. Mr. BRADY asked the Minister for Railways:
   (a) Will the Minister use his best endeavours to prevent the closure of the Market Street level crossing, Guildford, until the widening of Victoria Street has been arranged?
   (b) Can the Minister state if the Swan Street-Guildford Road widening has been shelved?

   Mr. O'CONNOR replied:

   (a) and (b) As I have not had any notice of this question I am unable to give the complete details. It is intended to close the Market Street crossing. Unless this is done, the Government will not be able to proceed with the construction of the standard gauge line from Midland to East Perth. I therefore do not propose to do anything to alter this situation.
   Regarding Victoria Street, I believe this land has been handed to the Swan-Guildford Shire. It is up to that shire to proceed with the work when it is able to do so. As I said, I did not receive notice of this question, but it is considered that work will not be held up in connection with the crossing.

Mac.ROBERTSON MILLER AIRLINES

Employment of Workmen

2. Mr. GRAHAM asked the Minister for Transport:

   As I was apprised of the following situation only a quarter of an hour before this sitting, I was unable to give the Minister concerned more than a few minutes' notice of this question. I know the Minister appreciates my predicament, the same as I appreciate his. However, I ask—
   (a) Is the Minister aware that Ansett-ANA is taking over the overhaul sections of Mac.Robertson Miller Airlines and, as a consequence, there is every likelihood that about 200 workmen—the majority of whom are tradesmen—will lose their employment in this State?
   (b) If not, will he make inquiries with a view to lending his good offices in an endeavour to avoid this occurring?

   Mr. O'CONNOR replied:

   (a) and (b) I have not had time to check the details, but I have heard some whispers in this regard. I believe there is a possibility of Ansett-ANA carrying out its overhaul work elsewhere, although I have nothing to confirm those whispers. I will make a check and advise the Deputy Leader of the Opposition accordingly, and I will endeavour to see what can be done.

METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 31st October.

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [11.7 a.m.]: I can appreciate the situation which confronts the Government; namely, that as a consequence of court action the law has been construed to mean that rates are payable on all land that is owned by the Metropolitan Region Planning Authority, irrespective of the ultimate destination or purpose of that land.

However, I think it is hitting a bit below the belt for the Government to seek to rectify the position to the extent of making this amendment to the Act retrospective to 1959. I agree with the principle that where the authority acquires land for public purposes—and in very many cases in the interest of local authorities for new roads or the widening of roads or for public open space—rates should not be paid unless the authority is obtaining some rental or some payment for all or portion of the land.

As the law—perhaps quite unwittingly—has been on the side of the local authorities, then I think it is palpably wrong for us to make this amendment to the Act to have retrospective application. The Government—or the Crown—is in a

peculiar position in that it has an overriding power. It only requires that the Government have a majority in both Houses for it to be able to undo all sorts of things and back-date them for all sorts of purposes.

Because of this tremendous power—which I am not suggesting should be taken away from Parliament—I am of the opinion that it should be used sparingly. There would be no criticism from myself if it were proposed that from the date of the passing of this legislation no rates should be payable by the Metropolitan Region Planning Authority to local authorities, unless and only to the extent to which there was some return by way of rental or other payment.

I think it is quite wrong to back-date this amendment for one, two, or five years, or whatever the period might be. I will naturally support the second reading of the Bill because I think it is wrong that action which had been taken by the Metropolitan Region Planning Authority for public reasons, and for the benefit of local authorities, should result in the authority being penalised. Virtually, a penalty is to be paid by the Metropolitan Region Planning Authority for carrying out its work.

The interpretation of the law by the court is that the local authorities are entitled to these rates and have been over a period of years, and I think we should acknowledge that position, instead of making the legislation retrospective. If this Bill were agreed to, the authority would not be required to pay rates to sundry local authorities, the bulk of which would be in the metropolitan area. That actually speaks for itself because, after all, it is the Metropolitan Region Planning Authority. If this is done, the local authorities are likely to find the situation disturbing because they are entitled to the rates as the law exists at present, and the Perth City Council apparently has believed it was entitled to this money, and if it were to be suddenly denied the rates, this could have a dislocating effect.

My feelings in regard to the Bill, therefore, will be appreciated. I believe the principle it seeks to attain should be accepted, but there should be a limitation, and as a result I disagree with clause 2 which proposes that the legislation shall come into operation as though it had been agreed to in 1959.

MR. JAMIESON (Belmont) [11.12 a.m.]: I cannot help but feel that this will be a peculiar day. I cannot go along with my Deputy Leader in regard to the back-dating of this legislation, because I think we all agree the Metropolitan Region Planning Authority should not be responsible for the payment of rates to some of the local authorities, which are in a peculiar position in regard to the areas the Metropolitan Region Planning Authority has taken over for open space. Many of these areas have been, and are still being, used by local authorities for rubbish tips and many other purposes, so one will be faced with a complicated set of circumstances to work out the rates payable; and also because some of the areas—especially those in low-lying parts—taken over by the Metropolitan Region Planning Authority have been leased as pastoral land.

It may be true that the Perth City Council, without any clear decision, has budgeted to include the rates it would receive from the future areas to be developed by the Metropolitan Region Planning Authority in accordance with its current budget, but other local authorities have not followed the example of the Perth City Council, and, as a consequence, I cannot see why the Perth City Council should be advantaged to the detriment of other local authorities.

If we start to assess the payment to be made to local authorities they would accept it, and there is no doubt that if a payment is made to one they would all be in for their chop and we would have a very complex situation. I instance an area along the Canning River near Wendouree Road where the local shire has a very large area for a rubbish tip. The authority has resumed acres and acres for sanitary landfill knowing that, in the future, when the ground level is raised, the land can be used in the best interests of the shire. It would appear to me that it would be most unjust if the Metropolitan Region Planning Authority had to pay rates on such land.

There are other areas which the authority has, in conjunction with the Main Roads Department, resumed for future regional roads, and other kinds of development. Of course, if roads are to be built through these areas considerable adjustment will be required; and, assuming roads are to be built, surely the people who are selling land in these open space areas will want to argue with the Metropolitan Region Planning Authority that the value should not be assessed now but at some time in the future.

Therefore in view of the many difficulties, the date when the Bill will come into operation must be made retrospective, and we can only hope for the best. I regret the situation in which the Perth City Council is placed, but it would appear to me the council has put itself in this position. Nobody has induced it to believe that what it has done is right. Surely most people would believe that any Crown instrumentality would be exempt in the same way as departments under the Crown are exempt.

So it would seem the judgment has been made on a technical issue, and, as a consequence, I doubt very much whether many local authorities would have budgeted for the effect of this legislation, and no doubt the ratepayers of the Perth City Council would get much more out of the legislation in the ultimate by the land being declared unratable, by not having to pay for resumptions, and by being placed in the position of not having to pay enhanced values for land which would be required for a town planning scheme of its own.

So I support the measure, but I do not think we can differentiate between one local authority and another, and as only the Perth City Council has been mentioned, its first loss has to be its last.

MR. RUSHTON (Dale) [11.17 a.m.]: I agree with the previous speaker that, in regard to the Bill before the House, what is proposed to be done should be done. It confirms a situation already accepted and understood by local government. We who are on the outskirts of the metropolitan area realise how valuable the purchase of these reserves will be in the future. To my mind, if they were levied for rates it would be a very retrograde step. Even in recent weeks I have noticed that the Metropolitan Region Planning Authority, through lack of funds, has been unable to purchase a reserve which was included in the original Armadale-Kelmscott town planning scheme, and it is a tremendous loss to the scheme that the purchase of this land cannot be completed.

Looking at the position as it possibly will be some time in the future, I believe the purchase of this land should have been given priority. I am pleased to observe that the Metropolitan Region Planning Authority is now placing emphasis on the purchase of land for reserves. I think the original priorities were incorrect, but one looks at these things from a distance, not being able to visualise the whole picture. However, from the position I have occupied in relation to planning, having been interested in local government and local committees, I believe far more emphasis should have been placed on the acquiring of reserves which, after all, will ensure that we will have adequate open space in the metropolitan area in the future.

Without hesitation, I support the legislation. I only regret that the purchase of reserves has not been given top priority, because if this had occurred in the past we would have seen the purchase of the land I have mentioned at Armadale which, as many members know, is on the right-hand side of Albany Highway, just before Ye Olde Narrogin Inne, and is open country. I regret to say that it would appear now that only portion of this land can be retained for the original purpose, as was provided in the initial plan. I understand the Metropolitan Region Planning Authority undertook to acquire it so that it could be included within the metropolitan area open space. That it is unable to do so now is most unfortunate. I support the Bill before the House.

MR. BRADY (Swan) [11.20 a.m.]: Before this legislation is passed, I would like to make one or two points in connection with the overall position as it relates to the Metropolitan Region Planning Authority and its activities in regard to planning in the eastern suburbs.

While we all go along with the idea that it is very desirable to have open space made available, and that it is necessary to have this planning done for posterity, the point is: Who is going to pay for all this?

The SPEAKER: I would remind the honourable member that the Bill only deals with the question of rates and taxes payable by the authority.

Mr. BRADY: I am aware of that, Mr. Speaker, and I was about to tie that question up with my remarks. It is fundamental to what I am about to say and deals with the rates and taxes that will be forfeited by the shire council as a consequence of these activities.

In my electorate I have three shire councils or town councils which are certainly not able to forgo any rates and taxes. As a matter of fact, the Midland Town Council already feels it has been badly treated over the years by the Commonwealth Government and the State Railway Department by virtue of the fact that about four-tenths of its area—if not a greater area—is held by these authorities without rates and taxes being paid on the land.

Now, superimposed on this, we are to have the decision of Parliament that it is not necessary for the Metropolitan Region Planning Authority to pay rates in this area. If that is to be the law—and it seems as though it will, because the Government has the numbers—I feel some greater regard should be given to the problems associated with these outlying shire councils.

Mr. Rushton: They already understand them.

Mr. BRADY: Some of them do, but some of them do not. A classic example is contained in the answer I received to a question I asked this morning. For years, as a member for the Swan electorate, I have been assured that a bridge would go over the Swan River in the vicinity of Guildford to enable traffic to proceed down Swan Street past the Guildford police station. I make that point because most people are not aware of this fact. The traffic was then to continue into the eastern parts of the metropolitan area.

However, the Minister for Railways told us this morning that he does not know whether this development will be proceeded with or not. I have been assured by the shire council within the last 20 minutes that the road will not be put through. The point is that the Metropolitan Region Planning Authority has already acquired land in the area to enable a road to be put through for the benefit of private citizens.

In the meantime the shire council has been told that Swan Street will not be built and that Victoria Street will be widened and, accordingly, the railway level crossing at Guildford will be closed—this is because the authorities have decided to widen Victoria Street.

The point I make is that, as a result of a change in departmental planning, and because of this land being made available for recreational and public purposes, 50 people, who are ratepayers of the Swan-Guildford Shire Council—which rates the shire council will have to forfeit to the Metropolitan Region Planning Authority —will be subjected to the greatest inconvenience imaginable for the benefit of the people in and around the heart of the city.

The town planning authority and the Main Roads Department should give urgent priority to this aspect seeing that the rates are to be denied to the shire council, because of the planning connected with Victoria Street and the closing of Market Street. This matter should be given priority over all other work in the State, because I cannot see why the Swan-Guildford Shire Council should now have to forfeit rates in order to build up the assets, and the position generally, of the Perth City Council and, to some extent, the Perth Shire Council. There is no reason why the Swan-Guildford Shire Council and its ratepayers should have to suffer as a result of the Metropolitan Region Planning Authority not paying rates and taxes.

I am all for having reserves and public utilities provided, but I am worried about the great inconvenience that will be imposed on the outlying shires. I have already referred to the closure of what is probably the oldest railway level crossing in Western Australia—that in Market Street, Guildford—and I have pointed out that 50 residents, quite apart from two "C"-class hospitals and a rehabilitation centre for slow learning children are to be inconvenienced in order that the Railways Department might push on with its standard gauge planning.

It must be appreciated that the Swan-Guildford Shire Council has probably already had thousands of acres of land taken over by the Metropolitan Region Planning Authority for recreation, green belts, and public purposes generally. As a result of this, the council has been denied rates and taxes from those areas.

This legislation will mean that the council's revenue will decrease, while the people in the city will ultimately derive the benefit. I do feel that there should be some *quid pro quo* in this matter, particularly when we consider the great inconvenience that is being caused to individual ratepayers when they have tried to get the M.R.P.A. to pay for the land acquired.

The SPEAKER: That has nothing to do with the measure.

Mr. BRADY: I will bow to your ruling, Sir, because I think you have half a hint as to what I am about to say. The authority is not playing the game with the individual ratepayers.

If the Government is going to insist that the Swan-Guildford Shire Council, the Midland Town Council, and the Bassendean Shire Council are to forfeit rates and taxes in connection with metropolitan region planning, then some *quid pro quo* should be provided to enable the shire councils in question to proceed with the work in their areas, so that the people concerned can derive some benefit from the planning; otherwise all the benefits will accrue to those living in and around the heart of Perth and its environs.

This will be my last opportunity to protest against the lack of planning by the so-called Metropolitan Region Planning Authority, which has caused great difficulties for the outlying shires while giving all the benefit to those living in the inner circle of Perth.

MR. LEWIS (Moore—Minister for Education) [11.30 a.m.]: I thank members on both sides of the House for their contributions to this Bill. Whilst I appreciated the remarks made by the member for Swan, who seized the opportunity to make some criticism of the activities of the Metropolitan Region Planning Authority in regard to his own electorate in particular, I agree with you, Mr. Speaker, that many of those remarks were not germane to this Bill. I also note with some satisfaction that the member for Swan does not propose to speak on the next Bill relating to the Metropolitan Region Town Planning Scheme, and for that I must express my appreciation.

Mr. Graham: He might have second thoughts.

Mr. LEWIS: The Deputy Leader of the Opposition appreciated the need for this Bill, but complained that it should not be made retrospective to 1959. I would point out that when the Act was first passed in 1959 it was not envisaged that the land to be acquired would be regarded as other than Crown land, and therefore would not be subject to local authority rating. Indeed,

that position continued, and over the years it was fortified, because no local authority saw fit to question the payment of rates on such land, until the Perth City Council made approaches to the court for a decision to be made in respect of this matter. This decision was given as recently as the 21st October, 1968.

In my view the argument of the Deputy Leader of the Opposition that the Perth City Council has budgeted for, and will be denied, income from this source by virtue of the Bill has no foundation in fact. The Perth City Council could not have budgeted for this income before it had received the judgment of the court on the 21st October last; and, since it has not enjoyed the income from rates on this land since the Act was passed in 1959, the consequences of the Bill will have no effect on the budgetary programme of the Perth City Council.

As the Deputy Leader of the Opposition and other members who have spoken in this debate appreciated, this land has been acquired for various purposes such as public open space; reserves for roads, the prime example of this being the Mitchell Freeway; railway reserves; and so on. It is unthinkable that this land should be subject to local authority rating.

Over the years it was the belief that the land involved would virtually be Crown land; and it came rather as a surprise to the Metropolitan Region Planning Authority and to the Government to find that a doubt had been cast on the question of rates—since the judgment was delivered on the 21st October. It is now necessary to make it clear that this land shall not be subject to the levying of local authority rates.

The Deputy Leader of the Opposition asked us to accept that decision of the court, and he said it was unfair that the Bill should provide for the payment of rates by the authority to be made retrospective. I would point out that such a huge area of land is involved—to give one example, the member for Swan said that thousands of acres in the Swan-Guildford Shire are involved—and in many cases valuable land, that the imposition of rates retrospectively would cost the authority a tremendous amount of money. The authority is already lacking the capital which it needs to give effect to the original intention of the Act.

I have been informed by the Minister for Local Government that the result of this court judgment makes it obligatory for the local authorities to go after these rates, and it is not optional for them to claim the rates. So we can see that more than the Perth City Council is involved in this matter. All the other local authorities would make claims for the rates due to them. If they did, it would cost the Metropolitan Region Planning Authority and the people who have to pay the taxes to that authority a tremendous amount of money.

Members will see on the notice paper an amendment in my name which is designed to pay to the local authorities such rates as can be collected on the land in question. In some cases this land has been leased by the Metropolitan Region Planning Authority to either the then existing occupants or to other people, and rates are being collected. However, in many instances this is a diminishing amount. For that reason the authority could not commit itself to paying the rates, either fully or in part; but it has agreed that such rates as it collects will be paid over to the local authorities concerned. In this respect I think the planning authority is being generous, and the amendment on the notice paper is designed to give effect to this. I thank members for their support of the Bill, and I commend it to the House.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Lewis (Minister for Education) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 41A added—

Mr. LEWIS: I move an amendment—

> Page 2, lines 14 to 18—Delete all words commencing with the word "by" down to and including the word "leased" with a view to substituting the following:— "by the Authority, the Authority shall pay in respect thereof out of the rent received therefrom by the Authority, the whole or such portion of the amount of any rate, tax, or assessment that would but for this section have been imposed, levied, charged or made on the land so leased, as the Authority certifies in writing to be available for the purpose."

The purpose of this amendment is to give effect to what I said in reply to the second reading debate: the planning authority will, out of the rates it receives, pay to the various local authorities concerned the amounts due to them. It will do more than that; it will give a certificate to a local authority which receives such rates to show that the amount mentioned has been collected by the planning authority, so that the local authority will be satisfied that that is the amount which has been collected.

Amendment put and passed.

Mr. LEWIS: I move an amendment—

> Page 2, line 14—Substitute the following for the words deleted:— "by the Authority, the Authority shall pay

in respect thereof out of the rent received therefrom by the Authority, the whole or such portion of the amount of any rate, tax, or assessment that would but for this section have been imposed, levied, charged or made on the land so leased, as the Authority certifies in writing to be available for the purpose."

Mr. GRAHAM: I indicated to the Minister that I thought what he proposes to insert would do the job, but it would do it more fittingly if some of the words he proposes to insert were not inserted. I suggest the words "out of the rent received therefrom by the Authority" should be deleted. The purpose of this is to simplify matters. As long as the authority is paying rates on the portion of the land from which revenue is being received, does it matter whether it is being paid from petty cash, this fund, or whatever fund one likes? In the Bill, it was not proposed that the money should come from any particular source. I say that should be left to the authority. I think the proposed amendment is restrictive and does not serve any purpose whatever. I also propose that the words "as the Authority certifies in writing to be available for the purpose" should be deleted.

Mr. Lewis: You are only making one deletion—the last one?

Mr. GRAHAM: No, the two I have suggested to the Minister. I am agreeable to the principle the Minister introduces and I am agreeable to the bulk of the verbiage, but I think it is important to amend the Minister's amendment along the lines I have suggested. I move—

That the amendment be amended by deleting after the word "thereof" the words "out of the rent received therefrom by the Authority".

Mr. LEWIS: I cannot accept this amendment on the amendment on two counts. The amendment I have moved has been drafted by the parliamentary draftsman; and, in my view, more importantly the further amendment proposed would defeat the very purpose of the Bill. The Deputy Leader of the Opposition is seeking to make it obligatory on the Metropolitan Region Town Planning Authority to pay the equivalent of such rates to the local authority. I say this defeats the purpose of the Bill.

Mr. Graham: You are doing that, too; it is a matter of where the money comes from.

Mr. LEWIS: The local authorities would have no idea of what rental the Metropolitan Region Planning Authority is receiving from these properties, so the authority has gone further and said it will supply a statement to the local authority showing the total amounts of rent received so the local authority can be satisfied it is receiving the full benefit of all rental received by the authority.

Mr. JAMIESON: I think the amendment on the amendment is worth while. If we take note of what the Minister has said, we have the ludicrous position of the authority receiving twice as much rent as would normally be paid in rates; that is, what is to be handed over to the local authority. Surely that is not intended. If it were, the local authority would be happy, but it would be unhappy if a property were leased by the authority for a peppercorn rental.

I suggest the local authority should be entitled to the normal rates that would be levied against this property. If the authority did not receive that amount, it would not be worth its while leasing the property in the first place. The Minister has indicated that if the authority receives double the amount of rates from rent, this would be passed over to a local authority. This is not desirable; nor is it desirable that the authority should receive less than the amount it would normally pay in rates to a local authority.

It seems as though the position needs clarification. I think my deputy leader has moved to make it quite clear that the authority shall pay the rates as normally required in connection with land that it has leased. Usually, under a lease, there is provision that local authority rates be paid. However, there should be a minimum the local authority can expect when areas are re-leased, because they might be used for the same purpose as they were before resumption. This is often the case.

In those circumstances it appears to me that the local authority is entitled to the rates it would have normally received had the land not been taken over by the regional authority. Therefore I support the move of the Deputy Leader of the Opposition.

Mr. LEWIS: If the member for Belmont would refer to the amendment on the notice paper he will find that it reads—

. . . the Authority shall pay . . . out of the rent received therefrom by the Authority—

Mr. Jamieson: If the authority receives only half the rates in rent it pays only half the rates.

Mr. LEWIS: That is right. Let me read on—

. . . the Authority shall pay in respect thereof out of the rent received . . . the whole or such portion of the amount of any rate, tax, or assessment that would, but for this section have been imposed . . .

So if the authority receives less by way of rental it pays the lesser amount. If it receives more than the amount of the rates it pays the rates in full.

Mr. Jamieson: The regional authority is getting it both ways.

Mr. GRAHAM: I think the Minister has misunderstood the situation. The money which goes into the fund, as he proposes, shall be the rent and from that the rates will be paid. If the regional authority takes over a house or a shop, I submit that the property concerned is rightly subject to local authority rates.

Mr. Jamieson: At the standard rate.

Mr. GRAHAM: That is so. If the land is being occupied and rental paid, the regional authority should pay the rates in the normal way. I do not like the inclusion of the words "or such portion." If property is being used, it should be subject to the normal rates, not portion of them.

The authority should be left to decide from where it will draw the money to pay the rates. It should not be obligatory for the authority to draw the money from the rent received. After all, an interesting situation could arise. Suppose the person occupying the premises is a little remiss in his payment and he gets further and further in arrears. By the time the regional authority has caught up with him, he could have disappeared to another part of the world. What then is the situation?

Under this amendment the payment of the rates to the local authority depends on the rent being collected from the occupant. I do not think that is right because under these circumstances the regional authority could not care less. I believe the regional authority should be responsible in this matter, and the local authority should not suffer if things go wrong at the regional authority's end.

Mr. LEWIS: In short, the proposition of the Deputy Leader of the Opposition is that in order to make sure it does not lose, the regional authority will have to impose a rental at least equivalent to the local rates.

Mr. Graham: That is so. In 99 per cent. of the cases, it will be higher, of course.

Mr. LEWIS: I am not prepared to commit the authority to this. In some cases it could probably impose a rental much higher than the rates, but in other cases it would not be sufficient. I do not think we should bind the regional authority. It has undertaken to pay the whole or such portion of the rates, and I think we should be satisfied with that.

Amendment on the amendment put and negatived.

Mr. JAMIESON: I feel the Minister here should discuss the matter with the Minister for Town Planning in order to ensure that the regional authority, when leasing property, will charge a rental which is at least equivalent to the rates levied by the local authority.

We must remember that if a dairy occupies a property, the local authority will be involved in a considerable amount of work in connection with inspections and so on. I do not believe other ratepayers should carry this burden. Therefore I do hope that the two Ministers will confer and will ensure that the regional authority will charge at least the equivalent of the rates levied. If this is not done, the local authority would be better off if the property were not leased and no income was forthcoming to the regional authority. After all, the regional authority will be acting only as an intermediary to pay over what it receives in rent. I do hope the Minister will attend to this matter.

Mr. LEWIS: I shall certainly convey to my colleague the views expressed. I do not think the regional authority, composed as it is of representatives of local authorities, will be insensible to the potential of some of the properties involved, and I will convey to the Minister the opinions expressed, with a view to ensuring that the local authorities are dealt with fairly.

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Report

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

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Education), and returned to the Council with an amendment.

LAND ACT AMENDMENT BILL

Second Reading

Debate resumed from the 31st October.

MR. MAY (Clontarf) [12.2 p.m.]: Mr. Speaker, the measure before the House is entitled a Bill for an Act to amend section one hundred and thirty-five of the Land Act, 1933-1967. At this stage I will say that the Bill has the affirmation of this side of the House because it appears to be a genuine attempt to give preference to ex-servicemen in regard to the allocation of Crown land.

Following the two world wars the Commonwealth of Australia with the States, and in particular Western Australia, recognised the obligations of the States and the Commonwealth in regard to ex-servicemen. In this State we have the War Service Land Settlement Scheme Act, which appears to be functioning quite equitably in regard to the persons concerned.

As it stands, the Bill is a lot better than it was originally; that is, before it was amended prior to reaching this House. The original intention of the Bill was to cater for all ex-servicemen, irrespective of their vocation before enlistment or, in the case of national servicemen, their vocation before call-up. The idea, of course, is to cater for those national servicemen who were called up at the age of 20 and who have not had a chance to follow their calling in life. They may have been overseas for approximately two years and it is intended that on their return they shall be given preference.

My interpretation of the Bill is that if there are 10 applications, and four of the applicants are ex-servicemen, it will not necessarily follow that the other six applicants will be eliminated because one of the four ex-servicemen has the potential to be a farmer. To my way of thinking, if there are two applicants, one of whom is an ex-serviceman, who have comparable qualifications and similar ability to satisfactorily develop a farm, then preference should be given to the ex-serviceman. I think, from what I can read into the Bill, that is the correct interpretation of it.

I know the Bill has been amended substantially, but I feel the original idea, that the Bill should cater for any type of person, is incorrect. I consider the measure in its present form is the one we should pass in this Chamber. Members will agree that following the last war—not the present conflict, but World War II—the Chifley and Curtin Governments did a considerable amount to assist ex-servicemen to rehabilitate themselves on their return from overseas; and, as I said previously, in this State we have the War Service Land Settlement Scheme Act.

The measure is only a small one, and I feel that I have covered it in so far as preference is concerned. I think it is a step in the right direction, because it is helping those people who are most in need of help. There were some reservations in connection with the possibility of farmers or junior farmers who were medically unfit prior to being called up, being excluded from the provisions of the Bill, and land for which they had been waiting in close proximity to their own farm, or their parents' farm, being alienated or granted to ex-servicemen from other parts of the State or possibly interstate.

However, it appears that the board which will sit to allocate this land will have the authority to deal with the applications for land in the most equitable circumstances, and I am sure there will be no query in regard to the way land is allocated.

There appears to be no reason why the measure should not go through. As I have already mentioned, I had only one reservation in regard to the original intention of the Bill, but this has since been removed and the measure does not now allow for any returned soldier to be granted land unless he has the ability to satisfactorily develop a farm. That was my only reservation, but it has now been covered and there is no need for me to elaborate any further. I have much pleasure in supporting the Bill.

MR. McPHARLIN (Mt. Marshall) [12.8 p.m.]: On behalf of the member for Roe, I would like to thank the member for Clontarf for his remarks.

Point of Order

Mr. GRAHAM: Mr. Speaker, is the member for Mt. Marshall replying to the debate?

The SPEAKER: No; the member for Mt. Marshall may make his speech, but the only person who can close the debate is the member who moved the second reading.

Mr. Ross Hutchinson: Anyone may speak.

The SPEAKER: The Deputy Leader of the Opposition is entitled to speak. The member for Mt. Marshall must continue. If he sits down now he will have completed his speech.

Debate (on motion) Resumed

Mr. McPHARLIN: Thank you, Mr. Speaker. The member for Roe asked me if I would look after this matter for him in his unavoidable absence, and in doing so I want to thank the member for Clontarf for his comments. His interpretation of the Bill is what is intended. If there are two applicants of equal capacity, the one who is a returned serviceman will be given preference. It is intended to lay down a guide line, as it were, for the land board. I think, as the member for Clontarf said, this is a favourable amendment to the Land Act.

I do not think it is necessary to speak at great length on this matter. The Bill contains an amendment which is desirable, and I therefore commend it to the House.

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [12.9 p.m.]: I am sorry there has been this slight misunderstanding; however it has occurred. I want to say first of all that the member for Clontarf has quite capably expressed the viewpoint of the Opposition. We are in favour of the Bill. What I wish to do is to protest strongly against the action of the Government in this matter, by showing preferment to a supporter of the Government as against the treatment accorded members of the Opposition.

This Bill emanated from another place. It had its first reading on the 8th October, and the second reading on the 9th

October. In contradistinction, my leader submitted a motion on the 28th August, and it still has not been dealt with. My leader introduced the first reading of a Bill on the 10th September—nearly a month before this present Bill was introduced in the Legislative Council—yet that Bill, the Electoral Act Amendment Bill, is to wait until next March. Another member of the Opposition—the member for Pilbara—introduced a Bill on the 3rd October, prior to the introduction of the Bill now before us.

Mr. Court: It was only recently given a second reading.

Mr. GRAHAM: Yes, but that is because of the way the Government arranges its business—which the Government is entitled to do. However, surely on the basis of fairness and justice, if private members have introduced matters into this Parliament in August and September, it ill-behoves the Government to give preferential treatment to a member who introduces his Bill into this Parliament in October.

Mr. Court: I think the Deputy Leader of the Opposition is being quite unfair. Look at the preference given to the member for Fremantle, whose motion will be debated today.

Mr. Jamieson: That is a Government decision; it has been on the notice paper for months.

Mr. Court: I think the Premier was very fair in arranging the notice paper.

Mr. GRAHAM: My leader introduced his motion on the 28th August, and he has to wait until March before the debate will ensue and a decision will be made. Yet, this matter now before us was given its first reading on the 8th October.

Mr. Brand: If we discontinue this debate will that be satisfactory?

Mr. GRAHAM: Perhaps it would be better still to permit a decision to be made on other matters during this part of the parliamentary session. All I want is for the Government to be fair. Goodness knows, the Government has sufficient advantages in the way it can arrange the notice paper. When it comes to private members' business, then I think it should be handled on a fair and equitable basis.

Mr. Brand: If we are to have two sittings we cannot deal with all private members' business in the first sitting.

Mr. GRAHAM: That is so; but surely the cases which were launched earlier than the Bill now before us are entitled to be resolved before this one, which has been initiated by a Government supporter.

Mr. Court: Government legislation has also been deferred.

Mr. GRAHAM: I am concerned with the private members' business which is deferred.

Mr. O'Connor: Some Opposition members took up considerable time on other subjects.

Mr. GRAHAM: Is that any reason why the Leader of the Opposition or the member for Pilbara should suffer? Is that any reason why preference should be given to legislation introduced by Mr. Jack Thomson, M.L.C., over that introduced by members in this House?

Mr. Court: But a lot of Government business which has been on the notice paper will be carried over.

Mr. GRAHAM: That is entirely up to the Government.

Mr. Brand: When Standing Orders are suspended it is entirely up to the Government.

Mr. GRAHAM: I am appreciative of that fact, which I am acknowledging. However, in respect of private members' business, I think it is rather shabby treatment that the Government should be so anxious to bend over backwards to favour a member who is a Government supporter. I do not think that is fair.

Mr. Bovell: We want to assist discharged servicemen.

Mr. GRAHAM: That is a matter which is vital to the particular member who introduced the measure. However, I have only to refer to my leader, who has been trying for several years to get the Government to do something in the way of appointing an ombudsman, and my leader feels that such an appointment would result in a tremendous benefit to the community as a whole.

Surely it is not for the Government to set itself up as a censor and decide the priority and the importance of private members' business. I think private members' business should be taken in turn; and that has been the established practice in this House. Where Bills and motions have been launched before the Government passes the customary resolution, the Government usually gives precedence to those propositions in order to afford an opportunity to arrive at finalisation. I have made my protest in connection with the matter, and I think the Government has been most unfair.

Adjournment of Debate

MR. JAMIESON (Belmont) [12.16 p.m.]: I move—

That the debate be adjourned.

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

Ayes—17

Mr. Bertram	Mr. Lapham
Mr. Brady	Mr. May
Mr. Burke	Mr. McIver
Mr. H. D. Evans	Mr. Moir
Mr. T. D. Evans	Mr. Sewell
Mr. Fletcher	Mr. Taylor
Mr. Graham	Mr. Toms
Mr. Jamieson	Mr. Davies
Mr. Jones	*(Teller)*

Noes—20

Mr. Bovell	Mr. McPharlin
Mr. Brand	Mr. Mensaros
Mr. Burt	Mr. Mitchell
Mr. Cash	Mr. O'Connor
Mr. Court	Mr. O'Neil
Mr. Craig	Mr. Ridge
Mr. Grayden	Mr. Runciman
Mr. Hutchinson	Mr. Rushton
Mr. Lewis	Mr. Stewart
Mr. W. A. Manning	Mr. I. W. Manning *(Teller)*

Pairs

Ayes	Noes
Mr. Hall	Mr. Dunn
Mr. Norton	Mr. Kitney
Mr. Bickerton	Mr. Young
Mr. Harman	Mr. Gayfer
Mr. Bateman	Dr. Henn
Mr. Tonkin	Mr. Williams

Motion thus negatived.

Debate (on motion) Resumed

MR. JAMIESON (Belmont) [12.19 p.m.]: As will be seen from opinions expressed from this side of the House, we have no objection to the principle contained in this Bill. However, we have a lot of objection to the attitude of the Minister for Lands, and others, who have stated that they are only trying to do something for the ex-servicemen. This is true. However, if the Government felt so strongly about this matter, it had the right to introduce a Government Bill, and it would have been the Government's own business and there would have been no difficulties associated with it.

This Bill having been introduced into this Chamber of very recent date, it seems unreasonable that it should have hit the top of the business sheet so soon. As my deputy leader indicated, there are many other items of business listed on the notice paper which were introduced some considerable time ago; and while, as the Premier said, we cannot deal with them all in the first period of the session, at least private members' business should be accorded some degree of priority according to the date on which it was introduced. If that is not done we will not know where we are. The Government could put any item of private members' business it wished down at the bottom, or bring it to the top, of the notice paper. In other words, the Government could delay certain private members' business indefinitely if it so wished.

Surely the right and proper thing to do is to deal with private members' business in the order in which it is introduced. If that were done we would have no argument. What the Government does with its own business is completely its own affair. It can deal with certain items more quickly than other items, and it can leave whatever it wishes on the notice paper until the next period.

Sometimes the Government prefers to leave items of Government business on the notice paper at the end of a session, so that they naturally expire. That is done frequently, but private members' business is usually accorded a degree of priority in accordance with the date it was listed on the notice paper, or the date on which it was introduced.

To get back to the Bill, I support the proposition. I think it is a very good one and I cannot see why the provisions in the Land Act relating to servicemen should not be extended to cover those who are required to undergo two years national service. If these lads can take advantage of the $6,000 re-establishment loan, it will go a long way towards helping them to develop a conditional purchase block. I am sure we all want as many ex-servicemen as possible to take advantage of this proposal. If the Bill is passed, undoubtedly many ex-servicemen will take advantage of the Commonwealth Loan.

It was bad luck, really, that such an argument had to take place on a Bill of this kind. However, principles are established irrespective of circumstances, and if the Government desired the principle contained in this Bill to be introduced, then it should have been prepared to introduce a Government Bill to cover the position. I support the measure but I do not want what happened on this occasion to be taken as a precedent.

Mention was made that item No. 6 on the notice paper, which is a private member's motion, is to be brought forward later on in this sitting. This has been done merely to suit the Government—so that a decision can be made on the matter. That motion could have been left until the next period of the session; the Government did not really need to bring that matter forward. That motion was moved at a later date than many other items of private members' business which will not be dealt with during this period. Therefore I suggest that in future, when private members' business is being given consideration, some degree of priority should be accorded, and items should be dealt with in the order in which they are introduced. Irrespective of what Government is in power, that procedure should be followed.

MR. BRAND (Greenough — Premier) [12.24 p.m.]: Great emphasis has been placed on the fact that we are dealing with this private member's Bill but not with other items of private members' business. However, some members seem to be overlooking the fact that this Bill originated in the Upper House. A private member took the initiative and introduced the measure. Quite frankly, this Bill did not find its present position on the notice paper as a result of any request by the honourable member concerned. Having been passed by the other place I, personally, thought it was a proposition that ought to be agreed to as soon as possible.

The Government does not take the initiative in all matters. Private members come forward with good ideas, and some

not so good ideas. With some propositions the Government agrees, and with others it does not. However, it seemed to me that I was quite justified in giving this measure priority over others which were a little further up on the notice paper. I could not see that it would matter that much.

As I said, we aim to finish today, but that will be entirely up to members. We have nominated six items of business on the notice paper which we want to have discussed, and the balance of private members' business can be decided at a reasonable time in the next period.

I trust you will allow me to discuss these matters now, Mr. Speaker, although strictly speaking I am not speaking to the Bill. We have to bear in mind that we are only in the first period of the session, and that this is our first experience of two periods in the one session of Parliament. Some people expect big things from having two periods in a session—that it will ease the session—but no-one can control what happens at the end of a period or a session. Some members talk at great length—some for longer than others—and Ministers come in with belated legislation. This year the Budget was a little later than was expected and we were caught up.

Everybody knows we have been under some pressure, and in drawing up the notice paper as I did I certainly did not have any idea of pushing any private members' business out of order. In this instance the motion dealing with power lines across the river has been brought forward simply because in the time between the first and second periods of this session a decision will have to be made by the commission, or the Government will have to confirm a decision that has been made. To hold such a motion over would not only interfere with the proposition put forward by the honourable member, but would also interfere with the work of the Government.

Therefore, it seems reasonable to me that we should bring this motion forward and make a decision on it today. If it is the desire of members that we go on with more private members' business, we will be here tomorrow and the next day. These are the facts of life and, generally speaking, we felt it was desired by all that we should finish about this time. In that way we will set the pattern for future sittings now that we have two periods in each session. That was the reason I made the decision and I take full responsibility for any error of judgment that might have been made and for the situation we are now facing.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. McPharlin, and passed.

Sitting suspended from 12.29 to 2 p.m.

MINES REGULATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 31st October.

MR. MOIR (Boulder-Dundas) [2 p.m.]: This Bill, although containing some provisions that are acceptable, is, in the main, objectionable to anyone connected with the mining industry. The Mines Regulation Act regulates the conditions of working for the safety and health of employees engaged in the metalliferous mining industry in Western Australia. The Act has been in operation for many long years and, generally speaking, it can be said it has stood the test of time. Yet here we have the Government bringing down a measure which will completely cut across the accepted policy of Governments of all complexions in this State in the past, which policy has met with the approval of all people in the mining industry.

I know that for some considerable time large mining companies have been agitating to have some of the provisions relating to working hours set aside or amended and, to date, the Government has apparently resisted their overtures. With this Bill, however, it would now appear the Government is prepared to do the bidding of these companies.

In the clause dealing with interpretations, provision is made to insert a new definition of "underground." Many years ago, by judgment of the court, it was decided that an open cut or quarry came within this definition, and it was laid down that any work carried out below the natural surface of the soil was regarded as coming within the meaning of "underground" operations. There the matter rested, and over the years the definition was observed by everyone in the industry. We have now reached the position today where we find the Government is prepared, by this Bill, to waive a court decision and to provide that an open cut, no matter if it is hundreds of feet deep, is not embraced by the interpretation "underground."

One can easily see the reason for this amendment. It is because the mining companies want to operate open cuts seven days a week, and do not want them designated as underground operations. As a result of my experience, I am of the opinion that the ventilation of an open cut is more difficult than the ventilation

of underground workings. With the assistance of passageways and drives in underground workings, venturis can be installed at one end of the mine to drive the air through to the other, but that cannot be done in an open cut.

Work can be very laborious and hazardous in an open cut, especially if it is 200 or 300 feet deep. In the north of the State the adverse conditions that are experienced in an open cut would be aggravated considerably because of the extreme climatic conditions in those parts. The conditions in open-cut work on the goldfields are bad enough, because over the years the men have been obliged to work in the open with the sun beating down upon them in the summer and the rain in the winter.

As the men working in open cuts are without proper ventilation they have to work in an extremely dusty atmosphere. The particles of dust are so fine they are not noticeable to the naked eye, but because they are so fine they are extremely injurious to the health of the men. These dust particles can be measured only with proper instruments which are used to decide whether the men can continue working in any particular area.

Mr. Fletcher: There is also the danger of fracteur fumes.

Mr. MOIR: Yes, fracteur fumes constitute another hazard. There are no specific provisions in the Bill governing the working conditions in a quarry or open cut. Presumably anything will be permissible in a mining project of this nature. Under the existing designation of "underground," open cuts and quarries are governed by the same regulations that apply to an underground mine. Over the years it has been found that these regulations are most necessary.

Judging from the introduction of this Bill it appears that the Government is entirely unconcerned about the health or the welfare of the men who work in mining projects. We know that the outlook for the future for those men who have worked in the mining industry for some years is deplorable. Those who work on the goldfields become afflicted with the disease of silicosis, and those who worked in the asbestos mine at Wittenoom Gorge before it closed down contracted asbestosis. The reason for the men contracting those diseases was that the safety regulations were not observed in their entirety.

Such a situation is bad enough, but when, by Government action and legislation, these safeguards are to be wiped out completely, purely to enable mining companies to make greater profits at the expense of the men who work in the mining operations controlled by them, we have reached a sorry pass. One of the reasons advanced for removing an open cut or a quarry from the designation of "underground" is to permit unlimited hours to be worked.

It is true that there are provisos enabling a man to opt out. He can express a desire that he does not want to work overtime, and, presumably, he will not be required to do so. Looking at the matter from a practical point of view, however, we know that on some of these jobs when a man persistently refuses to work overtime he has all kinds of pressure placed on him and he would be obliged either to leave the job or to work overtime as requested.

I think the mining industry is the most unhealthy, arduous, and dangerous work in the State. I do not think anyone can argue against that. Over the years the hours that are worked in a mine by the men have been regulated purely from a health point of view. Those engaged in the industry have been very conscious of that.

I can recall a court award that was given in, I think, 1934, which split the working fortnight into one week of five days, and the other week of six days to eliminate the necessity of having to work a half day on Saturday. There was immediate objection from the men which resulted in a strike which lasted for about 10 weeks. A strike of that duration was almost unheard of in the mining industry; but, because the men felt so strongly about being forced to work for six days with one day off, they decided to strike.

We also find that when the case for a five-day week was put to the Industrial Arbitration Court in Western Australia—there was a 5½-day working week in existence in the industry at the time—medical evidence was called to show and prove that by eliminating the Saturday morning and Saturday afternoon work in the mines this would be beneficial to workers working underground.

In its wisdom the court evidently agreed with this, because it provided for a five-day week of seven hours 30 minutes a day—it was previously seven hours 12 minutes—and this now constitutes our working day and week.

But now we are asked to consider legislation which completely takes away from a body of workers something that was gained after many years of advocacy; that is, the court finding in the interest of the people concerned that they should be called to work only five days a week and only seven hours 30 minutes a day. The legislation now endeavours to set the hours of labour and make it possible for added hours to be worked.

There is, again, the provision that a man need not agree to work these extra hours; but, as I have already pointed out, all sorts of pressures can be brought to bear on such a person. He can be allocated very poor places in which to work in

the mine. I understand that in mining the piecework system operates and naturally there are some places where a man can earn bigger money than in others, though they all come in the same category.

It is possbile that such penalties can be imposed on people who do not wish to work the extra hours; they would always get the rough end of the stick and be placed in working conditions which are not quite as good as others. All sorts of other pressures could be brought to bear on persons working in the mining industry if they did not agree to work the longer hours.

I would like to point out that in the Mines Regulation Act at the moment provision exists for longer hours of work in cases of emergencies or breakdowns. I have never known the workers in the mines or the unions to object to this aspect.

I recall, when I was Minister for Mines, I granted permission for Sunday work at the Bullfinch mine, because it was behind in its programme. It needed to open up another level, and if that level had not been opened up, the existing level would have been worked out and the mine would have had to close down temporarily. Accordingly, in those circumstances, I gave permission for work to be carried out at that mine on many Sundays.

Everyone connected with the mining industry uses discretion in these matters; but now the Government has brought in a measure which removes this discretion completely and places it in the hands of the companies. It is only natural that a mining company which has considerable capital outlaid in its workings would like to have its machinery working 24 hours a day and seven days a week—it would work it eight days a week, if there were eight days in a week.

This of course is natural. But there exists legislation at the moment to protect people from this sort of thing—and to protect them, sometimes, against themselves. I could illustrate this fact by saying that our traffic laws are framed to protect people against themselves. There are also provisions which limit the hours of work done by a winding engine driver, but under this legislation we find he will be permitted to work overtime and a 12-hour shift.

To my mind this is a scandalous state of affairs, because anybody who has observed a mine working will know that a winder driver has probably one of the most exacting tasks. He must be alert at all times, because he has the lives of the men in his hands—he must be alert to all the signals coming in, and while he is on the job he must concentrate on his work alone.

The extent of human endurance being what it is there must be a limit on a man's capacity. Anyone who has driven for long hours on the road will know how one can be affected; one is inclined to get mesmerised and see things which do not exist on the road.

In the same way, long hours must affect a man who is sitting at a machine and who must be constantly on the alert every second and minute he is there. To permit the restrictions to be taken out of the Act is deplorable.

Another provision in the Bill to which I object most strongly is that which relates to the English language being spoken, read, and readily understood. I do not think it is necessary for me to give many illustrations to show the vital necessity for this provision, particularly where men are working in a dangerous occupation; that is, where explosives are being used, where underground locomotives are being used, and where winches are in constant use. In these circumstances, it is surely necessary for everybody to understand what everybody else is saying.

This provision is contained in the Mines Regulation Act and a copy of the safety provisions in the Act must be posted at the mine. If a man cannot read English, how can he understand the safety provisions which are supposed to protect him?

Now the regulations are to be amended to permit an ordinary worker around the mine not to conform to the provisions laid down. One illustration that comes to my mind is an incident which occurred after the war, in about 1946 or 1947, when a man was blown up by an explosion on a shaft on the Golden Mile. I was a union official at the time and I attended at the surface some little time after the accident.

We found that the man, who was a miner, had come from some European country. He had lit about 12 charges where he was working and had placed a notice on two of the inways to say that firing had taken place. This is required under the Mines Regulation Act. It is no use putting up notices if the people they seek to protect are not able to read.

This man went into another inway. He was guarding that when another foreigner, who could not understand the language of the first miner, came along. The miner guarding the inway said in his language, "Do not go in there. I am firing." The second miner waved his hands and walked past with the result that he walked into the charges which exploded.

A most ridiculous position arose when the inspector of mines tried to get the facts. The miner who had let the charges off could not speak English, so an interpreter was found to translate what he had to say. However, this interpreter could not translate into English what he had been told by the miner; so a second interpreter had to be obtained to interpret

what the first interpreter said. In that instance the company employing those men was contravening the Act.

It is very difficult to find out about the language requirement, especially when there is a work force of 600 to 700 men. It is very difficult to determine whether all of them can speak and read English. The inspector of mines has the power to examine these workers; and the manager of the mine is responsible for the observance of the legislation. Under the Bill the position is to be thrown open by enabling the companies to employ men irrespective of whether they can speak English.

The Bill contains many objectionable features. I do not want to let this occasion pass without commenting on the remarks made by the Minister when he introduced the second reading. I was not here when he introduced the second reading, but I have obtained an uncorrected copy of his speech. From the information he gave to the House about the conferences which had taken place, one would infer that the mining division of the A.W.U. had agreed to these amendments; but nothing is further from the truth. When a question arises for the need to amend one of the regulations, the Bill provides that all the parties—including the union—must be consulted and must be acquainted with the proposed amendment. From the way the Minister spoke about the conferences and how they decided that this or that should be done, the inference would be drawn by the uninitiated that the A.W.U. was in full accord with the amendments in the Bill.

Mr. Bovell: I did not say that.

Mr. MOIR: The Minister did not say that, but from the way he made his comments the inference could be drawn.

Mr. Bovell: You cannot take a part of my speech out of context.

Mr. MOIR: I do not want to read out the whole of the Minister's speech, but any unbiased person reading his speech would form the opinion that conferences had been held between the Chamber of Mines, the Mines Department, and the A.W.U., and that, as a result, the amendments in the Bill were proposed. Nothing is further from the truth, because the A.W.U. strongly opposes some of the amendments.

The men in the industry oppose the working of overtime. Over the years the need to work overtime has been stressed by the goldmining companies in Kalgoorlie, on the ground that owing to the shortage of labour, overtime was required to be worked in order to attain the level of production necessary. We had to give some credence to that request, and as a result the men reluctantly worked overtime.

We then found that a company engaged in the mining of nickel in the Kalgoorlie area also wanted its employees to work seven days a week. This brought up so much dissension among the work force that the men went on strike. They refused to work on Saturdays, let alone Sundays. The company had called on them to work on Saturdays, and also tried to persuade them to work on Sundays.

This Parliament, being a responsible body, should be made acutely aware of the need for safety regulations in the industry. It passes legislation to safeguard the life and limb as well as the health of people in respect of their daily lives; yet in this instance the Government, in respect of the conditions and the health of the workers, is ready to cut across the regulations, to amend them, or to abolish them, and thus to bring about an entirely different set-up.

Many of the provisions in the Bill will cause industrial trouble, and there is no doubt of that. I am not using this as a threat; I am informing the House of what I believe would happen, from my long experience in the industry.

I do not deny that a few of the employees in the mining industry like to work overtime, but generally they are not the type who remain in the industry for any length of time. These people remain for six months, 12 months, 18 months, or two years in the industry, and they want to work extended hours in order to make as much money as possible. However, the person who makes his livelihood in this industry does not want to be subjected to the hazards of mining by working six days or even seven days a week. Proof of that is the strikes which have occurred at Kambalda within the last month or so.

Although the hazards exist, many people remain oblivious to them. The hazards in the mining industry are comparable to the hazards on the roads. Those concerned seem to think that accidents only happen to others and not to themselves; and that is also applicable to the deterioration in the health of miners, which must inevitably result if they remain long enough in the mines.

The time for the contracting of the diseases varies. Some men contract them after a comparatively few years in the mines, but others work for a long period before doing so. To the newcomer in the mining industry this is something which happens to another person, and not to himself. However, when men work under these conditions, and no safeguards are provided, they will eventually contract mining diseases.

I do not propose to deal with the Bill item by item, but to voice my general objection to the provisions. I think it is a very sorry day when we see a measure of this sort coming before the House.

MR. BURT (Murchison-Eyre) [2.30 p.m.]: Before today, I had intended to preface my remarks on this legislation by saying how unfortunate it was that the member for Boulder-Dundas was unable to

be present. However, in the circumstances, I would now like to welcome him back because I feel legislation such as this requires the presence of all goldfields members. Perhaps I could say that I am glad his stamina is not as great as it usually is when he gets up to make a speech.

The honourable member stated that this legislation cuts right across the established practices of mining and, indeed, it does; but it is well to remember that modern mining methods have also cut right across established practices and now we have very different types of operations being undertaken in Western Australia, which I feel warrant some amendments to the Mines Regulation Act. A great deal of the thought behind this legislation, I believe, has arisen as a result of the operations which are now continuing in the north-west and which, in nearly every case, are referred to as open cuts or quarrying types of mining. The early part of this Bill deals exclusively with hours of employment on this type of operation.

The member for Boulder-Dundas expressed some grave doubt about the ventilation in open cuts. Anyone who has any knowledge of mining at all will realise the deeper the open cuts, the larger the ore body must be, and consequently the wider it must be, particularly on the surface, with the removal of overburden. I have not heard of any complaints of bad ventilation in open cuts, although I have seen them as deep as 200 feet. Nevertheless, the legislation does refer to giving longer hours of employment to the mining or quarrying industry as it now is in the north-west.

I feel this is not altogether objected to by the A.W.U. or the men. We know that to get the operations under way and to achieve any development, the companies in the north-west require in as short a time as possible to commence production, owing to the many millions of dollars necessary to ensure development. Consequently it is in their interests and also in the interests of the men, where rates of pay are concerned, for 13 shifts in a fortnight to be worked. By and large those employed do not object to the high rates of pay they receive for doing this work.

It is really the second portion of the Bill—that which deals with underground work in mining operations—to which the unions and members of the Opposition object. One of the most important reasons for the introduction of the legislation—apart from its relation to the open-cut mines in the north-west to which I have already referred—is the extremely parlous state of all goldmines, which are struggling in this State. This is mainly due to the high cost of operations, but in no small degree it has also been caused by the great shortage of labour, much of which has either gone to the north-west, where the large wages are an attraction, or to the metropolitan area, where a lot of people seem to think living is a lot easier.

I do not think I am telling anyone anything they do not know when I say that the town of Kalgoorlie is at present in a very precarious state because it still depends on the goldmining industry for its existence. As everyone knows, a large number of mining companies well known throughout the world are at present engaged in the search for minerals in Western Australia. All these companies are based in and operate from Kalgoorlie. They have large teams of men who fan out in a very large radius from the Boulder-Kalgoorlie district. The only nickel operation in Western Australia is situated at Kambalda. This concern employs a large number of men and we know it will employ a great many more. If the smelter is established at Kalgoorlie, many more again will be employed.

However, for the next 12 months at least, famous mines like the Lake View and Star, Great Boulder, North Kalgurli, and Gold Mines of Kalgoorlie Ltd., will be sailing very close to the wind; and lack of labour is causing them to do anything at all to try to survive. This was one of the reasons they approached the unions and the men to get them to undertake Saturday work; it would give them a chance to rail, tram, or haul ore which had been broken during the week and which it was absolutely necessary to move before they could start off again on the following Monday on ore-breaking operations. These operations otherwise would be impossible on the Monday because of the broken ore not removed on the Friday before. Surely this is a very valid reason for desiring Saturday work.

For many years, until a little over a year ago, this practice was in force. The regulations were being broken, but no one cared a jot or tittle about it; but suddenly, about 15 months ago, the union called a meeting of men which decided unanimously—all except for one man who had the courage to vote against it—that there would be no more Saturday work.

Mr. Davies: What do you mean he had the courage to vote against it?

Mr. BURT: I consider he had courage and I think the honourable member would agree, because it was not a secret ballot and one man who wanted to work on the Saturday said he agreed, while the other 399 said they did not agree.

As a result of this meeting, men as far away as Mt. Magnet and other remote areas suddenly found their Saturday work, for which they received overtime, was cancelled. When I made a visit to Mt. Magnet, not long after this decision had been taken, I was approached very antagonistically by a number of men who asked me why the Government had stopped

the Saturday work. When I asked them who had told them this, they said the union representatives had been over and said the Government had stated they must work to regulations, and therefore the Government was stopping the overtime. I had the answer to that one. Apparently the objection did have some sway with the union because not long afterwards a notice of motion was given that these regulations be adhered to only in the Kalgoorlie-Boulder district and that permission be given to work on Saturdays in the more remote goldmining districts.

Mr. May: You said you had the answer to that one. What was it?

Mr. BURT: My answer to that one was that as far as I knew the Government had not done a thing about this; that it was done by a meeting of unionists 400 miles away at which the Mt. Magnet men were not represented.

When I made further inquiries I found that the union representatives said it was the Government because the Government was insisting on the regulations being adhered to, but these regulations had conveniently been overlooked for years.

The decision to allow men in the more remote areas to work on Saturdays appeared to be on the verge of being put into operation when another meeting was held and to the dismay of a great many people it was again decided that on no account would any man work on a Saturday.

I understand the reason for this was that a day or two before the second meeting was held the *Kalgoorlie Miner* published a leading article stating that what was good for Kalgoorlie was good for the outback and there should be no differentiation. The unions immediately thought the Chamber of Mines was responsible for the article and closed down on the notice of motion which was withdrawn. Therefore once again no-one was allowed to work on a Saturday.

The town of Mt. Magnet—and there are others, although not many unfortunately—which exists almost wholly and solely on one particular mine, became very depressed economically when this decision controlled the men who worked on the Hill 50 mine. As I say, Saturday work had been going on for many years and it made a big difference to the economic outlook of a remote town which exists to the extent of 80 per cent., I suppose, on the earnings of the men who work on the only mine there.

Last December after I visited Mt. Magnet, I returned to Kalgoorlie and the following is a report of what I said at an interview with the *Kalgoorlie Miner*:—

> That the union decision to ban week-end work, had severe repercussions in Mt. Magnet. For some years, men willing to work at week-ends, had shared about $100,000 annually in overtime payments.

Also, because of the reduction of ore being broken, the milling section of the mine which was legally operating throughout the weekends had to close down and this meant a further $38,000 lost in wages annually.

This decision was made at a meeting of unionists in Kalgoorlie, which is some 400 miles away and at which there was no representation of Hill 50 whatsoever and it resulted in an amount of $138,000 annually being cut down in the wages bill. Just imagine the difference that would make to a small town.

Mr. Davies: What did the members in Mt. Magnet do about it?

Mr. BURT: I am the member. Am I being asked what I did about it?

Mr. Davies: I meant the miners.

Mr. BURT: I will tell the honourable member shortly. In addition, the management of the Hill 50 mine estimated that its own subsidy from the Commonwealth would be reduced by $80,000 a year because of the reduced production of the mine. By and large an amount of $218,000 has been lost annually to the economic set-up of this very small town by the decision that was taken.

I was next in Mt. Magnet on election day in March and I suppose at least a dozen men came to me and said, "Cannot you do something about this Saturday work?" I said that I did not know and I was doing all I could, and they said, "We like living here but we will have to leave, because we simply cannot exist on the ordinary wages earned from Monday to Friday." I should remind members that the cost of living in towns such as Mt. Magnet is very much higher than in Kalgoorlie. Also, quite a number of the men who are engaged in the mining industry in Kalgoorlie have other jobs which they take on at weekends. They work in hotels, T.A.B. shops, and the rest of it.

There is nothing whatever to do at the weekends at Mt. Magnet except to spend money; virtually the men are not only not earning more, but they are spending more. The position was that families were beginning to pack up and leave, and the future of the town was very doubtful indeed for this reason.

If the amendments are passed, Hill 50 will be able to develop ore, which it is not able to do now through lack of men. As anyone knows, I should imagine, if ore is not developed in a mine, the day comes when there is nothing left to mine. That is the outlook there.

In addition, the position in which Kalgoorlie is in is almost as precarious as it is at Mt. Magnet. Members will have

read recently of the application made for a greater nickel bonus at Kambalda. This, again, is another nail in the coffin of goldmining; because if the men receive a high bonus for nickel, naturally they will all endeavour to obtain employment at Kambalda and at any subsequent nickel mining operation. It is tremendously important that every encouragement be given to have the men employed in goldmining, and that every endeavour be made to keep the mines alive until the day comes—and we have been talking about this for many years—when the price of gold rises and the mining industry can stand on its own feet again.

Following the report in the *Kalgoorlie Miner* on the 16th December last Mr. Lithgow, who is Secretary of the Australian Workers' Union, made a statement concerning my remarks and the article appeared under the heading, "Union Secretary Criticises M.P's. Statement on Mt. Magnet." He went on to say—

> It is rather surprising to find such a statement coming from a Member of Parliament.
>
> Apparently Mr. Burt sees no reason why the terms of the Mines Regulation Act and regulations relating to the hours of work underground should be observed.

Later on he said—

> It would be interesting to know whether Mr. Burt is acting as a spokesman for the Chamber of Mines on this matter and also whether he is expressing the view of his Government and particularly the Minister for Mines.

There was never mention at all about the health of the men or of men working long hours in the mines, and, I submit, the whole action on behalf of the A.W.U. was to prevent something that I think is quite wrong; namely, what is considered to be the eventual establishment of a six-day week in the mining industry. I do not think that has been the consideration of the Chamber of Mines or mine managements at all.

The decision is being taken in a desperate move to keep producing mines in operation. As I have said, if one or two of Kalgoorlie's great mines do close down it will be a sorry day indeed for Kalgoorlie and will cause a hiatus in the industrial set-up. It will take some time to convert to nickel mining, which is gradually increasing in tempo. If the door closes now, it will not open again for at least a couple of years.

The honourable member referred to winder drivers. For many years, the mines in my area have been terribly hard put to get more than two winder drivers altogether on the operation. For years, mines such as the Triton, Hill 50, and others, have worked with only two winder drivers—one worked day and half afternoon shift, and the other worked night and half afternoon shift.

It was a very unsatisfactory set-up, but it went on for years simply because under the regulations which obtained in those days it took a long time for a young man to qualify as a winder driver and to gain his ticket. Consequently, any who obtained their tickets were snapped up by the Kalgoorlie mines, where living is very much more pleasant.

Mr. Jones: That position does not apply today.

Mr. BURT: It is improving.

Mr. Jones: Isn't a change contemplated in relation to training?

Mr. BURT: Yes; rather late in the day there are changes, and I hope the position will not be in existence for long. However, I remind the honourable member that shortage of labour is still a serious problem in the outback and skilled men, such as winder drivers and others, are hard to come by.

The honourable member also referred to using discretion when employing men on a Saturday. There has been no discretion for the last 15 months; it has been a straight-out "No" from the unions.

Mr. Moir: I was referring to the provisions of the Bill.

Mr. BURT: I understood the member for Boulder-Dundas to refer to the hope that the management would, in its discretion, employ men on Saturdays when it was thought to be desirable.

Mr. Moir: No; I was referring to the provisions of the Bill.

Mr. BURT: At Hill 50, at any rate, there have been three men, I suppose, desiring work on a Saturday for every one who was finally employed. It was not a question of forcing men to work at all; because they were practically queueing up and asking for work on Saturdays. Those who obtained work regularly were probably the best miners and may have been regarded as the boss's favourites.

Mr. Moir: They would be mostly people who are temporarily in the area.

Mr. BURT: Not at all. They were men who were permanently in the town of Mt. Magnet.

Mr. Moir: Mt. Magnet would have one of the biggest turnovers.

Mr. BURT: It is no bigger than any other mine. One of the reasons for the turnover has been that there has been no weekend work and when the men are told there is no overtime they go on elsewhere.

A man must earn good money to be able to live in these places. This was in evidence when the Hill 50 mine was operating up until this decision was made, and I cannot put this too strongly. The decision was arrived at by unions that were 400 miles away; the mines concerned had no representation whatsoever.

It is very necessary indeed to continue to develop these mines so that they can exist. I am hopeful that the Hill 50 mine, and even some of the mines in Kalgoorlie, as a result of this legislation which I hope will pass, will operate for a few years longer until, as I have said, the economic situation of the goldmining industry improves. I give the Bill my utmost support.

MR. T. D. EVANS (Kalgoorlie) [2.51 p.m.]: We have heard two members explain the provisions of this Bill to amend the Mines Regulation Act. This Act was last codified in 1946, and contains provisions regulating, in the first instance, the working conditions of mineworkers, and the golden thread running through the provisions of this legislation relates to the importance and the paramountcy of the health and safety of mineworkers.

The provisions in the Bill seek to make drastic alterations to sections of the Act which govern the working conditions, and which, if amended, will, most likely, detrimentally affect the health and safety of mineworkers. What justification have we been given for this Bill? We have heard from the member for Murchison-Eyre of the parlous condition of the goldmining industry generally. It is not denied that the goldmining industry has seen better times, but we do deny that a greater improvement in the situation will be effected by the provisions in the Bill than by other remedial measures which could and should have been taken by the Government.

We have heard about the high cost of living in Mt. Magnet. No-one denies that, nor the fact that the cost of living is high in other outback towns, but the Government has done nothing to overcome this problem. Has it allowed a differential in freight rates? No! I could ask other questions in regard to the Government's lack of attention to these problems, and the answer in each case would be "No." The member for Murchison-Eyre has said that we have no alternative but to agree to the provisions in the Bill if the life of the goldmining industry is to be extended. What consideration does he, the members of his Government, and in particular the Minister, give to the health and safety of men working in the mines?

It is my impression that the Bill represents one of the most shameful pieces of legislation introduced by the Brand Government. It is the hallmark of retrogression and reaction. It cuts across the very principles upon which the Mines Regulation Act was formulated, and I will endeavour to show how it does. In so doing I will limit my remarks to the effect these provisions will have on those workers engaged on underground operations in deep mining in and around Kalgoorlie.

In justifying the provisions in the Bill the Minister went to great pains and to great lengths to explain the economic conditions prevailing in other parts of the State, which did not have any relevancy whatsoever to deep mining on the goldfields. He explained the conditions that apply in the north-west and to iron ore mining projects there. Section 39 of the Act deals with underground work in mines. Having regard to the health and safety of underground workers, section 37 at present provides that no person shall be required to work underground in a mine, except in a special emergency, for more than 37½ hours a week, or for longer than 7½ hours in any one day.

This Bill seeks to repeal that section, which has been regarded as the retrenching section for the health and protection of the workers, and to provide that a person may work up to six shifts in a week. For the purpose of the sixth shift, the Bill stipulates that a worker can be employed on a Saturday with his express consent. I believe the member for Boulder-Dundas really put his finger on the position, despite the fact that the member for Murchison-Eyre says that this provision, if agreed to, will no doubt attract men who wish to work overtime. We find those men in every walk of life, and not only in the mining industry. Those who have given their whole life to mining, and who would naturally realise that their life in mining is only as long as their health is sustained, would have no desire to work on a Saturday.

However, this provision will appeal to those men who enter a mining area in the hope of getting rich quick, because they realise their health would not be detrimentally affected as much as it would be if they devoted their whole lifetime to this work. The member for Murchison-Eyre stated that this is the position in Mt. Magnet because of the high cost of living. If a person has sunk his life's savings in the town, naturally he would be keen to obtain more money by working longer hours. However, if the cost of living is so high in Mt. Magnet, why has not the Government tackled that problem in itself instead of tackling it by a back-door method by which the health and safety of mineworkers will, in the long run, be endangered.

Mr. Burt: High cost of living obtains in all outback towns.

Mr. T. D. EVANS: What has the Government sought to do about it? I would like to mention three aspects of the legislation which was referred to by the Minister during his introductory speech. He stated—

> Representatives of the mining industry operating deep mines have submitted that there are occasions when some Saturday work underground is necessary. There are times, for example, it has been pointed out, when, because of breakdowns, holidays, and shortage of suitable labour, it becomes necessary to produce ore on Saturdays to feed a continuously operating mill.
>
> It is recognised that for special developmental projects and to bring new mines quickly into production, some Saturday work is essential.

If this is so, I ask the Minister a pertinent question: Why is the Bill not limited to these situations? The Minister almost made me laugh, realising the purport of the Bill, when he said that the safety and welfare of miners is the prime concern of the Government.

Mr. Bovell: I repeat that, and I emphasise it.

Mr. T. D. EVANS: How ridiculous can one get when we realise the provisions of this Bill will mean that the health and safety of the workers are being sacrificed on the altar of profit and the Government is the high priest before the alter?

We find this Bill goes even further in encroaching on the lives and safety of the mineworkers. Section 42 of the Act relates to Sunday labour in mines. In essence it provides that no workman shall be permitted to work on Sunday in or about any mine. Naturally this would include work on the surface, as well as underground. We find that in the Bill this prohibition is to be qualified, and in future the prohibition will apply only to underground mineworking; therefore Sunday work on the surface will be condoned.

I ask whether the Government intends to amend the Education Act to enable children to leave school at the age of seven years so that they can work down the mines! That will be the next step. This comment might not be as ludicrous as the Minister seems to think.

We, of the Opposition, realise it is futile for sheep to pass resolutions for the introduction of vegetarianism while the wolf has another opinion. Nevertheless, we intend to move certain amendments in an effort to restore the basic principle of the Act. In the meantime, whilst confronted with proposals of this nature we should realise it is distasteful to try to shake hands—to quote the words of the Minister for Industrial Development on one occasion—with a cobra. We realise how distasteful this legislation is, and we strongly express our opposition to it.

MR. JONES (Collie) [3.2 p.m.]: I join with the previous speakers in opposing this measure. In the main the Bill introduces new definitions into the mining industry in relation to what constitutes a mine. It brings in new standards for the control of quarries; and it also introduces an extension of the working week on the goldfields.

I strongly oppose the measure, and I hope to prove the submissions which I will be making that this Bill is contrary to the legislation that is in existence. I propose to indicate the provisions which appertain to the coalmining industry, and to compare them with what is proposed in the Bill before us.

The Minister in another place said when he introduced the second reading of the Bill that the men in the Pilbara area worked seven days a week on the construction side, and that showed there was no opposition to this principle. As a consequence he thought there would be no opposition if the principle was extended to cover the general operations of iron ore mining. I shall deal later with that subject and with some of the points made by the member for Murchison-Eyre.

I refer firstly to clause 2 (h) which contains a definition of "quarry." It states that a quarry means a clay pit, a sand pit, etc., where minerals are removed. In paragraph (j) the definitions of "shift boss" and "underground" are given. If we look at the Coal Mines Regulation Act we will find that the definition of "mine" in section 5 includes every open cut, every shaft in the course of being sunk, etc. The open cuts in Collie have been in operation much longer than those in the iron ore industry. It will be seen that the definitions in the two Acts are contrary to each other. The exact definition in the Coal Mines Regulation Act is—

> "mine" includes every open cut, every shaft in the course of being sunk, every tunnel, every level and inclined plane in the course of being driven; and every shaft, level, plane, working place, tramway and siding both below ground and above ground, in and adjacent to and belonging to a coal mine.

That makes it clear that an open cut is regarded as a mine in the coalmining industry.

A number of determinations have been made by judicial authorities in many places to support the definition in the Coal Mines Regulation Act. If we examine the Bill we will find that the definition of "underground" is—

> "underground" means any mine workings beneath the natural surface of the earth which are covered overhead by natural rock or earth, or by any

> earth, rock, fill, timber or other material placed in the course of mining operations, and it includes tunnels, adits, drifts, shafts, and winzes over six feet deep sunk that are used in mine workings.

So the definition in the Bill provides that an open cut is not to be regarded as an underground mine, because it is not covered overhead by natural rock or earth.

If we look at *Webster's Dictionary* we will find that the meaning of "underground" is given as "below the general surface of the ground." This definition is, therefore, contrary to what appears in the Bill. A number of challenges have been made to the definition of "underground," and one case was heard by Mr. Justice Jackson, but there have been a number of them in the coalmining industry. I refer to a decision which was given by Mr. W. J. Wallwork, the chairman of the Coal Industry Tribunal, who made it quite clear as to where he thought the surface of the mine commenced and where the underground portion started.

In the Coal Miners' Award there is a provision governing attendance allowance which states that no worker shall be allowed from underground before seven minutes to three o'clock on a working day. We found that in the mines in the Collie district there are excavations before the actual tunnel mouth. There was a dispute —No. 45/56—when it was determined where the actual surface was. It was decided by Mr. Wallwork that the tunnel mouth was below the surface, because it was below the level of the ground. That clearly indicated that the surface was, in his opinion, the ground level.

Is it intended that an open cut or a quarry will be regarded under the definition in the Bill before us as a surface working? Will this Bill have the same effect on other industrial awards of the State? Is it the intention of the Government to extend this definition into other facets of mining in Western Australia? To me the definition in the Bill is contrary to that contained in the Coal Mines Regulation Act.

What worries me is the definition of "shift boss." There is no need for me to preface my remarks to any great extent, because many members in this House are aware of the number of fatal accidents which have occurred from time to time. Recently an explosion occurred at the Muja power station, when some workers fired charges under the provisions of the Mines Regulation Act, and not under the Coal Mines Regulation Act. A number of shots misfired, as a result of which someone was killed and a number of others were injured.

At the inquest which followed the accident, the jury found that the regulations were not extensive enough and did not provide for the safety which is necessary in relation to the normal operations and the firing of charges. This recommendation was forwarded to the Government, because the jury felt the Act should be amended so that more control could be exercised in relation to safety generally.

I notice it is the intention of this legislation to introduce a shift boss, the definition being as follows:—

> "shift boss" in relation to underground or to a quarry means a person, not being the foreman, having immediate supervision of men and direction of mining operations but being under the direction of the underground manager, underground superintendent, underground foreman, or quarry manager, as the case may be.

In referring to the legislation, I cannot find where this shift boss is required to possess any qualifications. What will be the function of a shift boss in a quarry? What will his duties be? I suggest he will be in control of operations when the underground manager, the foreman, or the manager is not available. So by comparison we could liken his duties to those of a deputy in an open cut, or a deputy in a deep mine.

Let us look at the situation pertaining to the Collie mining industry. We have the position where no non-ticket men exercise control in open cuts. They exercise the same control required in mining quarries. In my opinion, the definition of "shift boss" does not go far enough. In this measure the Government is attempting to introduce new safety measures in quarries but it does not require a shift boss to be a ticket man.

In view of the number of fatal accidents that occur in the quarries from time to time, I consider this provision should be extended and that the shift boss should be required to have qualifications such as are required by a deputy in the coalmining industry.

On page 9 of the regulations for the coalmining industry it can be seen that the functions of a deputy in relation to that industry—especially open-cut operations—are no different from the functions, as I envisage them to be under this legislation, of a shift boss in a quarry. When we consider the number of fatal accidents that have occurred in quarries over a number of years, is it wrong for me to suggest that these regulations are not sufficient and that the shift boss should be a qualified man in respect of safety and firing operations?

I think we should take a lead from the open-cut operations in Collie where there are very few fatal accidents. Is it wrong for me to suggest that the Government should have another look at this legislation with a view to introducing a new Bill

to provide that a shift boss must be qualified and have tickets on safety before he is put in the control of men in a quarry?

The other point that exercises my mind is the amendment proposed to section 25 of the principal Act. I refer to the proposed new subsection (7). This is a very serious piece of legislation. For the sake of bringing it to the notice of the House the provision is as follows:—

> (7) for the purposes of subsections (5) and (6) of this section, if for any reasonable cause there is not for the time being the required certificated manager available, or if he is incapacitated from performing his duties or is absent from the mine, the registered manager or the owner may, subject to subsection (8) of this section, appoint some competent person, whether the holder of a Certificate under this Act or not, to be deputy underground manager or quarry manager, as the case requires, during the period that the required certificated manager is not available . . .

This means that if the manager of the quarry is not available, he can appoint another man, provided he is competent to look after the interests and safety of the men and the general operations of a quarry. This is a dangerous provision, because when we look at proposed new subsection (8) it provides that this man can act for a period of four weeks and, if an extension is required, the approval of the Minister concerned must be obtained.

I certainly do not like this provision, and I consider there are dangers inherent in it. In view of the experience of the Government in relation to the number of fatal accidents that have occurred, I think it is wrong for the manager of any quarry to be able to appoint a man whom he considers to be competent to look after the operations and general safety of men working in the quarry. I strongly oppose this measure which we are now considering.

As indicated by previous speakers, there is provision for the extension of hours worked by winder drivers. The Federated Engine Drivers' and Firemen's Union is concerned about this matter. One of its representatives telephoned me during the week and asked me if I would oppose the measure when it came before the House. The union is of the opinion that an extension of working hours is not necessary. The union feels that if overtime is to be worked, either the union or the senior inspector of mines should have some say in the matter.

It is not right for the employer and the worker to decide that overtime is essential; and, as a safeguard, the union considers that the decision should be made by the inspector of mines, the union representative, or the secretary, in regard to overtime or double shifts being worked by winder drivers.

There is one point upon which I would like advice from the Minister. Section 52 of the principal Act is to be amended in relation to reports from inspectors where inquiries are envisaged. The parent Act provides that the Minister may obtain a report either from the workmen's inspector or the senior inspector of mines in relation to any inquiry. This Bill seeks to delete certain words, so that any reports which a workmen's inspector may make are not to be considered in relation to any inquiry. What is the reason for the change? Perhaps there are reasons. I think the report of a workmen's inspector, in some instances, is just as important as that of the senior inspector. I would like to know why this change has been introduced.

The member for Murchison made a number of statements in his submission. I was moved when I heard a couple of them. The one which I consider worthy of mention is that in which he said that some relaxing of industrial standards applied in the goldmining industry. I do not go along with this point of view at all. I do not think this principle is applied by any union in Western Australia, or, in fact, in the continent, irrespective of the conditions in an industry. If that were the case, where would we end?

Mr. Burt: It rests with the men.

Mr. JONES: The honourable member suggested that men should work on the sixth day. I do not think they should; they should receive sufficient pay for five days' work in order to support themselves and their families without working another day. Of course we can go into any employer industry and find there are employers and trade unionists who will work overtime for any number of hours. However, what is the value of their work? In some industries men work around the clock, but I do not think the employer receives the same advantage as he would if fresh men were working. However, as far as industrial standards are concerned, I strongly oppose this provision.

If we look at America today, we will find that due to changing times, some men are working three days a week. In this State the working week for bank employees was reduced to five days a week.

Mr. Cash: What about electricians; in New York they work 26 hours a week?

Mr. JONES: We now have the postal service employees working five days a week; and, generally, industry is on a five-day week. The trade union movement strongly opposes any extension of the working week, so far as this legislation is concerned. As far as I can see, this Bill has been brought to Parliament without extended consultation with the unions. As I have already indicated, there are weaknesses in this legislation.

MR. BOVELL (Vasse — Minister for Lands) [3.20 p.m.]: The member for Boulder-Dundas said that the main provisions in this Bill were objectionable. Well, I do not believe that is so. This Bill was drafted after long conferences, firstly by the Minister for Mines himself, who went to Kalgoorlie, and later by his officers, to resolve some problems regarding weekend work. These problems arose because a provision was found by the unions to be non-operative some 15 months ago, and the unions emphasised that no weekend work was to take place without their consent.

The negotiations that followed did not result in any agreement being reached. I repeat: It was because of these negotiations, and the fact that agreement was not reached, that this legislation has been brought to Parliament. I did not say, as the member for Boulder-Dundas indicated, nor did I even indicate it, that agreement had been reached and that as a result of that agreement this legislation had been brought before the House.

Mr. Moir: That is what your words implied; you did not actually say that.

Mr. BOVELL: No, I did not imply that at all. I am making it quite clear that long negotiations took place. I think they commenced in November or December last year, and proceeded for the past 12 months. The Minister for Mines chaired a meeting and tried to resolve the problem.

The member for Boulder-Dundas referred to underground provisions, and related those provisions to the open-cut quarries. The ventilation, as was pointed out by the member for Murchison, is quite satisfactory in the open cuts.

Mr. Moir: What basis have you for saying that?

Mr. BOVELL: The member for Collie—if I might bring him in at this stage of the proceedings—drew a parallel between the coalmines and the goldmines and the iron ore mines further north. However, in effect, this legislation is designed —I think—to assist the goldmining industry and also the iron ore industry in the north. The matter of how it applies to the coalmines at Collie will be considered at the appropriate time if and when it arises.

Mr. Moir: Their turn will be next, will it?

Mr. BOVELL: As far as I am concerned, we are dealing with legislation which applies principally to the goldfields and iron ore mining in the north-west.

Mr. Jones: Is the Minister aware that the Industrial Commission is currently reviewing the iron ore awards?

Mr. BOVELL: I am aware that this legislation is very necessary in the interests of the goldmining industry.

Mr. T. D. Evans: What about the interests of the health of the workers?

Mr. BOVELL: Let me say that the Government is concerned with the health and welfare of all those engaged in the mining industry. I understood the member for Boulder-Dundas to say there was a general disapproval of this proposal by the miners. I am informed that this is not so, and the member for Murchison referred to the fact that three out of four—or some indication of that nature —of the men he had spoken to in Mt. Magnet wish to work overtime. This provision makes it possible for overtime to be worked with the consent of the men themselves.

Mr. May: What about the men in the iron ore industry?

Mr. BOVELL: The same applies to the men in the iron ore industry. The member for Clontarf has had some contact with the men in the iron ore industry and he knows, in his own mind, that they want to work overtime in the north-west.

I am sorry the member for Pilbara is not in his seat. I know he is away on urgent public business. I think he would, himself, support this legislation so far as it applies to the mining operations in his own electorate. The honourable member has had considerable experience in mining activities, not only in his own electorate, but in other parts of Australia.

Mr. T. D. Evans: I guarantee he would not support the measure so far as it affects Kalgoorlie.

Mr. BOVELL: Of course, he has to look after the interests of his own district, and from what I observe I feel the member for Pilbara, even if he would not support the legislation, would not oppose it.

Mr. Jones: The Minister said that three out of four men contacted wanted to work overtime. Would not the Minister take the word of the union except on minor matters?

Mr. BOVELL: I believe in the freedom of the individual. If the individual wants to take a certain course why should the union interfere and place restrictions on his freedom in enterprise?

Mr. T. D. Evans: What about the scientologists?

Mr. Moir: We have a lot of laws to restrict enterprises carried on by the individual.

The SPEAKER: Order!

Mr. BOVELL: As far as I am concerned, the miners, individually, can decide for themselves whether they want to work overtime, or whether they do not. I would not force men to work, or not to work. I think the union has an important part to play in the welfare and organisation

of the miners' activities. However, I do not consider that the unions should direct men not to work overtime when the men wish to work overtime. It would be very difficult to get the permission of a union executive for a mine to be worked in an emergency.

Mr. Jones: What about representatives on the job? What about the situation if it was considered that overtime was unnecessary? Should these conditions apply if it was thought overtime was not necessary?

Mr. BOVELL: When the member for Collie has concluded his second second reading speech, Mr. Speaker, I will proceed. I think the goldmining industry is in some jeopardy, and every occasion must be taken to see that this valuable industry is maintained until the time that economic conditions are more prosperous.

Mr. T. D. Evans: What is the Government doing about the rates and the water costs?

Mr. BOVELL: It is the Government's responsiblity to see that the goldmining industry—which has played an all-important part in the development and progress of Western Australia—is maintained. I believe that if the men in the industry wish to work at weekends they should be permitted to do so.

Those of us who are descended from families that came to Western Australia in the latter part of the last century—in the early 1890s—will know that there were then relatively few people in Western Australia. I would not be quite sure, but I think there were something like 36,000 people in the State. However, with the discovery of gold people came here from all over the world. As a matter of fact, my own maternal grandfather came here with Mr. Hoover—later President Hoover—on behalf of Bewick Moreing and Co., and was an engineer on the Golden Mile and in the Leonora district. That is how my mother met my father. They were later married at Busselton. The discovery of gold brought people to Western Australia, and that was when development really first occurred in this State.

I am trying to emphasise the great need to maintain this industry during the days of economic stress such as it has been undergoing in recent years.

Mr. Jones: It is just as well you are not the Minister for Labour, because, with your attitude, there would be nothing but disputation.

Mr. BOVELL: That is a most interesting observation, because I held the portfolio of Minister for Labour for some time after the death of the late Mr. Charles Perkins.

Mr. Jamieson: Not for very long. They took it off you pretty quickly!

Mr. BOVELL: I never had a strike during my time as Minister for Labour and we had a general election shortly afterwards, which we won. That is an indication of my successful achievements as Minister for Labour.

Mr. Jones: Why did they change if you had such a great record?

The SPEAKER: Order! The member for Collie will remain quiet and particularly not make irrelevant interjections.

Mr. BOVELL: Members opposite have condemned this legislation, but I can only emphasise that the purpose of the Government in this exercise is, first of all, to maintain the *status quo* of the goldmining industry; and, secondly, to give the men and the miners engaged in it the opportunity to work overtime if they so desire, again to keep the industry functioning.

I can only repeat that the health and safety of mineworkers is paramount. This was referred to by the member for Kalgoorlie, the member for Boulder-Dundas, and the member for Collie. It appears to me that the member for Collie tried to draw red herrings across the path of this legislation because of the position at Collie. The honourable member represents that district and he raised matters relating to the definitions. However, most of his references, and the instances he quoted, related to the Coal Mines Regulation Act. This is not a measure to deal with the Coal Mines Regulation Act and therefore I do not propose, in the main, to deal with the subject matter of his speech.

I believe that the legislation will be of benefit to the goldmining industry and will assist those engaged in it, both management and miners.

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

Ayes—23

Mr. Bovell	Mr. Mensaros
Mr. Brand	Mr. Mitchell
Mr. Burt	Mr. Nalder
Mr. Cash	Mr. O'Connor
Mr. Court	Mr. O'Neil
Mr. Craig	Mr. Ridge
Mr. Grayden	Mr. Runciman
Dr. Henn	Mr. Rushton
Mr. Hutchinson	Mr. Stewart
Mr. Lewis	Mr. Williams
Mr. W. A. Manning	Mr. I. W. Manning
Mr. McPharlin	*(Teller)*

Noes—18

Mr. Bertram	Mr. Lapham
Mr. Brady	Mr. May
Mr. Burke	Mr. McIver
Mr. H. D. Evans	Mr. Moir
Mr. T. D. Evans	Mr. Sewell
Mr. Fletcher	Mr. Taylor
Mr. Graham	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Jones	Mr. Davies
	(Teller)

Pairs

Ayes	Noes
Mr. Dunn	Mr. Hall
Mr. Kitney	Mr. Norton
Mr. Young	Mr. Harman
Mr. Gayfer	Mr. Bickerton

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Bovell (Minister for Lands) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Amendment to section 4—

Mr. T. D. EVANS: Members will see from the notice paper that I have a proposed amendment to this clause. The member for Boulder-Dundas and the member for Collie explained the attitude of the Opposition towards the definition of "underground" contained in the Bill. The purport of the amendment is to provide that the word "underground" shall bear its natural meaning and not an artificial one as shown in the measure; in other words, we want to maintain the *status quo*. I move an amendment—

> Page 5, lines 5 to 12—Delete all words after the word "earth" down to and including the word "workings".

Mr. BOVELL: I ask the Committee to reject this amendment. If it were passed it would mean that any disturbance of the surface of the earth—for trenches, quarries, or for the use of machinery, and so forth—would provide for work to come within the scope of underground operations. This would be completely impossible. I cannot agree with the amendment and I ask the Committee to reject it.

Mr. MOIR: I cannot allow the Minister to get away with that. He has offered no reasons for opposing the amendment; he is merely relying on his numbers and feels it is not necessary for him to give an explanation to the Committee. The statement that all excavations will become underground implies that the amendment will bring about something which is different. All these operations have been underground for years; that has been decided by the courts of the land. The definition given by Mr. Justice Jackson when he was President of the Arbitration Court was, that as soon as a man's head is below the surface of the ground, he is underground. I think that is logical.

The Minister seems to think, because he has the numbers he can bring in a Bill to say that black is white and that the Bill will be right. The member for Collie quoted the definition of "underground" from Webster's dictionary, and this supports our contention.

I think the Government has ulterior motives in changing this provision. The Minister chided the member for Collie for referring to the matter of open-cuts at Collie and said they were not mentioned in the Bill. By this legislation we would have the ridiculous position that a man will be working underground if he is working in the coal mines at Collie, but in a similar position on any metalliferous mine it will be a surface operation. That is too silly for words.

I might appear to be suspicious, but with my knowledge of the Government I feel that the people of Collie are next on the list to have their activities declared to be on the surface. A man is paid more for working underground than he is for working on the surface, and the Minister is thus interfering with the award of the Industrial Commission by bringing down this legislation.

Mr. JONES: I support the amendment. The Minister has given no reason for opposing it. We must consider the position of those working underground and those working on the surface. We are dealing with the whole facet of mining, whether it be coalmining, goldmining, or metalliferous mining, and the definition in Webster's dictionary indicates that underground is below the surface of the ground.

This provision will affect the industrial standards of workers in this industry, and it is not within the province of Parliament to do that. I support the amendment.

Amendment put and negatived.

Clause put and passed.

Clauses 3 to 15 put and passed.

Sitting suspended from 3.45 to 4.4 p.m.

Clause 16: Repeal and re-enactment of section 37—

Mr. JONES: I move an amendment—

> Page 10, line 32—Add after the word "consent" the words "and such consent of the inspector."

The amendments in this Bill will affect the employment of winder drivers, and the union covering these people in general industry—the Federated Engine Drivers and Firemens' Union—is not happy with the regulations in their present form. It feels there should be some control over the amount of overtime being worked and that therefore the consent of the inspector should be obtained.

Mr. BOVELL: Mines are scattered all over Western Australia and on many occasions it would be impracticable to obtain the consent of the inspector for additional working hours by the person in charge of winding machinery. What would be the position of such a person who had worked 7½ hours if, for some reason, there were still some men underground who had to be brought to the surface? What would be the position if the person in charge of the winding machinery had to knock off? This amendment is ridiculous, because in an emergency it may be necessary for a winder driver to work additional hours, not only in the interests of the mine management but in the interests of the miners themselves. I therefore oppose the amendment.

Mr. MOIR: I think the Minister has let the cat out of the bag, because he said the situation could arise when there were

men underground and the winder driver would be expected to work overtime to bring them to the surface. Is the Minister implying that the men underground are going to work more than 7½ hours a day?

Mr. Bovell: Something might go wrong with the machinery and it might not be their fault.

Mr. MOIR: If something was wrong with the machinery, the winder driver could not use it. The Minister's objection is ridiculous. A lot of inspectors are employed on every mining field in Western Australia and we also have the invention known as a telephone. If an inspector were not on the spot, the situation could be explained to him on the phone and then he could decide whether or not the request was reasonable.

As I said during the second reading debate, fatigue is very serious, especially when we consider the onerous duties of these winder drivers. In my opinion, it is hazardous to allow the winder driver himself to decide whether or not he is capable of driving the machine. Someone else should have this responsibility.

We have over the years unfortunately had some very serious accidents because of winder drivers. On one occasion to my knowledge a whole cageful of men were killed. From time to time fatal accidents occur in the cage or in the shaft and these accidents are sometimes caused inadvertently by the winder driver, who makes a mistake. Therefore I am in favour of this amendment.

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

Ayes—16

Mr. Bertram	Mr. Lapham
Mr. Brady	Mr. May
Mr. Burke	Mr. McIver
Mr. H. D. Evans	Mr. Moir
Mr. Fletcher	Mr. Taylor
Mr. Graham	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Jones	Mr. Davies

(Teller.)

Noes—20

Mr. Bovell	Mr. Mensaros
Mr. Brand	Mr. Mitchell
Mr. Burt	Mr. Naider
Mr. Cash	Mr. O'Connor
Mr. Craig	Mr. O'Neil
Mr. Grayden	Mr. Ridge
Dr. Henn	Mr. Rushton
Mr. Hutchinson	Mr. Stewart
Mr. Lewis	Mr. Williams
Mr. McPharlin	Mr. I. W. Manning

(Teller)

Pairs

Ayes	Noes
Mr. Hall	Mr. Dunn
Mr. Norton	Mr. Kitney
Mr. Bickerton	Mr. Young
Mr. Harman	Mr. Gayfer
Mr. Bateman	Mr. Court
Mr. T. D. Evans	Mr. Runciman

Amendment thus negatived.

Clause put and passed.

Clause 17: Repeal and re-enactment of section 38—

Mr. JONES: I move an amendment—

> Page 11, line 10—Insert after the paragraph designation "(b)" the words "on a Saturday or".

These amendments have been covered during the second reading debate and I therefore do not intend to weary members with repetition. In essence this section provides for work on a weekend and provides that, apart from the provisions of sections 36 and 37, work on a Sunday shall not be permissible except under certain circumstances. My amendment intends that work on a Saturday shall be in the same category as work on a Sunday.

Mr. BOVELL: I made it clear during the second reading debate that I thought it was the province of the miners concerned to decide whether or not they should work. The provision regarding overtime is necessary, especially in the north. I can only repeat that as far as the goldmining industry is concerned every endeavour, where practicable, should, because of the economic conditions facing the industry today, be made to keep the mines in operation.

Mr. MOIR: The Minister's comments today remind me of the problem which the unions have been up against throughout the history of the goldmining industry. Whenever they have approached the court for a betterment in conditions or an increase in remuneration, they have always been confronted with the poor section of the industry. There has always been a marginal mine somewhere and that mine has always been trotted out as a good reason why the workers could not get an improvement in their conditions.

On this occasion we are dealing with the whole of the metalliferous industry in Western Australia, which embraces very lucrative operations in iron ore and nickel; but the goldmining industry is now trotted out as the reason why the workers' conditions should be broken down. For that reason I support the amendment.

Amendment put and negatived.

Mr. JONES: I move an amendment—

> Page 11, line 10—Insert after the word "consent" the words "and the approval of the Union concerned."

The clause deals with the matter of working overtime, wherein it is only necessary for the employer to obtain the permission of the worker concerned. The particular union opposes the measure on the ground that it considers there should be some control over the working of overtime. The union is not suggesting that overtime is not necessary under certain circumstances, but it considers that if overtime is allowed

to be worked willy-nilly it is not in the interests of the employer, the industry, and the employee.

It would not be argued that there is not some control in the working of overtime in industry generally. I know of a number of industries where agreement is reached when it is felt that overtime is required. In these cases, the employer and the union concerned get together to consider the matter and, if it is considered that the requested overtime is essential, in most cases it is agreed to.

It could not be denied that to allow the working of overtime simply for the sake of working it would not be in the interests of the union or of the industry. To my mind, after a man has worked for long hours his labour is not as rewarding as if he had worked shorter hours. There is nothing wrong with the union's suggestion, because it is not objecting to overtime but only requesting that it should be aware of the amount of overtime being worked and should have some say in determining who is to work overtime according to the circumstances.

Mr. BOVELL: This is a ridiculous amendment. It would be most difficult to get the approval of the union; what does it mean? Does it mean the secretary of a union, a meeting of members, or a representative of the union? It would be completely impracticable.

Mr. Jones: What does a union usually mean?

Mr. BOVELL: I suppose it means a meeting of members. It would be an impossible situation if a meeting of members had to be called in order to see whether people who wanted to work overtime could work overtime.

As I understand it, the office of the mining division of the A.W.U. is in Boulder, but mines extend right to the far north-west of the State. In addition, the head office is in Perth. Because I consider the proposal is ridiculous, I oppose the amendment.

Mr. BURT: The Minister's comments illustrate what I was saying when I pointed out that men in Mt. Magnet desired to work overtime, but a union resolution, in which they had no say whatsoever, forbade them to do this.

I ask members of the Committee to consider a situation which could arise whereby a decision had to be made at, perhaps, 3 p.m. on Friday owing to ore which had to be shifted out of the way on the Saturday. If it were suddenly decided to request a shift of men to go in on a Saturday, how could people 400 miles away decide the matter? Would it be necessary to call a special meeting of the union? Surely to goodness the consent of the men concerned would be sufficient.

Mr. MAY: I am amazed at the way the debate is proceeding, especially in connection with this amendment, which I support. I certainly think the Minister has his head in the clouds as far as industrial relations are concerned.

The goldmining industry has been predominant in the debate on the Bill; no other industry has been mentioned. Obviously the Minister has not been up to the iron ore deposits for some considerable time, if he has ever been there.

Mr. Bovell: I have been there.

Mr. MAY: The Minister suggested that the amendment entailed the permission of the union. That is a ludicrous suggestion, because obviously every union has a steward or a union representative in the area concerned. Certainly there is a steward who looks after the interests of the men working for the iron ore companies. I might add that the stewards work in quite good harmony with the management.

Mr. Bovell: Does the amendment say "stewards"?

Mr. MAY: The Minister was Minister for Labour a very long time ago. In the area where I was stationed, the workers work six days a week for 10 hours a day. When Saturday has been completed the men have been on duty for 60 hours for the week in temperatures ranging from 115 to 120 degrees. They have had it by the time the shift is over.

I would like those members who visited the north-west to reflect on the conditions there. It is all right for members of Parliament to travel by plane, to stop overnight, and to proceed somewhere else, but the men concerned are there day after day.

The member for Murchison-Eyre has stated that the men go up there for the money. That is quite right, but members should look at the details in connection with the turnover of men. The majority go there for a period of only six months, because at the end of that time it is possible for them to get their return air fare paid and they come back to Perth. It is time the position was looked at.

If the Minister is serious in what he says, surely to goodness it will not make any difference if the Bill is amended so that the union has some say in the matter. We must look at the safety angle of the industry. Men are coming from all over Australia, and from the Eastern States in particular, to pour into the north-west to make a quick quid. If men are working long hours, it is quite obvious that industrial relations and safety would not be improved by allowing the men to go out after a six months' period.

Members of the Committee should appreciate the conditions involved in working alongside iron ore in temperatures of

115 degrees to 120 degrees for 10 hours a day, with the possibility of being called upon to come in on a Sunday. Admittedly it is to be optional, but, if the union has some say over the men, it can advise that they have to consider their mates.

The union could say to a person who operates a certain piece of equipment that if he gets tired something might happen and an industrial accident could follow which would mean trouble to the industry.

As I mentioned by way of interjection, the Industrial Commission is currently looking into the iron ore industry. The review has been delayed for exactly 12 months, and it will be that time before it comes forward again, because the people concerned are going up to look at the problems. The evidence put before the Industrial Commission is along the same lines as I have indicated today.

All through the debate the Minister has been talking about the goldmining industry, but if he is sincere he must realise it is quite obvious that this measure has been brought down because of the iron ore industry. I would like the Minister to have another look at the situation. If there are to be harmonious relations between management and workers, there must, as far as possible, be union jurisdiction with regard to the men who work in these areas. I support the amendment.

Mr. FLETCHER: I, too, support the amendment. I wish to speak because of the statement made by the Minister that the amendment is ridiculous. There is nothing ridiculous about it, because for years the Amalgamated Engineering Union has been doing precisely what the amendment recommends. Well before I came to Parliament it was being undertaken by agreement. I know the Minister for Labour is aware that the Amalgamated Engineering Union had an agreement whereby a person could work nine hours' overtime in a week, but anything in excess of that had to be sanctioned. I was a shop steward within the S.E.C. before I came to Parliament and that was regularly practised by that union. If several unions, including the Metal Trades Union and the Boilermakers' Union, can do this, so can the unions concerned with the mining industry.

The amendment is thoroughly desirable and there is nothing ridiculous about it. If it is practised in other unions, it can be practised in this one.

Mr. JAMIESON: If the amendment is not agreed to legislation will be placed on the Statute book which will throw industrial relations between the employer and the employee back a number of years. If the individual has no backing, what sort of a position is he going to be in if, when he is approached by the boss to work overtime, he refuses? It is an impossible situation.

A person may have been working for 10 hours or more, as mentioned by the member for Clontarf, before he is approached on the matter. He would have Buckley's chance of refusing if the position were simply between him and the boss. Obviously, he would be dropped off at the first opportunity. We would be returned to the time when the boss was all-powerful in making decisions; that is, when decisions were made by direct negotiation between the employer and the employee. This is not good enough.

Employers have a considerable amount of force behind them in all avenues of industrial relations and they have all sorts of assistance at their command. Surely it is not unreasonable to ask that, before a person is required to work additional overtime, permission shall be given by someone other than the person concerned.

I would hate to think the member for Murchison-Eyre would not agree to such a proposition, because I am sure some of the people who work in his territory would indicate what they thought of the position and of his representation in this place.

If the amendment is not accepted, the workers will have no alternative but to agree; otherwise they will receive the attention of the boss in many other ways. It is unreasonable to expect men to work under those conditions. We have accepted organised labour for a long time and the member for Clontarf has mentioned that the industrial harmony between employers and employees in the north is quite good. This relationship should be maintained on an even keel.

If it is simply a question of agreement between the employer and the employee, the latter is at a terrible disadvantage, because he has not the power behind him to withstand any onslaught that the employer may direct towards him in the future because he did not obey a request that the employer thought was reasonable. Never mind whether the request was reasonable. The boss might have just walked onto the job, having taken over from someone else. The employee might have been on duty for hours. The position is extremely unreasonable and I hope the Committee will agree to the amendment proposed by the member for Collie.

Mr. MOIR: I, too, support the amendment for various reasons. The Government should take a good look at the situation. Is the Government opposed to unions and is the word "union" an anathema to it.

In the metalliferous mining industry the relationships between the mining unions and the employers have, in recent years, been of an excellent standard; in fact, so much so, that they compare very favourably with those in many other industries

in Australia. The Minister seems to consider the amendment is ridiculous, because he asked how a union would be contacted. Where a number of men are working in an industry, whether it is in the south, in the north, or on the goldfields, among the men are union representatives who have a good deal of authority. In addition the union has organisers travelling throughout the north-west, or elsewhere in the State where its members are employed.

I agree with the proposition put forward by the member for Belmont, that a man is placed in a very invidious position when his employer asks him to work overtime. It must not be forgotten that we are speaking of work that is to be performed on a Sunday, and the man, when requested, could have already worked on the Saturday. No worker should be placed in that position. The worker could be a key man. He may operate some machine on which the employment of several other workers depends, and without the presence of this key man they could not be employed. Therefore such a person would not be in a position to refuse to work on a Sunday, whether or not he was fatigued.

A man in charge of a mine section, in handling machinery or explosives, could, when fatigued, make many mistakes which could jeopardise the lives of the workers under his supervision. The provision in the Bill will not be accepted readily by the union, and concerted action will be taken to oppose it.

The Minister has no conception of industrial relationships. Apparently someone in good standing with the Government has requested the legislation and so it has been introduced. The Government considers it has to be bulldozed through irrespective of the facts and arguments placed before the Government in opposition to it. However, as I have said, the Minister has the numbers behind him and that is sufficient.

Mr. TONKIN: There is an aspect of this matter about which few members would know anything. However it has been brought to my notice, and what is proposed in the Bill makes me very concerned. At Hamersley accommodation is provided by the employer, and any worker who crosses the employer is sent on his way. Already we have had examples of this. Recently a new Australian was involved in a disturbance in one of the messes. A policeman was interrogating the new Australian, and one of the foremen went up to him and said, "I am this man's foreman; I would like to help." The policeman said, "Get out of the road." The foreman again said. "I am this man's foreman and I would like to assist him because he does not understand English very well." The policeman then said to him, "If you are not gone by the time I count five you will be for it. One, two, three, four, five; you are under arrest." This man was arrested and placed in the lock-up and subsequently defended by counsel, but no conviction was recorded. However his accommodation was withdrawn and he was tramped.

At Hamersley the company is in a position to withdraw accommodation from any workman who refuses to work on a Sunday when requested. A workman, knowing that situation, would, under duress, work on a Sunday. I suggest it is most unreasonable and unfair, in those circumstances, to give an employer the opportunity to force an employee to work, and that is what could happen at Dampier.

Mr. Bovell: I think the mine management has a greater responsibility than that.

Mr. TONKIN: It is no use the Minister thinking along those lines. I could quote to the Minister two cases that have already occurred. I have cited one where the accommodation was withdrawn and the workman had no alternative but to leave. Every workman at Hamersley knows that if he falls foul of the management his accommodation can be withdrawn and his job goes. In those circumstances what chance would a man have of refusing to work on a Sunday, no matter how fatigued he may be?

Mr. Rushton: Does he know that before he takes the job on?

Mr. TONKIN: What difference does that make? Surely it is not a satisfactory situation where the employer is in a position to wield the big stick!

Mr. Bovell: I do not think the employer wields the big stick.

Mr. TONKIN: Would the member for Dale like us to publicise to every person thinking of going to Hamersley for employment that he is dependent on the employer for accommodation, and that he had better be careful before he applies for a job? They realise that when they get there.

Mr. Burt: If a workman loses his job he naturally loses his accommodation.

Mr. TONKIN: Well, it is a most unreasonable situation in which to place a workman, and that is the position in which he would be placed if he refused to work on a Sunday, if requested. His accommodation would be withdrawn and his job would be gone. He could have some financial obligation and be dependent on his employment for a certain period to enable him to straighten out his financial affairs. What chance would he have of refusing to work on a Sunday in those circumstances?

This provision could make sense if the workman was an entirely free agent and was under no penalty if he declined to do the work requested of him. But that

is not the position. As he would be subject to a penalty—and a substantial penalty in certain cases—if he refused to work, the result is obvious.

Surely to goodness in this age we are not to revert to a position that applied hundreds of years ago where the employer owned a worker body and soul in certain cases, then the workman would be bound hand and foot to the employer and be obliged to do whatever the employer wanted him to do, or lose his job if he refused!

The Committee should agree to the amendment, which will enable the union to take the request into consideration to see if it is reasonable or not. What would the Government lose if it provided this protection to the workmen; or are they to be thrown completely to the wolves?

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

Ayes—17

Mr. Bertram	Mr. May
Mr. Brady	Mr. McIver
Mr. Burke	Mr. Moir
Mr. H. D. Evans	Mr. Sewell
Mr. Fletcher	Mr. Taylor
Mr. Graham	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Jones	Mr. Davies
Mr. Lapham	*(Teller)*

Noes—20

Mr. Bovell	Mr. Mitchell
Mr. Brand	Mr. Nalder
Mr. Burt	Mr. O'Connor
Mr. Cash	Mr. O'Neil
Mr. Craig	Mr. Ridge
Mr. Grayden	Mr. Runciman
Dr. Henn	Mr. Rushton
Mr. Hutchinson	Mr. Stewart
Mr. Lewis	Mr. Williams
Mr. McPharlin	Mr. I. W. Manning
	(Teller)

Pairs

Ayes	Noes
Mr. Hall	Mr. Dunn
Mr. Norton	Mr. Kitney
Mr. Bickerton	Mr. Young
Mr. Harman	Mr. Gayfer
Mr. Bateman	Mr. Court
Mr. T. D. Evans	Mr. Mensaros

Amendment thus negatived.

Clause put and passed.

Clause 18: Repeal and re-enactment of section 39—

Mr. JONES: I move an amendment—

> Page 11, line 38—Insert after the word "underground" the words "without the express consent of the Union concerned."

The remarks I made in the discussion on clause 17 also apply to this amendment. I wonder whether the Government appreciates what could flow from the passing of this measure and what could happen to the good industrial relations which now exist between the employers and the employees. I do not know of many instances in which Parliament has defined in industrial awards what work was permissible. In my view this is the province of the Industrial Commission.

The iron ore award is now before the Industrial Commission, and I do not know where it stands in view of this legislation. Even if the commission considers the provisions in the Bill are not desirable, it will not have the power to override them. It is the generally accepted principle in this State that industrial tribunals are responsible for the determination of industrial awards, and this clause deals with working underground.

We consider that once a person has worked five shifts underground in five days that should be sufficient. I have worked underground, and I know the conditions. People who have worked underground will agree that a person doing physical work underground where ventilation is forced into the workings has had enough after five shifts in a week.

I am aware that emergencies arise from time to time, and that for reasons of sanitation and health a sixth or a seventh shift may be desirable. The unions have complied with requests in the past, and it has not been shown that they have failed to co-operate with the employers in this respect. In introducing the Bill in another place the Minister did not say that problems had arisen under the existing legislation.

This is a question of industrial standards and industrial relationship in the mining industry. I consider these to be the province of the Industrial Commission rather than Parliament to decide. The unions should have some say in regard to the working of overtime, otherwise it could get out of hand and overtime could be worked unnecessarily. There is no need to change something which has operated satisfactorily in the industry.

Mr. BRADY: I support the amendment. I refer to section 39 of the Mines Regulation Act which states—

> No person shall be employed to work below ground in a mine, except in cases of special emergency, for more than thirty-seven and one-half hours in any one week, or for a longer period than seven and one-half hours on any day.

Mr. Cash: When was that inserted into the Act?

Mr. BRADY: In 1954. The amendment in the Bill states—

> 39. (1) A person shall not be employed to work underground—
>
> (a) for more than the hours in any day provided in the relevant Industrial Award unless he is a skipman . . .

This amendment will short-circuit the Industrial Commission, which is supposed to deal with the conditions in industrial awards. It will take away certain powers from that commission.

The amendment is a departure from the recognised practice in industrial arbitration. Parliament should not interfere with the Industrial Commission or industrial awards; if it did it would create a big problem. If one industry can apply successfully for the provision in this clause to be applied to it, then other industries can do likewise.

The people who have approached the Government to have this provision inserted in the Act will cause damage to themselves and to the industry in the long run. Matters such as this should be determined by the Industrial Commission, because it has to deal with disputes between employers and employees covered by industrial awards. In this case some people, for a profit motive, are trying to interfere seriously with the industrial standards which have been set down in Western Australia.

If the Government pursues this matter —having in mind what the member for Collie and I have said—then it will only have itself to blame if something happens in the future to set back the industrial relationship which exists. I hope that some members will on the eve of Christmas, at the conclusion of this period of the session, show some responsibility and give a concession to the workers of this State as a token of their loyalty in seeing the State through in recent years. Severe industrial conditions have been imposed in many industries, and despite the fact that the State is going through a prosperous stage, the workers are not getting the share of the product of industry to which they are entitled. Provisions such as the one in this clause will worsen their conditions.

Mr. BOVELL: The conditions expressed in the Bill operated up till recently. It has been found that the existing provisions in the Act do not cover the position of the mine at Mt. Magnet, which was referred to by the member for Murchison-Eyre. At that mine it is necessary for Saturday work to be done in some weeks, in order that it may maintain its progress. Because it was the accepted practice for many years to work on Saturdays, I think the provision in this clause is warranted in order that the position which previously existed may apply.

Mr. MOIR: It was the general practice in the mining industry for work to be done on Saturdays, but that practice has been discontinued in recent years. However, this does not apply to Sunday work. In isolated cases Saturday work has been carried on, particularly in the mine at Mt. Magnet. The workers in the mining industry have always objected to Saturday work, and the union has not sanctioned it; but because of the pleas put up by the management of the mine at Mt. Magnet the union refrained from taking action when work on Saturday was found to be necessary. In my view the union was at fault in failing to take action.

The question of a sixth shift is a very important industrial matter. Over the years many applications have been made to the Arbitration Court and to the Industrial Commission to fix the hours of labour in mines and the number of days in which those hours have to be worked. In 1946 the union applied to the Arbitration Court for a general award, and after hearing the case, the 5½-day week was reduced to a five-day week. That took place 22 years ago. Now it is proposed in the Bill that we regress to the conditions of 22 years ago, not by the action of the Industrial Commission but by the action of this Parliament.

We are treading on dangerous ground by making industrial decisions in this House. All Parliaments in Australia have refrained from interfering with anything relating to the hours to be worked; but in November, 1968, this Parliament is intruding into this field, to make it possible for six shifts to be worked in a week. I know that at times six shifts a week have been worked in a mine for the purpose of effecting repairs and doing essential work, and I know that on occasions Sunday work has been done in the mines with the approval of the union.

Up till now permission has had to be obtained to carry out developmental work, or the breaking up of ore, on Saturdays and Sundays, and such permission has had to be obtained from the inspector of mines or the Minister.

We are treading on dangerous ground when we cut across the conditions of an industrial award. From memory the award provides for a certain number of hours to be worked in five shifts from Monday to Friday of each week, but with the introduction of the provision in this clause the Minister will interfere with the shift of seven hours and 30 minutes.

The member for Mirrabooka asked when the particular provision was inserted in the Act, and he was told it was inserted in 1954. That is correct, but the shift was then altered from seven hours 12 minutes—which had operated for over 20 years—to seven hours and 30 minutes to bring it into line with the award, and to enable the shifts to be worked in five days of the week. The shift was lengthened to enable the hours to be worked in five days, but now it is proposed to have six shifts in a week and the length of the shifts is to have no bearing.

Mr. Bovell: A sixth shift cannot be worked without the express consent of the miner.

Mr. MOIR: I am aware of that, but pressure can be brought to bear on the miner so that he will agree. In effect, although we see by the Bill that a worker

will have an option, in practice he will have none at all. For that reason I support the amendment.

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

Ayes—17

Mr. Bertram	Mr. May
Mr. Brady	Mr. McIver
Mr. Burke	Mr. Moir
Mr. H. D. Evans	Mr. Sewell
Mr. Fletcher	Mr. Taylor
Mr. Graham	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Jones	Mr. Davies
Mr. Lapham	*(Teller)*

Noes—20

Mr. Bovell	Mr. Mensaros
Mr. Brand	Mr. Mitchell
Mr. Burt	Mr. Nalder
Mr. Cash	Mr. O'Neil
Mr. Craig	Mr. Ridge
Mr. Grayden	Mr. Runciman
Dr. Henn	Mr. Rushton
Mr. Hutchinson	Mr. Stewart
Mr. Lewis	Mr. Williams
Mr. McPharlin	Mr. I. W. Manning
	(Teller)

Pairs

Ayes	Noes
Mr. Hall	Mr. Dunn
Mr. Norton	Mr. Kitney
Mr. Bickerton	Mr. Young
Mr. Harman	Mr. Gayfer
Mr. Bateman	Mr. Court
Mr. T. D. Evans	Mr. O'Connor

Amendment thus negatived.

Mr. JONES: I move an amendment—

Page 12, line 3—Insert after the word "day;" the word "or."

It is felt that the clause is more desirable in this form. Of course, we envisaged that the previous amendment would have been carried allowing for the exercise of some control by the union.

I noticed that when this Bill was introduced in another place, no mention was made by the Minister of the need for the legislation. Surely it was incumbent on the Minister to tell Parliament why this legislation was desirable. This was not done. I am wondering whether it emanated from the employers. There is no dissatisfaction with the present system, because it has worked satisfactorily since 1946.

Mr. BOVELL: This amendment is consequent on the amendment that preceded it and I cannot agree to it. This legislation has been introduced to enable the mining industry to proceed satisfactorily. I think this will be proved. As I have said, the member for Collie is wide of the mark, because I indicated the Minister chaired a meeting in order to iron out these anomalies. It is unfortunate that, in some cases, the union would not agree; but, generally speaking, as far as work on Saturdays is concerned, provided it is performed as a result of consent by the individual miner, then it is a satisfactory arrangement.

I repeat that this legislation has been introduced to try to do something for the mining industry generally, especially in relation to the goldmining industry.

Mr. JAMIESON: I think the Minister has underrated our ability to assess the situation as to what the Bill proposes to do. I think there are too many gold miners, or people representing goldmining interests, around; and it is not good for the Minister to keep harping on this point. He should be honest and say that the measure has more to do with the iron ore industry than the goldmining industry. It does him no good to adopt this sort of attitude; he should be more open to the Committee than he has been.

Amendment put and negatived.

Clause put and passed.

Clauses 19 to 21 put and passed.

Clause 22: Amendment to section 42—

Mr. JONES: I move an amendment—

Page 13, line 2—Insert before the word "in" the word "Sunday".

This amendment is designed to control the amount of work that can be performed in the mining industry. The unions connected with the mining industry wish to have some control so that Saturday and Sunday work will not become a permanent feature of the mining industry.

Mr. BOVELL: This clause relates to work by miners on Sunday with their own consent, and the conditions are somewhat similar to the conditions relating to Saturday work. The miners will clearly not be obliged to work on a Sunday if they do not consent. I think this is a fair proposition as it gives the individual the right to refuse. I do not believe employees will be penalised as I believe the mines management is quite responsible.

If there is any abuse by either side, Parliament can always review legislation that has been enacted. I am one who believes that management and the miners themselves generally show a great deal of responsibility. One or two cases do not prove to me that there is something wrong overall. I oppose the amendment.

Amendment put and negatived.

Mr. JONES: I move an amendment—

Page 13, line 3—Delete the word "underground" and substitute the words "Saturday or Sunday underground".

This is an extension of the previous amendment in relation to Saturday and Sunday work. I do not agree with the remarks of the Minister as we know that in the mining industry different unions deal with different sections of a mine and there is no problem when it comes to arranging the working of overtime with the officials.

Mr. BOVELL: In my opinion if this amendment were accepted it would negate all the work the Committee has done.

Mr. Bertram: That is the object of it.

Mr. BOVELL: I do not share that opinion.

Amendment put and negatived.

Clause put and passed.

Clauses 23 to 27 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

MR. BOVELL (Vasse—Minister for Lands) [5.15 p.m.]: I move—

That the Bill be now read a third time.

MR. TONKIN (Melville—Leader of the Opposition) [5.16 p.m.]: At this stage of the Bill I want to make it perfectly clear that we on this side think this is retrograde legislation. It is something we might have expected 50 years ago, but which is quite out of time these days; that is, to force workmen to work inordinately long hours purely in the interests of industry and employer.

I had come to the conclusion, long since, that we had seen the last of this sort of thing; but we have here an example of what the Government is prepared to do at the request of the employers, and to suit the employers, completely regardless of the interests and the welfare of the workers.

So we again register our protest in respect of this type of legislation. We say it is most unreasonable and at the first opportunity which we get we will attempt to repeal it.

Question put and a division taken with the following result.

Ayes—21

Mr. Bovell	Mr. McPharlin
Mr. Brand	Mr. Mitchell
Mr. Burt	Mr. Nalder
Mr. Cash	Mr. O'Neil
Mr. Court	Mr. Ridge
Mr. Craig	Mr. Runciman
Mr. Grayden	Mr. Rushton
Dr. Henn	Mr. Stewart
Mr. Hutchinson	Mr. Williams
Mr. Lewis	Mr. I. W. Manning
Mr. W. A. Manning	*(Teller)*

Noes—17

Mr. Bertram	Mr. May
Mr. Brady	Mr. McIver
Mr. Burke	Mr. Moir
Mr. H. D. Evans	Mr. Sewell
Mr. Fletcher	Mr. Taylor
Mr. Graham	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Jones	Mr. Davies
Mr. Lapham	*(Teller)*

Pairs

Ayes	Noes
Mr. Dunn	Mr. Hall
Mr. Kitney	Mr. Norton
Mr. Young	Mr. Bickerton
Mr. Gayfer	Mr. Harman
Mr. O'Connor	Mr. Bateman
Mr. Mensaros	Mr. T. D. Evans

Question thus passed.

Bill read a third time and passed.

METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL

Second Reading

Debate resumed from the 29th October.

MR. JAMIESON (Belmont) [5.20 p.m.]: I think the Opposition will, unlike its approach to the previous legislation, be able to arrive at some measure of agreement with this proposition. It will tidy up a few matters which have been of concern to quite a number of members representing areas where the Metropolitan Region Planning Authority has taken action to resume land.

Some of the transactions have been of a procrastinating nature, to say the least; particularly when people found they were under some form of blanket order, and it was not clear under the Act when or where there should be recourse to some form of compensation. This move will improve the position. It probably will not reach the ultimate, and no doubt we will have amendments brought to the House in future years to achieve a degree of agreement between the people affected and the authority.

However, the move is a very welcome one and amongst other things, as the Minister has said, provides that where people are affected by the work of the authority, compensation will be paid within a set time. That situation will be far better than what exists at the present time. Confusion has existed when some people, realising that they were handling a hot potato, quickly got out after receiving some form of payment for injurious affection, which may have been agreed to by the authority. They have then left the new owners holding the baby, as it were, without a complete knowledge of the situation.

It is intended that when action is taken and an owner has been accorded some form of payment for injurious affection, then this will be noted on the title of the property. Any person purchasing that property will have a full knowledge of the situation and will know that action has been taken by the Metropolitan Region Planning Authority. Purchasers of such property would be well advised to make sure of the exact position before they proceed with the transaction.

This, of course, is a measure which, in effect, protects both the owners and the purchasers. I would say we would need to clarify certain ideas that we have had in the past. Provision is included to deal with the time when compensation shall be paid in full, or for injurious affection. Under the provisions at present in the Act, when certain action is taken and property is resumed, there is a set date at which the valuation is fixed. Under the new proposals there is a change in this respect.

In future, a valuation will be established at the time the offer is made by the authority, as distinct from the previous direction under which the authority worked. The matter of injurious affection, of course, is always a contentious one in respect of how much a person is affected; and it will always be a debatable point.

The present legislation sets out several ways by which a person can have some redress by reference to arbitration in accordance with the Arbitration Act of 1895; by reference to the local court if the amount involved is not very high; and by reference to the Supreme Court if the amount is more than $1,000. Also, very wide scope is allowed for some other method of assessing payment, agreed upon by the authority and the owner of the land.

I think that just about every avenue possible for arriving at some form of satisfactory negotiation must be covered under those headings. Indeed, sometimes when the authority is dealing with some of these people, it will probably need all those headings and possibly a lot more.

Some people are very concerned with resumptions by the Metropolitan Region Planning Authority, particularly those in the areas adjacent to land which is subdivided into residential lots. I understand that a group of poultry farmers on the edge of what is known as Craig Lake, at Kewdale, moved to subdivide into residential lots. However, they discovered there was a blanket cover over their area. They felt they would be badly done by if they did not receive the same price for their land as that received for the adjacent subdivided and residential land.

This decision caused a considerable amount of argument, particularly as the set date, which I mentioned earlier, applied at the time. In view of the fact that valuations were increasing very rapidly, there were some animated discussions between the group of Scotch fellows who owned the poultry farms and the Metropolitan Region Planning Authority. As a matter of fact, they came to see me and they brought with them every Act which was available. They were their own lawyers, so to speak, but they discovered that no matter where they turned they were stuck with the situation. Apparently, the Government has appreciated the degree of unfairness and has moved to change the position.

The first move to be made when a person owning a property learns that it is to be ultimately taken over, or injuriously affected, has to be made at the time he wishes to sell, or at the time he finds there is some form of hold over his property. Very often the first indication an owner has that there is a blanket ban over his property—despite the advertisments that appear—is when he approaches the local authority to get a permit to carry out improvements.

The local authority immediately advises him that he cannot proceed with the improvements because the property is under some form of blanket cover, governed by the Metropolitan Region Planning Authority.

Within three months of the move to sell the property, or the move to carry out improvements, the authority must make an offer or complete its negotiations. At least, the transactions will now get to the offer stage. This has been one of the main complaints in the past, and there has been much ill-feeling between the people concerned and the Metropolitan Region Planning Authority. Usually, of course, the authority did not feel the effect because it allowed the land resumption section of the Public Works Department to do its dirty work. Therefore, it did not feel the repercussions from time to time.

I have covered most of the aspects which I consider required comment. The move on the part of the Government will enable many landholders who may be affected from time to time to be more equitably dealt with.

One other matter I mention briefly is that there will be a *caveat* on the title to show that injurious affection has already been taken into account for the property and, as I understand it, the date of the payment will be shown so that there will be no chance of anyone, at a later stage, coming along and trying to make a further claim for injurious affection. The details will be shown on the title.

The fact that the Bill allows for increasing land prices to be adjusted by permitting a review if the land is not sold within 12 months of the previous valuation, is a good move, and it will help to solve many problems with which people have been faced in the past. Some people have found their property has been under a blanket order for some considerable time—particularly those with smaller properties in which they are the only persons concerned —and the amendment in the Bill will overcome the difficulty. In many cases nobody bothers about them and they are not notified. It is only when they want to carry out some improvements, or to sell their properties, that they find they have problems.

I think these amendments will solve many of those problems, and they will allow for a revaluation at a time which is nearer to when the payment will have to be made, either for total compensation, or injurious affection.

With those remarks, I support the Bill. Probably it is not the ultimate and it will be necessary, over the years, to introduce further amendments. However, we are somewhat in the category of pathfinders

with legislation of this type, as I understand it, in the cities of Australia. In recent times, South Australia seems to have made a move to introduce similar legislation, but the authorities there are finding the same sort of difficulties in implementing the legislation as we found some years ago. However, that is all to the good, and ultimately legislation of this type should lead to an improvement in the planning of all cities.

Both the Government and private individuals have to recognise that at times it is necessary for properties to be taken over to fit in with the scheme of things. This is vitally necessary, but we must ensure that we obviate as many difficulties as possible in the negotiations between the Government and the people concerned. As I pointed out, it is almost impossible to cover every aspect which may be argued in trying to decide what is a fair and proper valuation, or what should be paid for injurious affection. These cases will crop up quite frequently and such amendments as are necessary from time to time will have to be made. I support the measure.

MR. LEWIS (Moore—Minister for Education) [5.34 p.m.]: I thank the member for Belmont for his general support of the Bill. With an Act of this character, which was first put on the Statute book in 1959, it must be expected that amendments will be necessary from time to time. That is what has occurred with this Act, and the Bill before us is an attempt to plug up one or two of the loopholes which have arisen over the period and the amendments in it are designed to improve the position, or to give more favourable treatment to the owners of land.

I do not think there is any need for me to go over all aspects of the Bill at this stage; because in my second reading speech I dealt with the amendments fairly fully and I told members what the Bill purported to do and the means by which that was to be done. The member for Belmont, who has quite obviously made a very close study of the legislation, has dealt with all aspects of it; and the measure, as it emerged from another place, is somewhat different from the Bill that was introduced there. While in that House it received some searching examination and a number of amendments were made to it. As a result, the Bill now before us appears to satisfy all concerned. If it is found in practice that further amendments are necessary they will be introduced. However, sufficient unto the day; the Bill is a genuine effort to improve the lot of landowners.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Lewis (Minister for Education), and passed.

METROPOLITAN REGION TOWN PLANNING SCHEME ACT AMENDMENT BILL (No. 2)

Council's Message

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

HOUSING ADVANCES (CONTRACTS WITH INFANTS) BILL

Second Reading

Debate resumed from the 29th October.

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [5.38 p.m.]: I have suggested on several occasions that we in this State should give some serious thought and attention to the matter of reducing the age of majority. To me it is pleasing to see signs here and there throughout the Commonwealth of a trend in this direction. My view is that the present age of 21 is old fashioned and inappropriate; and, in addition, I think members will agree that if responsibility is placed on younger people, generally speaking they tend to respond.

In the United Kingdom in 1965 a committee was set up, and it made inquiries and deliberated for some two years. Ultimately it came to the conclusion, on all counts—in respect of voting and, as we have here, the acquisition of property, the making of wills, and all other considerations where there is an age limit—that 18 should be the age—not 19, 20, or 21, but 18. The volume, which is available here, is a most enlightening one, and I have taken great pleasure in reading it.

For this reason let me say first of all that I support the second reading of the Bill. Largely the only criticism I find with it is that it is a nervous step in a certain direction. Members will note that the Bill applies, for a start, to the purchase of a house for the subject's occupation. In this respect I cannot see why there is that limitation. If a person under the age of 21 years—that is to say, one who has attained his 18th birthday—is to be permitted to purchase a house, does it matter much whether it be for his own occupation or, as I have said, for anybody else's occupation? I think we tend to be a little bit hesitant; but it is heartening that we are moving in the right direction.

I do not want to say any more than that, other than to quote several paragraphs from the Report of the Committee on the Age of Majority, as the report is styled. It was presented to the British Parliament in July last year, and I shall quote from paragraph 387 onwards. This paragraph appears on page 100 of that publication and this portion of the report deals with the matter which is the subject of this Bill. I quote—

> 387. There are two aspects of our changing society which have forcibly impressed themselves upon us throughout all our deliberations.
>
> 388. The first, as we have seen in Part II, is the steep rise in recent years in the number of marriages of persons under 21; whatever view is taken about the desirability of such a trend, it is occurring under and in spite of the restraints which the present law imposes. Much of our evidence in this sphere reveals that in marriages contracted between infants —albeit with the blessing of their parents—many couples soon encounter the difficulty of being unable to rent or buy a home of their own. Although this difficulty may be overcome with the assistance of wealthier parents or relatives who are willing to buy or rent in their own name a home for the young marrieds, the great majority would not be in that position. The hazards of spending the first months or even years of young married life with in-laws or other relatives are self-evident.
>
> 389. Secondly, the change in the economic structure that has occurred in recent years has resulted in a substantial increase in the earning capacity of the young; it is common knowledge and supported by our evidence that young persons of 18 and upwards are earning in employment a living wage not so much less and in some cases more than their parents. The combined purchasing power of a couple both of whom are working is considerable but it is inhibited by the present legal restrictions and disqualifications.
>
> 390. The evidence that we have received from institutional lenders indicates that they regard as a matter of primary importance in granting loans the ability of the borrower to maintain repayments of capital and interest by the prescribed instalments and that in cases of marginal financial status a guarantee from a third party is required. Correspondingly in cases in which advances are made to adults on behalf of persons under 21, they consider in the first instance the means of the infant, relying secondarily on the status of the adult borrower. While therefore there is little doubt that in many cases infant married couples do not acquire a sufficient financial standing to enable them to embark upon house purchase, it is our opinion that the removal of this legal restriction for those who have attained the age of 18 would assist many young married couples.
>
> 391. As to the position of real property generally, it seems to us that the prohibitions against the holding of a legal estate by persons under 21 was created as a complement to the general law upon the attainment of legal capacities at 21. We see no disadvantage and some important benefits in altering these provisions to accord with our general recommendation.

The recommendation was—

> We recommend that a person should be able to hold a legal estate in land at 18.

I think that recommendation, following two years' investigation, admirably summarises the situation.

I should like the Minister to give attention to the points I have raised; namely, as to whether it is necessary to have a restriction on a person of 18 years of age who legally may hereafter borrow to purchase a house for his own occupation.

I do not know what that means, because even if that were his intention initially there would be nothing, surely, to prevent his disposing of it after he had commenced the purchase of the house and before he was 21 years of age—he might, for instance, have changed his mind, or he might have decided to move to another area.

I say no more than that. The Bill has my blessing, but I trust the Government will examine this whole question of getting away from 21 years as being the age of majority, because there is something archaic about it, and modern investigation will show that young people are well equipped and well able to undertake full responsibility at a lesser age than that.

MR. JAMIESON (Belmont) [5.46 p.m.]: The only point to which I wish to refer is that made by the Deputy Leader of the Opposition in connection with the purchase by a person of a home in which he proposes to reside. Any junior who is prudent enought to buy a home and who is avanced enough in his thinking to put down a deposit with a view to moving into the house himself at a later stage—even if it is not bought as an investment —should be permitted to carry out such transaction.

There is any number of 18-year-olds who are able to put a deposit on a property and who may be called up for national service. They may not be in a position to marry and live in the house

at a particular time, but they could possibly rent it. It would be an asset for them and at the appropriate time they would be able to move into it.

As the Bill is set out at the moment it runs against the interests of the prudent and responsible person in the community who is prepared to take some action on his own account.

I am sure the Minister is aware of the fact that not many questions are asked when juniors pay cash, even though this may be against the law in certain cases. If we can help these people who are trying to help themselves at a younger age than is generally the case, we should do all we can to assist them; we should not place restrictions in their way as seems to be implied by the Bill before us. The Bill implies that a junior should be buying the house for his family to live in rather than for himself. We should assist these young people all we can.

MR. CASH (Mirrabooka) [5.48 p.m.]: I have previously proposed to the Government that the whole aspect of the age of majority should be looked into, and I am indeed pleased that this legislation has been brought forward.

The Bill protects young people who wish to purchase their own home. At a time when so many young people are getting married and when they have far greater opportunities to purchase a home than was the case previously, I feel certain that the legislation before us is very necessary indeed, and I fully support it. I am sure it will receive the support of the House.

MR. COURT (Nedlands—Minister for Industrial Development) [5.49 p.m.]: I thank members for their support of this legislation. The main query raised by the Deputy Leader of the Opposition and the member for Belmont is in respect of the provision in the Bill which refers to a dwelling for an infant's own occupation.

I think there was good reason for including this provision in the Bill, having regard to the circumstances and the atmosphere in which the legislation was introduced. If we were dealing with this on the broad issue of the age of majority and minority then, of course, it would be different and such a provision would not be contemplated if we were to go so far as to reduce the overall age of responsibility.

In this case, however, we are dealing with a specific case related to housing and I think it is fair enough to provide that the objective of the infant shall be to acquire a dwelling house for his or her occupation.

As I see the legislation, it is not so restrictive as the words of the Deputy Leader of the Opposition and the member for Belmont would indicate. It does not say they must march into it the day they acquire their house. I should imagine there would be a degree of tolerance within the situation whereby they can acquire the house ready for occupation. It is possible that they may be thinking of getting married in 12 months' time.

A lending institution would want to protect its security under the terms of the legislation, and if it were reasonably satisfied that the infant was going to occupy the house, then I do not think there would be any impediment.

The Deputy Leader of the Opposition referred to the general question of age. I think it has been made clear on previous occasions by the Premier that the Government is actively considering this overall question, but it feels strongly that it would be quite wrong within the Australian federation of States to get out of line, particularly in view of the greatly increased movement from State to State. For instance I could see a chaotic situation developing in the matter of voting.

Mr. Jamieson: They are out of line in other things.

Mr. COURT: Not in such a vital matter as this. The fact that the States and the Commonwealth are taking this up as a general issue, makes me feel that when we do make a move on this question of coming down from 21 years to 18 years it could be a decisive step, as was suggested by the Deputy Leader of the Opposition. But I feel very strongly that when we do make this decision it should not be a half-baked responsibility.

If people are to be given the right to make contracts on these matters at this lower age, they must accept their full share of responsibility. I can visualise some members of the community rising up every time action is taken against a person who may be 19, and I can visualise their saying, "It is a brutal thing that we do this, because he is only 19." If these young people are given this right—and it is a right—they must accept the responsibility that goes with it.

Mr. Graham: They will measure up.

Mr. COURT: This is the other side to the coin. I find it a strange thing that this demand for a greater voice to be given to our young people should come at a time when a certain section of them have never been more dependent upon their parents and others than they are at the moment; because there is an ever-increasing tendency for them to remain at school longer and to continue at the University until they are well past 21 years of age. They are very dependent on their parents; more so than was the case in the days of the secondary schooling and higher education of most members in this Chamber.

I do not say this by way of criticism or as a deterrent to taking this decision. But this is one of the inconsistencies that arise

in connection with a group of people who are more dependent on their guardians and parents than before and who at the same time demand at a lower age more and certain responsibilities and privileges, and a greater voice in things.

Mr. Graham: They are really dependent in a financial sense. After all, pensioners are dependent upon other people in a financial sense only.

Mr. COURT: I do not think we can draw a comparison between a pensioner of advanced years and a young person who is coming up to take his place in the community. I am not putting this forward as a reason why we should delay our consideration of this question, but merely to point out the inconsistency that occurs when one starts to face up to a major social question.

Mr. Jamieson: You look as though you have been re-reading your speech of the 1954 session.

Mr. COURT: Sometimes it pays to read past speeches.

Mr. Graham: Surely you do not self-inflict that agony.

Mr. COURT: One derives a great deal of humour from reading one's past speeches, but not nearly as much humour as one gets from reading the past speeches of one's contemporaries.

Mr. Tonkin: You should read the one about taxation.

Question put and passed.

Bill read a second time.

In Committee

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

Clauses 1 and 2 put and passed.

Clause 3: Power of certain infants to make certain contracts, etc.—

Mr. GRAHAM: I indicated I thought it was unreal and unnecessarily restrictive even to suggest that people in the category covered by this Bill should be required to borrow money for the erection or purchase of a house for their own occupation. How can this be given effect? It cannot. It is not suggested for one moment that the Commonwealth Bank, or any other bank, shall be limited in that regard, though the bank may represent it as a condition of the advance.

What happens if the young man changes his mind because he is transferred to another State or another part of this State, or finds another house more suitable to his requirements? If a young person is trustworthy and an acceptable client in the eyes of the lending institution, that is all that should matter in regard to housing. This is restrictive and could not be policed at all. I move an amendment—

Page 2, lines 16 and 17—Delete the words "for his occupation".

Mr. COURT: I appreciate the sentiments that motivate the Deputy Leader of the Opposition, but I must oppose his amendment. As I endeavoured to explain during the second reading, we have to consider this particular measure not in the atmosphere of deciding whether the contractual age is to be reduced from 21 years to 18 years, but in the light of a specific piece of legislation dealing with housing advances. If we accept this as the basis on which we consider the legislation, there is good reason for retaining reference to a dwelling house for a person's occupation.

I do not wish to start an argument as to whether young people are more mature today than they used to be—I am inclined to agree with the sentiments expressed on this point by the Leader of the Opposition, but I do not think that is pertinent to the argument—but if we consider the matter in the atmosphere and circumstances under which we are introducing this legislation, we have to accept this premise that the contractual age of 21 was retained to protect the minor.

If a minor purchases a house for his own occupation, it is a very commendable thing and it is most unlikely he would be subjected to any transaction in which he could have been—to use a colloquial expression—taken for a ride. In most cases, it would be to the benefit of the minor. But assuming he was sold a house for his own occupation which was not a particularly good bargain—a transaction of some doubtful origin—at least he could only be confined to that one particular transaction. There is the possibility of a minor being committed to a number of transactions if the amendment moved by the Deputy Leader of the Opposition is accepted, and this would be beyond the means of a young person.

If we were considering this matter in an atmosphere of bringing the age of 21 years in relation to enforceable contracts down to 18 years, there would be a different situation, because this provision would have no point at all. In fact, it would not be included, because one would have to deal with it in regard to the total question of the age for enforceable contracts.

Mr. Graham: What happens in the case of a minor who purchases and for some reason finds it necessary to dispose of the dwelling?

Mr. COURT: I can see no objection, or impediment, to his disposing of it. There is provision for him to mortgage; and when it comes to the question of a sale, there is no impediment at all.

Mr. Graham: Therefore, if a minor bought a house with the deliberate intent of using it as an investment, there would be nothing to stop him from disposing of it.

Mr. COURT: The Deputy Leader of the Opposition is only strengthening my argument. I would not say that somebody shrewd enough could not do this, but he would be confining his transactions to one at a time. If the amendment is accepted, all of the restrictions will be removed. This will come about, if and when the State and the nation reduce the age from 21 to 18 years. In my opinion there is no field in which this can be done more safely than in relation to dwellings and property generally; but it is much better to do this on a nation-wide basis with a degree of uniformity than by a piecemeal business.

Mr. GRAHAM: I find myself in the extreme position of agreeing with the Minister for Industrial Development. I am not going to argue this other than to indicate to the Committee that I fancy the Minister agrees with what I have said, and the only reason he is putting up the front which he is putting up is that it is the Government's desire that there shall not be any further delay by the Bill having to go to the Legislative Council.

Mr. Court: Not quite.

Amendment put and negatived.

Clause put and passed.

Clauses 4 and 5 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. Court (Minister for Industrial Development), and passed.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND) 1968-69

Returned

Bill returned from the Council without amendment.

ELECTRICITY TRANSMISSION MAINS

Crossing of River at East Fremantle: Motion

Debate resumed, from the 9th October, on the following motion by Mr. Fletcher:—

> That in the opinion of this House electric transmission mains should not be permitted to be installed other than in the form of underground and underriver cables in the proposed locality from East Fremantle to opposite foreshore.

MR. NALDER (Katanning—Minister for Electricity) [6.5 p.m.]: This motion refers to underriver cables together with the suggestion that cables approaching the river should go underground. There are three important and convincing reasons why an aerial crossing is preferable to an underwater crossing.

Firstly, an aerial crossing is technically far simpler, provides a more secure supply, and, in the event of a failure, can be repaired more quickly than a submarine cable.

The second reason is that an aerial crossing is far less costly than the alternative underwater crossing.

The third reason that favours the aerial route is that it can be constructed much more quickly, and time is now an important factor.

I want to underline this situation. One of the reasons this motion is being debated this evening is that it has become urgent that this construction be proceeded with, because unless some action is taken by the State Electricity Commission it is quite possible and probable that next winter's load will affect the situation in part of the northern suburbs which this line is proposed to assist.

I now want to mention the technical factors. The transmission of electricity through cables of any type generates heat, and the amount of heat increases by the square of the current carried by the cable.

In the case of aerial cable, the air itself provides the necessary insulation and it readily removes the heat generated in the aerial conductor at little or no cost. On the other hand, underground cable must be electrically insulated by many layers of paper which adversely affects the disposal of the heat generated in the cable. To counter the damaging heating effects, it is necessary to increase the size of the cable considerably to reduce the quantity of heat produced. The insulating papers around the underground cable are fragile and to preserve them from mechanical damage and the ingress of moisture, they in turn are enclosed in a metal sheath of aluminium or lead around which steel or similar armouring is formed.

Underwater cable is still further protected to resist water pressures and to counter the ravages of accelerated corrosion met with in sea and river beds. Underground and underwater cables of 132,000 volts are filled with oil under pressure to assist electrical insulation. This pressure must be maintained continuously from head tanks mounted in conjunction

with the terminal towers, or in underground vaults. For these reasons underground and underwater cables are far more sophisticated and costly than aerial cables.

Underground and underwater cables that will carry 132,000 volts are not made in Australia and it would take at least 12 months to have them manufactured and supplied from the overseas makers. The underground cable must be laid in a dredged channel in the river bed. The channel must be backfilled with protective sand some feet thick and then the whole covered by hand-packed stones to avoid mechanical damage from river craft.

Aerial cables and underground and underwater cables all require maintenance as operating failures occur from a variety of causes. Faults in the underground and underwater cables are hard to locate and it takes a considerable time to effect repairs under very difficult conditions, requiring specialist plant. There are no underground or underwater cables of this voltage in Western Australia and there is no staff skilled in servicing cables at this high voltage.

The transmission line is required now, so cannot be supported by a bridge of the future. There are no transmission cables on the Sydney Harbour Bridge. The use of bridges assumes—

1. that the entire route of the transmission line would be underground. This is impossible financially; or
2. that aerial construction can be used to the approaches of the bridge. The only bridges are the Fremantle road and railway bridges and the approaches to these bridges are too close to the ocean and they parallel routes of communication services used by the P.M.G.'s Department and the Railways Department.

There is no comparison between the two services.

Under high wind conditions, salt water spray becomes airborne from the waves breaking on the coastline. The spray builds up a deposit on the insulators of the 66,000 volt line at present located along the roadway near the railway line. This is the most troublesome section of the transmission line in the S.E.C.'s system due to moist, damp conditions making the salt deposit a conductor of electricity. The current so formed causes the pole top to become hot, and it eventually catches fire.

This has occurred on many occasions and has allowed the line to fall to the ground. The same effect, but to a far greater extent, would occur with the considerably higher voltage 132,000 volt line. Its reliability would be totally unsatisfactory, and, due to the capacity of the line, would result in failure of supply to a very large area, and to thousands of consumers. No electricity authority would consider building such an important line in a situation like this.

Reference was made by the honourable member to the cable across the harbour at Fremantle. The 6,000-volt cable across the harbour has a capacity of about 1 MW, whilst the South Fremantle-Shenton Park link must be capable of 200 MWs at a voltage 22 times as great. The harbour cable is only a standby supply to part of the load of only one consumer; even so it had to be relaid on at least two occasions.

Underwater cables have greater difficulty even than underground cables to dissipate the heat generated by the passage of electricity, due to the additional armouring and corrosion resistant protection necessary. To alleviate the condition, it is necessary to use a larger size of conductor even than for an underground cable, which in turn contributes to its higher cost.

Underwater cables at 132,000 volts were laid across Botany Bay near Sydney by a firm of world-wide repute. Within a very short space of time the cables failed and had to be lifted. Considerable modification was made to their construction and they were relaid. This was within the last six or seven years. Now it is necessary to raise the cables and deepen the navigation channel to meet changes in the port usage and relay the cables again. In the meantime, which amounts to some months, the cable route is lost as a means of getting power from generating stations in the south to a large part of the Sydney metropolitan area.

The information I have given in this debate shows why a river crossing using underwater cable would cost $300,000 compared with only $50,000 for an aerial crossing, including the supporting towers. The additional cost would provide no tangible benefits to consumers, and would introduce hazards with which the available manpower is not trained to cope.

The commission has no surplus funds from which the extra $250,000 can be provided. Its capital programme for the current financial year is the highest in the commission's history and to meet it the Government has provided as much money from General Loan Funds as can be spared. The balance of the commission's capital spendings must be found from loans raised by the commission, from profits, and from depreciation.

It will take all funds that are available from all of these sources to meet the year's estimated expenditure. The extra $250,000 could be provided by the State only if the allocations for other essential services such as schools and hospitals were reduced.

It must be remembered, too, that interest and depreciaton must be charged on capital expenditure. The unnecessary expenditure of $250,000 would therefore increase the commission's annual capital charges by about $23,000. These charges would confer no benefit on the consumers and would be unnecessary charges on the commission's costs which are, of course, carried by the consumers.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. NALDER: Before the tea suspension I was making the point that the additional cost of $250,000, which is the estimated cost to put the power lines under the river, would be of no advantage to the consuming public of this State and, of course, any additional charges which would be brought about by this cost would be added to the figure which the consumer would ultimately pay.

To continue, I would say one of the main functions of the commission is to protect the consumers' interests, and the extra capital expenditure caused by an underwater crossing of the river would be an eventual burden on the costs paid by the consumers.

It is estimated that the 13-mile route from the South Fremantle generating station to Shenton Park, using underground cable, would cost in the vicinity of $2,800,000. The honourable member proposed that the line should go into the air at Swanbourne. This could result in reducing the cost by $600,000 leaving still a considerable additional expense for no tangible benefit, and most likely a greater hazard to the security of the electricity supply.

The power line will not interfere with the use of the river by any yacht clubs. Protests must be supported by sound reason. The East Fremantle Yacht Club is out of its depth and is ill-informed when it assumes that submarine cables could be laid near to the cost of aerial crossings, or at little additional cost. The supporting towers will be graceful, and will give a crossing at less than one-sixth of the cost of the submarine one. The only reason given by the club is fear of "unsightly towers": not a convincing reason to spend $250,000 of public money with its recurring annual charges to electricity users of the State.

The S.E.C. has no surplus funds. The surplus of revenue over expenditure in one year is used by the commission in the capital works programme for the following year. The extra cent per unit suggested by the member for Fremantle would increase the charges to the domestic consumer by over 52 per cent. This would not be favourably received by anyone, and would cripple the State's progress.

The S.E.C's public loans for economically sound works are not receiving the support they should, leaving much to be raised by the underwriters. This is generally the fate of semi-governmental loans throughout Australia at the present time. Approval for such a loan would have to be given by the Loan Council as it would be in excess of normal borrowing. Approval is most unlikely. The loan, if made, would have to be paid back and its interest charges met. This can only be done by increased charges for electricity—the very thing we are all trying to avoid.

I would like to summarise in this way—

(1) Capital is not available for uneconomical work without any tangible benefit.

(2) Capital cannot be raised in the various ways suggested.

The member for Fremantle has suggested that the line be placed underground near the river. Should the "out-of-sight" method be extended to any part of the land portion of the route, the cost would be 14 times that for the aerial supply for the distance affected. Again, it would provide a less reliable service. Should the mixed underground and aerial system be considered, clumsy steel towers would be essential to terminate the underground cable at the point where the aerial system would end.

A 132,000-volt transmission line has already been built from the East Perth generating station through parts of Floreat Park to Shenton Park to the standard proposed for the land portion of the Shenton Park to South Fremantle generating station route.

Much thought has been given to produce an acceptable yet efficient structure. Carefully selected poles have been used throughout, surmounted by a very neat porcelain insulator arrangement. The use of crossarms has been avoided, resulting in a well proportioned and almost pleasing structure. This aesthetically satisfactory development is now working and has been accepted without criticism. Its adoption on the remainder of the route will soon convince the residents that their fears of unsightliness are completely unfounded.

Elegantly designed towers on each side of the river joined by almost imperceptible wires at a height which will not limit the enjoyment of the river, will have no adverse impact on the community. They will provide a secure electrical service as well as releasing $250,000 for essential public works, such as bringing electricity to consumers at present outside the fringe of supply.

I think I should emphasise that point in relation to what I have already said regarding the situation in Western Australia at the present time. There are many areas in the State where it will be possible, economically as well as practicably, to extend power in the future. While we are in this position, we cannot afford to deprive many of the State's people from

enjoying a similar facility to the one which is enjoyed by the majority of the people in this State.

The information that has been given suggests that the matter has not been treated lightly. I might mention that in recent months I have had the opportunity to survey the situation in Melbourne and in South Australia, and very little undergrounding is being undertaken by the commissions in either of those two States. The indication is that where people can legitimately develop land, sell it economically to house builders and pay for the difference, then it is possible for them to proceed in this way. I found that only a handful of houses had the advantage of undergrounding in Victoria. Of course it is a fairly costly business. The South Australian Government proceeded with the undergrounding of a city in South Australia some years ago.

Mr. Williams: Elizabeth.

Mr. NALDER: Yes, Elizabeth; but the cost was prohibitive and that State has gone back to the overhead lines. This indicates that Australia is not in a position at the present time to develop the costly business of undergrounding. It has been proved in the case before the House that a considerable sum of extra money would be required and, therefore, I oppose the motion.

MR. TONKIN (Melville—Leader of the Opposition) [7.40 p.m.]: I had hoped that the Minister would make some explanation as to why the first proposal was turned down by the Government and the second proposal adopted; because surely every one of the arguments advanced for the second proposal must have applied with equal force to the first proposal. If there is no validity in the arguments being advanced by those who are opposed to the aerial crossing of the river, then there could not have been any validity with regard to the first proposal. Yet the Government rejected the first proposal.

Mr. Nalder: The Government did not reject the first proposal.

Mr. TONKIN: The Government changed to the second proposal; it did not adopt the first proposal. On this question the Minister may not be aware that officers of the State Electricity Commission went down and met the mayor and councillors of East Fremantle. During the discussion, the mayor and councillors of East Fremantle were told that the commission was instructed to look for another route. I asked the Minister a question on this the other day and his reply was that they were not so instructed. The mayor of East Fremantle told me himself that the officers of the commission, when dealing with this question, informed him and the members of the council that the first proposal was not acceptable to the Government and they were instructed to look for another route. Apparently they did look for another route because they found another one.

I want to know why the first route was not acceptable when the second one was; because surely all of the arguments advanced by the Minister in support of the second proposal must have been in support of the first proposal. Therefore, there would be no reason for the Government to reject the first proposal. It is no good the Minister saying the Government did not reject the first proposal; because, if it did not, how did it come about that the commission looked for a second one? Surely the Minister is not going to deny that there have been two proposals.

Mr. Nalder: Certainly I am not.

Mr. TONKIN: What happened to the first one?

Mr. Nalder: It was not a decision of the Government but of the S.E.C. itself.

Mr. TONKIN: It was not published as such. The first proposal was considered by the Swan River Conservation Board, which opposed it as it did the second one.

Mr. Nalder: The board met the commission to discuss this matter.

Mr. TONKIN: Yes, but the board opposed both proposals; it opposed the first proposal and it opposed the second proposal. Surely all of the arguments which the Minister has used here this evening were presented to the Swan River Conservation Board.

Of course, if we accept that the cost of an underwater crossing is prohibitive now, then we have to accept that in the future it will be more prohibitive. Therefore, all we can look for from now on is further aerial crossings of the river; because if it is too costly to put this first one under the water or along a bridge, it will certainly be more costly to put any further crossings under the water or along a bridge—and there are going to be more. I have been told that already routes for further crossings have been suggested to the Metropolitan Region Planning Authority, so we can accept that one crossing is going to be insufficient.

Perth has to accept the situation that if it is too costly to go underwater now, then every additional crossing of the river is going to be an aerial crossing. I leave it to members to visualise what the river is going to look like when we keep on taking these high powered wires across at different places. It is a very strange thing that other countries have been able to put their power lines underground.

Are we so poverty stricken in this State that we have to accept for all time that these wires should be put in the air? Are we going to multiply the situation and

say that we have to forget for all time the possibility of removing the poles and unsightly wires and putting them out of sight? Other countries have found it possible to put them underground.

Mr. Nalder: After they have reached the situation where they find no other extensions are necessary. In the United States of America for instance, 98 per cent. of the population is connected with power.

Mr. O'Neil: The mains are underground in the City of Perth, too, where economics warrant it.

Mr. TONKIN: Well, why cannot the mains be put underground elsewhere? Apparently the situation here is that it is all right to put these lines across the river aerially at East Fremantle in accordance with the second proposal, but it was not all right to put them across the river aerially, at Bicton, and that is why the State Electricity Commission was requested to look for a second route. The Minister has not given a reason and there must be one, or does the Government act without reason?

Mr. Rushton: What is your opinion of the suggestion you are making?

Mr. TONKIN: I thought I was in the process of expressing it. My opinion is that the mains should be placed under water.

Mr. Rushton: No; I meant the second route of the mains about which you made some implication.

Mr. TONKIN: My opinion is that it was not acceptable to the district. I believe that where the Government proposed to put the mains in the first place was subjected to too much influential oppositon. The opposition to the first proposal was influential opposition and, because of that, the Government scrapped that route and asked the S.E.C. to look for another. That is what I am complaining about.

So, in regard to the first route, all the opposition did was not to ensure that the power lines were put under water, but to shift them to another area where the opposing influence was not so powerful. No wonder the member for Fremantle complains about the matter, because the route has been shifted into his district.

Mr. O'Neil: From yours.

Mr. TONKIN: From mine; that is right, and it was not all in mine; there is some to go through the Minister's electorate.

Mr. O'Neil: No, I still refute that.

Mr. TONKIN: It has been impossible to get a plan of the route from the South Fremantle power station to the point where it was to cross Blackwall Reach, and I do not know how it was to go down there without coming from the Minister's territory. However, he could be right about it; I do not know.

Mr. Brand: The Minister has never raised any complaint about it to the Government.

Mr. TONKIN: I am not suggesting that he himself complained about it, but it is only commonsense that there must have been some opposition to the first route from some source which resulted in the Government asking the S.E.C. to change the route, which the Minister denies.

Mr. Brand: And then pushed it through the area represented by the Minister for Works.

Mr. Ross Hutchinson: It has gone through mine, anyway.

Mr. O'Neil: You are not influential enough!

Mr. TONKIN: I refuse to believe that the cost is so prohibitive, as is made out, and that the S.E.C. is so concerned, anyhow. Why, at the present time the S.E.C. is deliberately burning oil to generate electricity at South Fremantle at a cost greater than it could generate it with coal. It is deliberately costing itself money. It could be generating electricity at Muja, or at Bunbury, with coal, but it prefers to generate it with oil at South Fremantle at greater cost. So that makes this argument about cost a little hollow.

Mr. Nalder: With your experience you would surely know that when the S.E.C. requires a peak load it takes the power from the easiest and most convenient place.

Mr. TONKIN: That is not the situation.

Mr. Nalder: It is the situation.

Mr. TONKIN: No, it is not.

Mr. Nalder: Well, you wait and see what the year brings about.

Mr. TONKIN: The State Electricity Commission is stockpiling coal at Bunbury now against the peak load for next winter.

Mr. Nalder: And the holiday period.

Mr. TONKIN: Further, the S.E.C. does not want to burn the coal at Bunbury, so it is burning oil at South Fremantle. Does the Minister know that?

Mr. Nalder: Well, you say it is correct.

Mr. TONKIN: It is correct.

Mr. Nalder: But it is not the whole situation, because at this particular time, or earlier, there was a peak load.

Mr. TONKIN: I suggest that this is to curry favour with the oil companies.

Mr. Nalder: Well, that is your opinion.

Mr. TONKIN: If the Government would give us the price it is paying for oil we would be able to get somewhere.

Mr. Brand: You must get there sometime.

Mr. TONKIN: It is remarkable how this secrecy is supposed to be a cloak. Any information which those on this side of the House have sought to obtain on this account has been withheld on the ground that the price of oil is secret. At the election before last, the Premier was pleased to announce that two projects would commence within five years, and one was to be the project at East Fremantle, near where this power line is to go.

If the Government had made any attempt to further this promise it would have been possible for the State Electricity Commission to carry power lines across on the bridge, but the commission now uses the argument that it cannot wait for the bridge. That is a fine state of affairs! That is an admission that if a bridge were there the commission could use the bridge for the purpose of taking the power lines across the river, but because the bridge is not there, and it cannot wait for it to be constructed and the matter is urgent, it must proceed to put the power lines over the river.

It is the fault of the Government, because it cannot be denied that in his policy speech at the election before last the Premier made a definite declaration that two new bridges would be commenced within five years. Four years of that period have gone and there is no sign of the commencement of the East Fremantle bridge. So the S.E.C. would have been deprived of its argument of not being able to wait for a bridge had the Government fulfilled its undertaking to the people. Now, because it has not, and there is no sign of a bridge being commenced in that area, we are told it is an urgent matter to get power to the northern suburbs—and I believe it is—and we cannot wait for a bridge; we must put the power lines over the river where we propose.

A person from Mosman Park, who seemed to me to know what he was talking about, told me about the possible effect of the Mt. Lyell works on these power lines. When I asked questions about this aspect the Minister wiped it off and said no adverse effect had been found up to date. It was pointed out to me that because of what was coming from the Mt. Lyell works all the galvanised iron roofs in Mosman Park—those anywhere near the works—have been adversely affected.

Mr. Williams: Galvanised iron and copper and aluminium are not the same thing.

Mr. TONKIN: I am not aware that I said they were the same thing.

Mr. Williams: You are implying they are.

Mr. TONKIN: I was leading up to the other question that the effect of the Mt. Lyell works on the galvanised iron roofs is unmistakable. For the information of the member for Bunbury, who rushed in where angels fear to tread—

Mr. Williams: I am no angel.

Mr. TONKIN: —it is not iron that is affected on these iron roofs, it is the zinc.

Mr. Williams: Where is the zinc in a cable?

Mr. TONKIN: In addition to the effect of the gases which are coming from the works there is very considerable dust, and it is the dust which collects on the insulators which causes the trouble with the first rains. It has been pointed out to me by somebody with far greater knowledge than the member for Bunbury that this dust being deposited on the power lines and the insulators in that locality could cause very extensive interference with the power lines on dewy nights, because of their proximity to the Mt. Lyell works.

That information was put up to me by an electrical engineer. I am in no position to be able to judge whether there is any soundness in the contention or not, but his thesis seems to be a very logical one.

Mr. Williams: That does not apply in the case of the Picton Junction distribution centre and it is on the prevailing wind side of Cuming Smith & Mt. Lyell at Picton Junction. These suggested problems do not apply there.

Mr. TONKIN: The member for Bunbury may be in a position to refute the thesis which was put up to me, but it appears to be a logical one, although the Minister wiped it off on the grounds that the experience of the S.E.C. was that there was no interference from this source.

It will remain to be seen whether there is or not, because the Government no doubt is firm in its intention to proceed with this route. Accordingly, it looks as though we have to accept this decision. I feel, however, that Western Australia ought to be able to do something better than this and I hesitate to accept a situation where for all time we must forget about putting the power lines underground; that we must accept the position that all of them will continue to be placed up in the air.

It makes me smile when I hear the picture the Minister paints about the aesthetically attractive pylons and the wires which are almost invisible. The Mayor of East Fremantle told me about the proposal for the installation which is to be close to the water's edge. This will take up a tremendous area of land in that position; it will have a tremendous base—much bigger than twice the size of the Chamber.

Mr. Nalder: It would be the same if it were going under the river.

Mr. TONKIN: Why would it?

Mr. Nalder: Because you must have a connection where the wire will eventually reach before it goes under the river, and therefore it must have a strong edifice to be able to take the strain of the wire at the point where it goes under the river.

Mr. TONKIN: Would it be impossible to put it underground from the power station to where the Minister proposes to take it?

Mr. Nalder: It would cost $2,800,000 to do this.

Mr. TONKIN: The Minister is saying, in effect, that the cost will always be prohibitive. and we must resign ourselves to the fact that never can we have power lines anywhere but up in the air.

Mr. Nalder: I did not say that.

Mr. TONKIN: But the Minister implied that.

Mr. Nalder: You said "Never."

Mr. TONKIN: The Minister implied that. That is my reasoning from what the Minister has told us: the cost of this is prohibitive. I should point out that the cost would become greater as time went on.

Mr. O'Neil: The economics would improve as the consumption increases.

Mr. TONKIN: I do not know whether the economics will. The commission made a profit of $4,000,000 last year, and surely that is enough. How much more profit does it want to make annually? Half of that profit will be sufficient to place the line underground. This money comes from the consumers, and, what is more, it has been obtained by the implementation of the policy of the Government for the purpose of raising funds for capital expenditure.

The consumers are not only paying the cost of the generation which they are utilising, but they are also providing capital funds for expenditure by the S.E.C. for the benefit of posterity. The Minister for Housing has a cheek to talk about the economics of the situation!

If the Government is anxious to have full regard for the aesthetics of the river it will think seriously about this proposition, even though the cost is expensive. After all, most of the embellishments which are desired are expensive; and that is the very nature of things. The improvements and the latest things which we desire are expensive; it does not deter fashionable women from purchasing the latest Paris models just because they are expensive.

Mr. Ross Hutchinson: Would you promise now that if at the next election you were successful that you would place the overhead wires underground? There is aesthetics for you!

The SPEAKER: Order! The Leader of the Opposition will proceed.

Mr. TONKIN: A question posed in that manner without sufficient data is not entitled to an answer.

Mr. Ross Hutchinson: But I think it is a good one.

Mr. TONKIN: If the Minister thinks it is a good one, can he tell me precisely where it is proposed to position this line?

Mr. Ross Hutchinson: The final position of the line has yet to be determined in association with the local authorities.

Mr. TONKIN: In view of the fact that the final position of the line has not been determined and the cost of placing it underground is not known, how can I be expected to give an undertaking in respect of it?

Mr. Ross Hutchinson: That is merely quibbling. You know where the terminals will be on either side. It will only cost you approximately $250,000.

Mr. TONKIN: If the Minister wants to be facetious—

Mr. Ross Hutchinson: I am not being facetious. I am being quite serious.

Mr. TONKIN: The Minister will find that when we reach the policy-making stage in 1971 we will develop our policy in regard to all these matters.

Mr. Ross Hutchinson: I look forward to seeing this in your policy.

Mr. TONKIN: For the time being we can ignore this particular point and go back to the question whether we can contemplate that Western Australia will ever be in a position to do what other countries have found it possible to do for many years.

Mr. Rushton: In their developmental stage?

Mr. TONKIN: I would ask the honourable member whether he thinks Western Australia is still in the developmental stage.

Mr. Rushton: There is a great deal to be done, and there are higher priorities.

Mr. TONKIN: I understood the State was going ahead so fast that there was no catching us.

Mr. Brand: What countries have put the major power lines underground to any degree?

Mr. TONKIN: It has been done in France; it has been done very extensively in the United States of America; it has been done in Germany; and I understand that to some extent it has been done in Great Britain.

Mr. Brand: These are high-tension power lines?

Mr. TONKIN: Yes, high-tension power lines.

Mr. Williams: You only find that when you get into the high usage areas.

Mr. TONKIN: My final point is this: If East Fremantle were Dalkeith then this power line would not be positioned where it is proposed to be. With that thought I leave the question with members.

MR. JAMIESON (Belmont) [8.6 p.m.]: I would not like a vote to be taken on this motion without making some comments. I find it hard to assess what the mover is desiring to achieve. In the first place, the motion is quite clear. It states—

> That in the opinion of this House electric transmission mains should not be permitted to be installed other than in the form of underground and under-river cables in the proposed locality from East Fremantle to opposite foreshore.

At the commencement of his speech he said—

> The object of my motion currently before the House is to ensure that the proposed high-tension cables from the South Fremantle power station shall be installed underground to the East Fremantle foreshore and then under the river to the opposite foreshore.

Before he concluded, he said something much along the same lines—

> If I have to accept that route, then I suggest the work be done in the manner I have requested—that it be underground from the South Fremantle power station to the river, thence under the river to the opposite foreshore and underground to Swanbourne.

We have heard from the Minister that the cost of putting these power lines underground would be rather prohibitive. We have also been given figures by the Government on other occasions, such as in relation to the cost of the Mitchell Freeway. We doubted very much the figures then given by the Minister for Works, and from the experience we have gained we had reason to doubt his figures still further.

The State Electricity Commission should be asked to place power lines underground once they come within a certain distance of the metropolitan area, but whether or not that can be done immediately is another matter. However, the S.E.C. is to be severely criticised for its policy in constructing a considerable number of trunk mains here, there, and everywhere. More than one local authority is affected, and in this respect East Fremantle is fortunate by comparison. We need only look at the shambles near the Canning Showground and in the Belmont Shire district where numbers of the trunk mains have been erected. These finish up at the distribution point at the old power-house site in East Perth. These overhead mains are built all over the place.

The town planners do not like to see these overhead mains, and I have heard Dr. Carr and others criticise them. Ugly overhead transmission lines should not be built in the metropolitan area. This type of power line might be regarded as being in the medium power class; it cannot be regarded as being a major high-tension line. When high-tension lines are built on high towers they appear to be quite majestic if they are properly looked after.

I draw the attention of members to the high-tension lines at Hill View Terrace in Victoria Park. Many of us have seen the high-tension main which runs from Riverton right through. These mains are placed on top of the high towers I have mentioned, and they seem to cause little worry to the local people. When that district was in my electorate, I did not receive many complaints about the high-tension mains, but the member for Victoria Park might think otherwise. From my own experience, I can say that, because of the majestic appearance, the magnitude, and the reasonable design of those towers, not very many complaints were received.

However, a number of these varied routes are being used when it would seem to me it would be better if they could be concentrated in the outer metropolitan area into single routes to get to the areas to which they are going. This would be better than the S.E.C. has done so far. The commission does not seem to be trying, in conjunction with the Town Planning Department, to overcome this problem. It is interested only in distributing its service.

As the Leader of the Opposition pointed out, this might be good from the profit point of view. The commission is doing very well. One would like to own a business that is showing the profit the commission is. Probably no other established business in Western Australia is showing such a profit other than the mining ventures in the north.

Surely the State Electricity Commission is entitled to plough more than a fair amount of its profits back into making its aesthetics correspond with the development of the metropolitan area. When Canberra was first developed in 1927—it might be said that there was unlimited finance available—the power lines were put underground.

Mr. O'Neil: They are not all underground now.

Mr. JAMIESON: No, in the housing areas the poles are on the back dividing fences, something which the S.E.C. has not adopted in this day and age. The poles here still go along the streets; and I suppose this is one way to stop motorists from knocking them about. If an easement is acquired on the back dividing fence of houses—

Mr. Lewis: What do you think should have priority, the aesthetic refinements or putting the service where it is now?

Mr. JAMIESON: I have been asked this question by the Minister and, like all other country representatives, he thinks his people are being hardly dealt with. If he studies the way the country services are financed, he will find that people in the country are not being badly dealt with. After providing all these services, the commission still had an abundant profit of over $4,000,000 for last year—give or take a few hundred thousand, because it conveniently hides its profits in socks and stockings as the Auditor-General has indicated. The commission should be ploughing some of its profits back into aesthetics.

Mr. Lewis: There are areas less than a dozen miles from Perth not yet served.

Mr. JAMIESON: I know areas only seven miles from Perth that are not served, but this is ultimately a matter of economics. As I was saying, in regard to those people within a dozen miles of Perth, the S.E.C. has to make a profit, but once one gets outside the Perth radius, country consumers are being subsidised by each metropolitan consumer to the extent of about $20 per annum. However, in the metropolitan area extensions have to be an economic proposition. This is the policy of the S.E.C. and it is maintained, but it does not apply in the country to such an extent.

If the S.E.C. is going to have a policy, I suggest it should be towards supplying electricity at a cheaper rate for industrial purposes and to ordinary consumers. I also think the S.E.C. should go to greater lengths so that its activities will fit in better with metropolitan aesthetics and planning.

Having said this, I come to the salient feature in regard to pylons. I am like the lawyer who says that on the one hand it is this and on the other hand it is that, because I have seen a lot of these pylons erected. The pylons over the Tamar River in Launceston which take the power to the Bell Bay aluminium refinery come to mind. These are very high pylons over a very large span and they are quite attractive. I understand the Minister mentioned this aspect, but I do not think we should take a license in this regard.

The Leader of the Opposition indicated the possibility of more bridges going over the river. Surely the S.E.C., in regard to future development, should plan its moves in this regard. In respect of these bridgings of the river, I do not think there should be need for any more trunk mains to be put over the river within the foreseeable future; but if this is the case, some action should be taken. Maybe the site selected would be suitable for a high tension crossing of the river at a great height so that it would not interfere with activities on the river. A lot will depend on what the department concerned has in mind for the future.

The main grizzle from members is that the S.E.C. seems always to be against a policy of improving the situation. It is always opposed to any suggestion that might come forward and, indeed, it seems to be subject to pressures in certain directions, as my leader has indicated.

I do not think the move on the part of the member for Fremantle will meet the situation so far as East Fremantle is concerned. The commission has to get the power to the foreshore and, as indicated, once it is there, the power has to be transmitted on substantial pylons. As far as I am concerned, so long as the mains are at a safe height and will not interfere with any future activities on the river, the position should be satisfactory. After all, the power lines will disappear to some industrial section on the North Fremantle side.

The main objection seems to be that the S.E.C. has not been reasonable in regard to aesthetics. We cannot allow the commission to carry on as it is doing, because it is despoiling the suburbs by using the unlimited powers it has under the State Electricity Commission Act in order to supply various areas with electricity. The commission is indulging in too much license in regard to the powers that it has.

We are not worried in connection with water supplies because these mains as a rule follow normal routes except in cases when there is an easement over properties. In addition, these services are put in on a modern basis and are situated at depth. If it is possible to run water through conduit, it should be easy to place conduits underground to carry high tension mains.

The P.M.G. can do it with multicables and microwave cables. Everyone will agree that these are hard to handle. In regard to the coaxial cable and high frequency mains one has to be well prepared for any eventuality. It looks as though it is inevitable that the mains will go across the river and all we can hope for is that the S.E.C. will, from the point of view of this project fitting in with the river, accept advice so that more attention will be paid to the aesthetics. The project should enhance the river rather than despoil it.

If we can get something along those lines, the area might not be too bad at all. However, if, as is usual with the State Electricity Commission, there is to be one great tower erected with the wire going from it, it will be no good. The commission does this sort of thing and then does not worry any more except to keep the installations painted, and the painting, in many instances, leaves a lot to be desired. The commission erects these structures and then forgets all about them so long as the consumers are being supplied.

That is not good enough and we in this House deserve a guarantee that the best aesthetic type of towers will be erected to fit in with the natural features of the river when the commission ultimately puts these lines across the river, as undoubtedly it will.

MR. BRAND (Greenough—Premier) [8.21 p.m.]: At the risk of prolonging this debate, which I have no desire to do, I rise to point out that when, two elections ago, I announced that two more bridges would be erected over the river—I am not sure whether I said north of the Causeway or otherwise; I do not think it was definite —I did so on the advice of those people who are alleged to know what is being planned or what is hoped for.

As things have eventuated, no bridges have yet been built. Some might say they are not even planned. Discussions and investigations as to where the next crossing might be are held, but it would seem to me that if there was to be a bridge which would affect the decision on the subject of this debate, it is not yet time for that bridge to be erected. Surely we do not have to erect a bridge because the Premier of the day said there was to be another bridge or two over the Swan River in the future? These bridges are very costly constructions.

The Leader of the Opposition has referred to the profit made by the commission as a deliberate policy. I would say to him and to anyone else that, providing we are not charging our people here in Western Australia for domestic or industrial power any great amount, or large margin, above what is being charged throughout other cities of Australia, then without any doubt we have to carry some of the burden of raising the money through general revenue and income by what might be called a loading or surcharge to meet the ever-increasing capital costs of the commission. Unless we do—because we have no loan money—we will not have sufficient power to meet future demands; and I think no-one would deny the policy we are following is at least an acceptable one and in line with what is happening in other States.

If we have $4,000,000 profit and are to spend $2,900,000 of it in putting an underground high tension main from the South Fremantle power house to the point where we are to cross the river, this would be only the beginning. Members can imagine the millions that would be required to put underground all high tension mains in this area.

I asked the Leader of the Opposition to what countries he referred when he said mains were being put underground in other cities. It was my good fortune to travel in some of these cities and what I noticed most was these huge pylons everywhere; and the only time they put them underground was when they had no option whatever. Whether the power lines came from the tidal power scheme at Saint Malo, France, or from the normal thermal power units, there were always the great pylons —huge pylons—carrying power across these various countries. They were in Germany along the Rhine, and everywhere I went.

I have no doubt the Leader of the Opposition would be right in some cases in saying they are underground, but from my observations I would say this is done only when there is no alternative.

I want to say, too, that there was no political question of whether the lines would go through Nedlands, Melville, or anywhere else. We discussed this matter at great length and called upon the commission to look at the whole matter again because there was the problem of going through built-up areas. The Minister for Works suggested the line might go along the railway line over the Fremantle bridge, but the powers-that-be pointed out that lots of problems were involved; and it has already been stated in this House that there would be difficulties of communication if by any act of the commission we put great power lines in line with the post office lines.

The matter of the deposits of salt on some of the insulators and their effect upon the cables was also a problem. I am in no position to know whether this is right or wrong; but we were convinced by our advisers to make the present decision.

Mr. Tonkin: But the second route is closer to the salt than the first.

Mr. BRAND: We were in no position to argue. We were convinced, even though we wished to have the power lines where they would have the least effect on built-up areas. The Leader of the Opposition well knows that there are times when a Minister or a Government can take a stand, but in some matters the Government must look very closely at the advice it receives; and this is what we did, and we very reluctantly agreed to the present proposition.

I took great hope at hearing the member for Belmont clearly and obviously say there is a problem of crossing the river, whether it be from high level pylons or whether the mains are placed under the river. He, and every other member, would know that to put the cable under the river would require a big structure on either side, and that would involve unsightliness.

I would say that the Government would have liked to make the decision to put the lines under the river, but the costs and other difficulties were pointed out and there was a greater demand for money in respect of extensions and a general improvement of the power system altogether in Western Australia. It would seem that when the power line is put over the river, as it is planned, it would not be as ugly, if I could use that simple term, as some people might think.

The Minister for Electricity has had to keep an appointment; I come now to the future. We have asked the commission to take all these details into consideration in the future. Who knows, the time might have come for the Act under which the commission operates to be revised and amended. The commission as a whole, having done a very good job, possibly requires some review.

Mr. Brady: It would be a good idea to put a power house on the north side of the river instead of putting everything on the south side.

Mr. BRAND: I will get the honourable member to give the commission some advice.

Mr. Brady: It is pretty good advice.

Mr. BRAND: The point is that if we are to avoid crossings of the river, we might have to establish a station on the north side.

Mr. Jamieson: With natural gas.

Mr. BRAND: Let us have that too, provided it is economic. I do not mind what fuel we have, but the fact remains that the time has come, I think, for an overall review of the commission. The aesthetics of the situation is one point which we must call upon the commission to consider before any other crossings of the river are envisaged or before any decision is made to erect unsightly lines. We feel that the aesthetics should be considered in the light of other problems. I do not think the Government or the Minister will be found wanting in support of some extra outlay if it means a better looking and more acceptable power line.

As for the future crossings of the river, I am given to understand that in the foreseeable future none are anticipated south of the Causeway except those which would cross under bridges.

Mr. Jamieson: That is something anyway.

Mr. BRAND: We have already asked the State Electricity Commission to acquaint us of future planning, so that we will know the likely points, if any, of the crossings. We can argue the point at that time and ask why the cables cannot cross on existing bridges, or those which are to be built in the future.

On that note, I leave the motion. I naturally oppose it because it would seem that a decision has been made. However, I want to assure this House and everyone else that the Government is just as anxious to avoid unsightliness and to avoid extra crossings of the river, by economic or reasonable means, as anybody else.

MR. FLETCHER (Fremantle) [8.31 p.m.]: I cannot promise any devastating reply to the Minister because he did not put up a very good argument. Like the Minister on that side of the House, others on this side have made their contribution to the debate. No doubt, those who have not spoken also support this very worthwhile motion.

Mr. O'Neil: What about those who do not support it?

Mr. FLETCHER: I hope they will subsequently support it by the way they vote.

Mr. Brand: I am not being critical, but I think the member for Belmont was quite courageous.

Mr. FLETCHER: When the Deputy Leader of the Opposition was taking the Government to task for giving precedence to a Bill from another place over business introduced in this House, the Minister for Industrial Development said we should be grateful that this motion is here before us. I am grateful that we did get this opportunity to discuss it. I would also be grateful if it was resolved to my satisfaction, and to the satisfaction of those members on this side of the House, and particularly to the satisfaction of the people in the Fremantle area.

This motion will at least let the Fremantle people and others know that I have attempted to do my best to ensure that the beauty of the river and the surroundings at Fremantle are not marred by these cables and pylons. I know that not only the East Fremantle Town Council, but the Fremantle City Council, too, is concerned about this matter. The cables do not only go through East Fremantle; they also cut through the area of the City of Fremantle.

The Premier said that when he was overseas he saw huge pylons and huge wires and cables. I saw them myself, but as I explained I also saw cables installed under rivers and estuaries; and no doubt members from the other side of the House have also seen cables going under rivers and estuaries.

I recently met a visitor from overseas who had been to Wales. I do not know if any honourable member opposite has had the pleasure of visiting Wales, but not only are the cables underground, but the light standards are made of fibreglass in beautiful shapes to conform with the surrounds and the scenery.

Mr. Ross Hutchinson: What sort of shapes?

Mr. FLETCHER: Aesthetic shapes to conform with the surrounding scenery. They are made of fibreglass, and I am reliably informed on that point. Nobody has any reason to tell me anything which is not true.

On the one hand we have heard how poles and wires are unsightly in a particular area. I have given an example of where the wires are underground, and where the light standards are made of fibreglass. On the contrary, in my area of Fremantle there is an unsightly forest of poles. I seem to be having a little competition in being heard above the hubbub.

As I was saying, there is an unsightly forest of poles which starts at Lefroy Road, crosses south into Samson Street, then to Montreal Street, and then extends to the trotting ground. The poles cease there and whether the wires go over the trotting ground or under it I do not know. However, the unsightly poles exist.

The Minister said that the poles were not unattractive to look at and they had three big insulators on them. They might not be unattractive to a person who does not live in Fremantle, but they are certainly unattractive to the people living in the district. I do not take exception to them on that score alone; I take exception to them on the ground that to condone what is going on is to create a precedent for the future.

If this is the easy way out, I hope the Premier will have another look at it as he suggested. I would have preferred the Government to look at the matter before the poles were constructed. Having reached the Fremantle trotting ground, it would appear logical for the line to go straight along Staton Road or Alexander Road to the intersection of Wauhop and Preston Point roads, and thence to the river—the jumping off point for cables to the opposite foreshore.

Surely this must cause concern to those people affected and they are justified in holding protest meetings. One meeting was attended by the Leader of the Opposition at the East Fremantle Town Hall. I do not know how many people were there; I regret to say that, as a consequence of being here, I was unable to get to that particular meeting. However, the Leader of the Opposition heard an expression of opinion which was absolutely unanimous in its opposition to the extension of the poles, pylons, and cables on an air-borne basis.

The Minister gave three reasons: he said this method was simpler and repairs would be made much quicker; that it was less costly; and that the line could be constructed more quickly. This gets down to nothing more or less than expediency. I suggest that since the emphasis is on speed and simplicity the State Electricity Commission is not disappointed that the Swan River Conservation Board put obstacles in the way as long as it did. That makes the State Electricity Commission's case now more urgent to get on with the job. Had the job been done properly, and cognisance taken of the opinions expressed, then a better job would have been done in the area.

The Minister merely quoted a lot of technical data which he thought would confuse the House. I have informed the House that I previously worked with the State Electricity Commission and I know that some of the difficulties mentioned are valid. However, I know that many of them are not, and that they are not insurmountable. Technically and financially they are well within the ability of the State Electricity Commission.

The Leader of the Opposition referred to the amount of profit made by the State Electricity Commission, and from that source alone the cost could have been spread over a period of years, and not come out of one year's profits. Reference was also made to the cooling of cables which go underground. That is not an insurmountable problem because underground cables are already oil-cooled. If the cables went under the river they would be water-cooled.

Furthermore, the Minister made a great play of the fact that a large amount of maintenance would be necessary. To the best of my knowledge, lead will last indefinitely when away from the atmosphere. Certainly it would last indefinitely, —possibly for hundreds of years—if placed under the river where it would be impervious to corrosion. If the cables were lead-sheathed and placed under the mud at the bottom of the river, they would be there for all time and would not need any maintenance, to the best of my knowledge.

Reference was made to the prospect of damage to the cable by river craft. I am sure I blew that argument to ribbons when I submitted that there is a cable across the mouth of the harbour which would be vulnerable to the anchors of ships. Those anchors would be much larger than the anchors of river craft, and consequently would cause more damage. The argument, therefore, with respect to the damage done by the anchors of small craft does not stand up to examination.

The argument was used that the cables up river would be removed from the salt atmosphere which obtains in close proximity to the sea. The Leader of the Opposition took the point that they could be placed under the bridge. Indeed, this was the subject of an earlier question when I asked why the cables could not be put under the existing bridge, even if on a temporary basis, and subsequently placed under the new bridge when it is built.

If the State Electricity Commission was concerned at the prospect of corrosion if the cables were placed under the bridge, the cables could be conveniently placed inside cement pipes. P.M.G. wires and water can be placed in cement pipes, so why cannot these cables?

It might be argued that they would be difficult to maintain if they were encased in cement pipes, but instruments exist which eliminate any difficulty. With the aid of these instruments, it is possible to travel over the cable and locate the exact spot where any fault might exist. I have mentioned this in case it is argued that it would be necessary to tear up miles of

cement pipes for the purpose of finding faults. All that is necessary is to use the instrument, establish the locality of the fault, and effect the repair. Besides this, the cables in the pipes would be away from any corrosion which might be caused through salt air.

It was mentioned that the cables across Botany Bay have had to be relaid on at least one occasion and are likely to have to be relaid again. I am confident that if the right sort of cable had been used initially, that trouble would not have been experienced. In effect, the first expense is the principal and worst expense.

The Minister said that if the cables were put under the ground and under the river from South Fremantle and across the area of the Minister for Works it would cost $2,800,000. In addition, the Minister said that it would cost $23,000 per annum to service the loan. At least, those are the impressions I gained from his remarks. More than $23,000 is to be spent on renovating the arch on the doorstep of Parliament House. If we have money for such a purpose, I am sure we could find it for more worth-while purposes.

Mr. Ross Hutchinson: That is for aesthetics.

Mr. FLETCHER: The Minister also assured me that if the cables crossed the river on an aerial basis they would not be vulnerable to the masts of river craft. I do not know of any craft on the river which has a mast 100-feet high. That is a ridiculous suggestion.

Not only the East Fremantle Yacht Club, but the Swan Yacht Club and other clubs up the river take exception to power lines crossing the river at all, and to the pylons on the foreshore, because they say it destroys a beautiful river. I could go into further detail and expound on the subject for half an hour, but that is the message. I know that the yacht clubs take exception to it.

I asked questions on this subject last year as well as this year. I circulated the questions among the yacht clubs, and many were sufficiently courteous to reply to me. In fact, I referred to this subject when I introduced the motion.

It was said that there is very little undergrounding in the Eastern States, but I also suggest that power lines do go under the Yarra River and the Brisbane River.

The Leader of the Opposition made the point which I consider to be valid with regard to why a change was made from Blackwall Reach. He said that very valuable real estate is available in this area of Blackwall Reach, and also in the area of the Minister for Works.

I admit that I suspect the change was made so that it would go through the more or less industrial area on the north shore which is between the sugar works and the superphosphate works. In this way it would go through a location which contains less valuable real estate than it would if it were to go directly across from the valuable real estate in the Blackwall Reach area into the valuable real estate on the north shore area.

I am sure the Government has sacrificed the original intention for that reason. It will destroy the worth of the valuable real estate in the area I represent as distinct from the area the Minister for Works represents. That is the situation. I am sure that the wish was the father to the thought and is why the Government has adopted the compromise policy which it has adopted.

I know that a certain Minister who went overseas saw ugly pylons and wires in France and he commented to an officer who was with him that there was, in effect, substance in the motion moved by the member for Fremantle.

The Premier has described some unsightly overseas scenes. I do not deny they exist; but, because they exist elsewhere, should we emulate them here? Having examined the latest proposition, I say it is such a short span that it is almost possible to throw a stone across from the intended site to the sugar refinery. A shallow sand bar comes out at that point.

Mr. Brand: No one denies the desirability of putting the lines under the river. All that has been mentioned are the economics and the technical difficulties. As I have said, we do not anticipate overhead crossings of the river south of the causeway, unless, perhaps, they are over bridges. It is an accepted fact that if we can put the mains underwater we should do it.

Mr. FLETCHER: I still think it is technically and economically possible to do it. It would not have to come out of revenue all in one year, but could come out on the basis of a percentage per annum.

Mr. Court: One significant thing about the grid systems abroad where so many are currently being built above the ground is that they are all being built in old established and wealthy countries. Nevertheless, they still do not have the funds to place them underground except in very exceptional cases.

Mr. FLETCHER: They are placed underground in very important places, and I suggest the area I am talking about is very important. When I read *Hansard* I noticed that the Minister for Industrial Development was not unsympathetic to my contention that the power line should be placed under the river. However, I know the way he will vote despite the way he interjects.

Mr. Court: We would all like to see them out of the way.

Mr. Brand: That would be the way you voted on the Scientology Bill!

Mr. FLETCHER: That is a horse of another colour. Our leader submitted argument in respect of dust nuisance. The member for Bunbury tried to destroy his argument by using the illustration of a locality—namely, Picton Junction—in his area. In contradistinction to what he said, in the Fremantle power house itself dust which landed on the insulators associated with transformers was wiped off every weekend, to the best of my knowledge, while I worked there. This was done because of the prospect of a short circuit. I do not know the situation that exists in Picton, but I do know the situation that existed in Fremantle which was brought about within the power house grounds as a consequence of fly ash which fell from the smoke stack.

Mr. Williams: It is different dust from that about which I was speaking.

Mr. FLETCHER: I do know the superphosphate works emits a gas and fumes of a corrosive nature. In fact, the Minister for Works has the proud distinction of representing a lady who resides in that area—I will not mention her name—who contacts all the Ministers on various subjects. Nevertheless her argument in respect of the corrosive action of fumes on her galvanised roof was valid. When I represented the area she wanted to know how I was going to stop this occurring. I do not know whether she wanted me to shift the superphosphate works or change the direction of the prevailing wind.

I consider the argument of the Leader of the Opposition in regard to corrosion was a valid one as a result of the experience I had at the South Fremantle power station where dust can be cleaned off the insulators which are no higher than the level of the transformers within the power house area. I am interested to know how it will be possible to get up hundreds of feet to polish insulators which are erected downwind from the superphosphate works?

Mr. Williams: But the effect of that dust is not the same on insulators as it is on galvanised iron.

Mr. FLETCHER: I will leave it to the member for Bunbury to work out. Nevertheless I am convinced that that argument is valid and if the cables are to go across the river they would be subjected to a great deal more damage from the effect of corrosive acid fumes or salt air than they would be if they were put under the river. Members of the Country Party have suggested that if my proposal is carried out it would be at the expense of country consumers.

Mr. Williams: Oh no!

Mr. FLETCHER: Some start has to be made in suggesting where these cables should be placed underground and I am suggesting they should go underground at the spot I have suggested. The ugly posts which already exist go right through the heart of Fremantle, but I do not take as much exception to them as I do to the prospect of these lines and pylons coming through the East Fremantle area. I do not reside in East Fremantle, which is valuable real estate—much more valuable than the area in which I live. The power lines are to go through the Fremantle area, also, to within a stone's throw of my home.

I have no self-interest in the motion before the House. In fact, I would point out that the pylons, the posts, and the insulators have been in course of erection whilst this motion has been before the House. This indicates how confident the State Electricity Commission is of the motion being defeated. I was not aware they were being erected until I investigated, during the weekend, where they started, and where they finished, and I was surprised to find they were so close to my own home. However, that was not my purpose in moving the motion. My objection to the power lines is because of what they will do to the area of East Fremantle. It was argued by the Premier and somebody else, I believe, that irrespective of whether the mains went under the river or not, huge pylons on each foreshore would be necessary.

Mr. Brand: Don't you remember the other member who made the same comment about having these structures on either side of the river, if the mains were placed under the river? It was the member for Belmont.

Mr. FLETCHER: Yes, that is who it was.

Mr. Brand: Yes, it was he who made the remark about the pylons being necessary.

Mr. FLETCHER: The fact is that large pylons will not be necessary, and I hope the Minister will not take action to have them erected. He said that the cables under the river would have to be oil filled. In my opinion they would be water cooled anyhow, but even if I were to accept the Minister's argument, there is a sufficient head of land on either foreshore—I assume it would be anything up to 50 feet—for the oil to gravitate from tanks which could be installed on each foreshore to the cables under the river, if it were necessary for them to be oil filled, as the Minister has suggested.

Returning to the point raised by the member for Belmont, I cannot see why pylons are necessary. If the power lines were placed under the river at East Fremantle, anchor points could be constructed on either foreshore. Members opposite have seen the concrete anchors which secure the very low frequency masts at Exmouth. If concrete anchors were erected on each foreshore, they would not mar the beauty of the area to the extent that huge pylons would if they were erected in the same position. The cables could be attached to the anchors on either foreshore in much the same way as they could be attached to pylons.

Mr. Court: Are you talking about cables under the river, or are you talking about the underground cable the whole way?

Mr. FLETCHER: I want the cable to go underground the whole way.

Mr. Court: Your own people would not support you on that suggestion, surely.

Mr. FLETCHER: All right. If the Minister for Industrial Development wishes to leave the unsightly posts and pylons in my particular area I am prepared to accept them, so long as the cables are placed underground at East Fremantle and under the river. What it does to the foreshore and the area of the Minister for Works is his problem.

Mr. Brand: Any crossing north of the Causeway is open to discussion.

Mr. FLETCHER: The Premier is at least 12 miles from the area I am talking about.

Mr. Brand: I am talking about general crossings of cables that may be necessary north of the Causeway, because they become equally important. You talk about a power station north of the river, which would seem to solve the problem, but you are talking about only one part of the river, are you not?

Mr. FLETCHER: Yes, for the reason also put forward by the Leader of the Opposition; that is, if it is condoned in my area it will be condoned in the area the Premier is talking about. I do not want to see it condoned in my area and in consequence I ask the House to support my motion.

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

Ayes—15	
Mr. Bateman	Mr. McIver
Mr. Bertram	Mr. Moir
Mr. Brady	Mr. Sewell
Mr. Burke	Mr. Taylor
Mr. Fletcher	Mr. Toms
Mr. Graham	Mr. Tonkin
Mr. Lapham	Mr. Davies
Mr. May	*(Teller.)*

Noes—20	
Mr. Bovell	Mr. McPharlin
Mr. Brand	Mr. Mensaros
Mr. Burt	Mr. Mitchell
Mr. Cash	Mr. O'Neil
Mr. Court	Mr. Ridge
Mr. Craig	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Hutchinson	Mr. Stewart
Mr. Jamieson	Mr. Williams
Mr. Lewis	Mr. I. W. Manning
	(Teller.)

Pairs	
Ayes	Noes
Mr. Hall	Mr. Dunn
Mr. Norton	Mr. Kitney
Mr. Bickerton	Mr. Young
Mr. Harman	Mr. Gayfer
Mr. T. D. Evans	Mr. W. A. Manning
Mr. H. D. Evans	Mr. O'Connor
Mr. Jones	Mr. Nalder

Question thus negatived.

Motion defeated.

CLOSE OF SESSION: FIRST PERIOD

Complimentary Remarks

MR. BRAND (Greenough—Premier) [9.3 p.m.]: We have now concluded our business as far as we intend to go in connection with the items on the notice paper. As everyone knows, it is the first sitting of the first session of this particular Parliament, and it is not my intention to go quite as far as I usually do in my remarks at the end of a session; I say this, because we are only halfway through the session. We anticipate another sitting, all being well, in about the middle of March.

Mr. Graham: St. Patrick's Day.

Mr. BRAND: The day after, anyway. It is my pleasure to extend to you, Mr. Speaker, the best of all good wishes for the festive season, when it comes along—it is a little far off at the moment. We extend to you and yours a happy Christmas and a bright and prosperous New Year. I do not think we can express ourselves better than that.

I think I can speak for everyone, Sir, when I say that we are very happy indeed at the way you have discharged your duties and presided over the House in this your first sitting. There has been a degree of firmness evident and, without scratching your back, I feel you have done an excellent job in the Speaker's Chair.

I would also like to congratulate the Chairman of Committees for the excellent work he has done. We have, of course, known him for some time. He has left to go home, but I extend to him, to the Deputy Chairmen, and officers who assisted him, all the best for Christmas and the festive season. I trust good health and happiness will be theirs in the coming year.

I would like to thank the Deputy Premier, the members of the Government, and those who sit behind us for their loyal help and support in what, by and large, has been a rather mild session. I hope they continue to give us the same support in the sitting ahead.

Our very best wishes go to the Leader of the Opposition and those who support him. This sitting has not been an easy one for the Leader of the Opposition himself. I say no more, but we do wish him all the best in the coming festive season and the New Year, and that goes for all those members who sit on that side of the House.

Never once have I raised the question of new members; I have somehow always overlooked this matter. I am sure, however, that members on both sides of the House are pleased at the manner in which the new members have faced up to their responsibilities and for the loyalties they have shown their parties. Their future, to a great extent, is in their own hands, but whether it is short or otherwise, I hope it will be a pleasant experience.

On that note I will close, in the knowledge that we will meet again on the 4th December, to celebrate the Christmas dinner—that, too, is a little earlier than

usual—and on that occasion, no doubt, we will join together and forget about politics.

Before concluding, I would like to thank *Hansard*, the members of which have been under considerable pressure. My thanks also to all the officers of the House and to the Pressmen who, night after night, have recorded the proceedings of the House.

MR. TONKIN (Melville—Leader of the Opposition) [9.7 p.m.]: We find ourselves in a somewhat different position at this time from that which usually obtains at the conclusion of a sitting, inasmuch as this does not mean the end of the session. Generally, at the end of the session, it is our wont to express to the Speaker, the officers of the House, and members generally, greetings for the festive season. But because we have entered into a new style of procedure, there is no reason why there should be any less warmth in our greetings to the Speaker, the Chairmen of Committees, the officers of the House, the members of the *Hansard* staff, the members of the Press, and to members generally.

As the Premier has said, this has been a somewhat mild session—the first session usually is—and there has not been a great deal upon which to get hot under the collar. Nevertheless, it makes no difference to the feelings we would express at this time of the year when we tend to forget our affairs and accept in the best way we can those things which generally abound in the festive season.

I would like to say to you, Mr. Speaker, that you have measured up to what I believe would be a very high standard in your office. You have presided over the work of this Chamber efficiently and fairly, and that is what we would expect in a man of your position. We are very grateful for this. We also express our appreciation to the Clerks, to the attendants, and to the *Hansard* staff, who have been obliged under pressure of work towards the close of the session, to work long hours under difficult conditions. I think we have been well served by those whose responsibility it is to minister to us in various ways, and for this we are very grateful.

To my deputy leader I would like to express my appreciation for the very strong support he has given. I would like particularly to thank the new members of this party who were added to this Parliament following the last State general election for the excellent way in which they have responded to my demands upon them —demands which arose from the responsibility which devolves on the Opposition in this House. Without exception they have shown a willingness to accept the duties which have been thrust upon them; and, in my opinion, they have acquitted themselves with credit not only to themselves but to the party to which they belong.

I would say to the new members on the Government side that they do not have the same opportunity in Government as the new members in the Opposition have. That is the way it is, and I speak from experience. Nevertheless, I hope their chance will come soon.

At the close of this period of the session I wish you, Mr. Speaker, continued good health and great festive joy for you and your family; and that goes for everybody in this Chamber.

MR. LEWIS (Moore—Minister for Education) [9.12 p.m.]: In the absence of the Leader of the Country Party may I briefly, but none the less sincerely support the remarks made by the Premier and the Leader of the Opposition. First of all, I would like to congratulate, and thank, you, Mr. Speaker, for the wise and impartial way in which you have carried out the duties of your high office.

I, too, realise that this is only the middle of the present session of Parliament; but like the Premier and the Leader of the Opposition, I feel this is the appropriate time, when we are ceasing our parliamentary duties and approaching the Christmas season, to extend the feelings of good fellowship to all members regardless of what their politics may be.

At this particular time I am mindful of the glimmer of hope that surrounds the situation in South-East Asia; and I am sure we all wish that this glimmer of hope will burst into a dawn of peace leading to a greater happiness, before Christmas if possible, for the peoples of those distressed areas. If peace can be restored in those areas it will be of great satisfaction to the peoples of the world.

I also would like to extend Christmas greetings to the officers of Parliament, to the staff, to the Press, and to all members on both sides of the House.

THE SPEAKER [9.13 p.m.]: Could I, firstly, on behalf of the Clerks, the attendants, the *Hansard* staff, the Press, and all others who have not the opportunity of speaking in this Chamber, express their very sincere thanks for the good wishes that have been extended to them by the Premier, the Leader of the Opposition, and the Deputy Leader of the Country Party. Could I also add my best wishes to them for the festive season, and express my sincere thanks for the great assistance they have given me in the somewhat difficult task at times of presiding over this Chamber.

I would also thank the Premier, the Leader of the Opposition, and the Deputy Leader of the Country Party for the very good wishes which they extended to me

and my family for the Christmas season. I take this opportunity of reciprocating those good wishes, and of expressing to the members of this Chamber my own personal good wishes for Christmas and for a very happy and prosperous 1969.

I do thank the members who have spoken for their kindly references to me which I feel I do not deserve, but which I am happy to hear. Could I take this opportunity before I proceed further of expressing thanks—as I did not have the opportunity to so express them during this part of the session—to the members who extended congratulations to me on my election to the Chair. I have had a very enjoyable session, and I should thank members for their co-operation. They have certainly assisted to make my task a fairly comfortable and easy one in what I agree has been a reasonably quiet session.

The last observation I want to make is to offer my very sincere congratulations to the new members who, I feel, have fitted into this House very ably and very quickly. It has been a difficult task for them to do so. There were a few of us who were elected in 1959; I think on that occasion there were six or seven new members. After the last election we had somewhat of an influx of new members, and to some extent they were placed at a disadvantage in that they had very few veterans to whom they could turn. I think they have done exceedingly well. I have read comments in the newspapers on how quickly they had fitted into the parliamentary scene. I thank them sincerely for the manner in which they have co-operated with me.

In conclusion I thank one and all for their kindly references to me, and again I express best wishes for a merry Christmas and a happy New Year to all.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Premier) [9.16 p.m.]: I move—

> That the House at its rising adjourn until a date to be fixed by the Speaker.

Question put and passed.

LEAVE OF ABSENCE

MR. BRAND (Greenough—Premier) [9.17 p.m.]: I move—

> That leave of absence be given to every Member of the Legislative Assembly from the determination of this sitting of the House to the date of its next sitting.

I understand this motion is required to ensure that we do not return in the next period of the session to find our seats declared vacant because we stayed away from this session of Parliament without the necessary leave and approval of the House.

MR. JAMIESON (Belmont) [9.18 p.m.]: I take the rather unusual course of opposing this motion, because I do not think it is fitting and proper for such a motion to be moved. In the first place we all have a pecuniary interest in the matter; therefore it is doubtful whether we are entitled to move the motion.

I might draw the attention of members to the opinions that have been given on this question as far back as 50 years ago by the Crown Solicitor. Only recently another opinion along the same lines was given. Having viewed several of the opinions given by the Crown Solicitor, I came to the conclusion that he was tossing up as to whether it was desirable or necessary, because of certain features, for this motion to be moved. However, he relied mainly upon section 38(5) of the Constitution Acts Amendment Act which states—

> If any member of the Legislative Council or Legislative Assembly, after his election—
>
> (5) Fails to give his attendance in the Legislative Council or in the Legislative Assembly, as the case may be, for two consecutive months of any session thereof without the permission of the said Council or Assembly, as the case may be, entered upon its journals; or . . . .
>
> his seat shall thereupon become vacant.

A doubt arises, because in this House there would be no journals entered upon; therefore we could not reach the situation where we could be absent. The journals would not be entered upon during the parliamentary recess.

I understand the Commonwealth Government has adopted this procedure, but there is a degree of difference because the Constitution of the Commonwealth is very specific on this issue. I have not had a chance to check the Standing Orders of that Parliament, but I will deal with ours presently; and therein lies my objection to the acceptance of this motion, particularly in view of the way it is worded.

It is interesting to note the practice that exists in South Australia; this practice has been adopted for a number of years. I shall deal with one particular instance. Incidentally, the condition of absence of a period of two months applies in that State.

I will take the adjournment of the 21st November, 1963, when the then Premier (Sir Thomas Playford) moved that the House at its rising adjourn until Tuesday, February the 18th. That was a lot longer than two months; and it is interesting to note there were the usual felicitations and, at the conclusion of them, all the members

rose in their places and sang the National Anthem. They do it regularly in South Australia.

On the 16th May, the motion by Senator Anderson was that the Senate at its rising adjourn until Tuesday, the 28th May, at 3 p.m. That was under the two months and did not require this coverage by the constitutional sections.

I would draw your attention, Mr Speaker, to the fact that besides the Constitution Act, we have a Standing Order dealing with the attendance of members, the object of which is rather specific. Not only does the Standing Order require that this be put forward as a motion, but it sets out how the motion shall be moved. Standing Order 57 reads as follows:—

> Leave of absence may be given by the Assembly to any Member on motion after notice—

Incidentally, this is interesting, because it would appear from our Standing Orders that we could not have finished on Friday night because a notice would have been required to be given to the House. The only suspension of Standing Orders which we have is to allow a Bill to go through the House in the course of one sitting. Continuing—

> . . . and such motions shall have priority over other motions.

The Standing Order states that a cause must be stated, and the Premier cannot put a cause into the motion he has moved, because there is no real cause excepting that the House will not be sitting. Then the motion becomes somewhat ludicrous.

All I wish to do is to point out that in my opinion this is not a right and proper motion to be before the House. If no objection were taken at this stage, a precedent would be established by the motion. I suggest it is not a right and proper motion. We are relying on the opinion of Crown Law officers dealing with the Constitution Acts Amendments Act and not with the Standing Orders which govern our activities within this House. We must wed both of them to get into proper perspective the motion that is required.

I think it would be better if the Premier named a certain date, irrespective of whether he lived up to it or not, because he has the power in Executive Council to prorogue this session, and it would not be too much trouble to get the business back on the notice paper in such a case.

It would appear to me that we are all voting on this motion to give ourselves leave of absence, which seems silly, particularly as we have something to gain—we are to be paid our salaries whilst on leave of absence. It might be all right to do this for a member who is to be absent from the Chamber for a specific reason, but it certainly looks rather peculiar to do it for people who are present; and, no doubt most of them will be present when the House resumes.

In framing the motion, Standing Order 57 has, to a great extent, been disregarded, and I draw attention to this in regard to future occasions, because this is one of those firsts that have occurred. I have noticed that other Parliaments only move that the House adjourn for one month. They specify the date, and during that time Parliament, or the session, is prorogued, so there is no worry.

I do not think the Premier would have been presented with any problem in bringing the House back at any time he wanted and it would have been better to frame a motion containing a specific date. Had this been done there would be no worry in regard to the Constitution Act or Standing Orders.

If I were to oppose a similar motion in the future, I would be asked why I had not opposed it on this occasion. We should have a specific motion; and I do not think this motion means anything. A motion to the effect that the House at its rising adjourns to a date to be fixed by the Speaker would have been fit and proper because nobody can take action to upset the Constitution if they cannot see the records of the House.

Members would not have been in attendance, so no-one could see the records of the House. This is the salient feature associated with the Constitution Act. So long as the records show that a member is absent for two months of the sittings of the House, his seat could be declared vacant.

This is a superfluous motion, and should be looked at in regard to future occasions.

MR. BRAND (Greenough—Premier) [9.28 p.m.]: I appreciate the point raised by the member for Belmont. However, it must be remembered that I, as Leader of the House, would not be moving this motion unless I had been advised to do so. One example was pointed out to me—that of the Commonwealth itself. If it is not necessary to move such a motion, there is no desire to do so, except that we want the matter clarified so that the position will not be insecure.

As you know, Mr. Speaker, I have taken the advice of yourself and your officers in this matter, and that is why I have moved the motion in this form and at this time. I acknowledge we can all learn by experience and benefit by further examination, and, if it is necessary, we can alter the form of the motion, because we do not want to move motions that are not necessary, particularly at this stage of a sitting.

Question put and passed.

House adjourned at 9.29 p.m.