That passage refers to the fund that had been accumulated for the programme, which was directed to specific groups in the community. For high-school students a 50-page booklet was produced. In high schools essay contests were conducted. For college students a three-day debating contest was held. For newlyweds family planning leaflets were distributed to 250,000 couples. A special poster was produced, and so on.

This also involved a newspaper cartoon contest, an essay contest, a family planning song-writing contest, and the production of 10,000,000 boxes of wooden matches with different labels by the largest match-manufacturing company. A Disney film about family planning was shown in about 500 theatres in the country.

A programme of this type would not be applicable in Western Australia, but it indicates the type of advertising which can be employed. In years to come this advertising could be limited by the legislation which is before us now.

At the moment the family planning organisation is concerned to become established. If the section is repealed, objectionable material could still be controlled by the Indecent Publications Act, 1902-1967. If concern is felt regarding any particular advertising, this legislation would give the Minister the power to prevent its publication. The legislation provides that actions can only be brought by the Minister in charge and not simply by a person who finds something objectionable in an advertisement.

I would like to reiterate that the work of the association is now limited by section 4 which I seek to have repealed. There is no danger that the results will be in any way objectionable. National magazines and even State newspapers would have to consider the legislation pertaining in other States when printing such advertisements.

The Police Offences Act in South Australia is very similar to our Indecent Publications Act. This Act does not refer to contraceptives, in other words there is no restriction on the sale and advertising of contraceptives in that State.

In Victoria the Summary Offences Act restricts the publication of advertisements and other material under section 40. This Act also prohibits exhibiting, hawking, or gratuitously delivering contraceptives.

In New South Wales the Offensive and Indecent Publications Act includes an interpretation of contraceptives in section 3. Of all things, in this legislation contraceptives are termed "indecent." Again only the Minister can proceed with an action.

The only Act in any way related to this subject in Queensland that I have been able to find is the Objectionable Literature Title Act. There is no specific mention of contraceptives in that Act although there may be other legislation. The association in South Australia has run into trouble because apparently a journalistic ethic is placing another form of censorship on its actions. I hope this will not be the case in this State.

There are many other articles and documents I could have quoted. I hope ultimately that we have national legislation of the type adopted in the United Kingdom and the United States of America. Unfortunately there are limitations on what we can do. We would like to see the 27½ per cent. sales tax on contraceptives removed.

The Hon. G. C. MacKinnon: Are you winding up or starting again?

The Hon. R. F. CLAUGHTON: I am just finishing off. We would also like the association to be recognised as a voluntary charitable organisation. At the moment it cannot claim tax benefits and it must conform in the same way as any corporation or company. I would like to thank members for listening and I sincerely hope they will support the Bill now before the House.

Debate adjourned, on motion by The Hon. G. C. MacKinnon.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [5.31 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 11th April.

Question put and passed.

House adjourned at 5.32 p.m.

Legislative Assembly

Thursday, the 30th March, 1972

The SPEAKER (Mr. Norton) took the Chair at 11.00 a.m., and read prayers.

TRANSPORT

July Report on Urban Needs: Tabling of Plans

MR. GRAHAM (Minister for Development and Decentralisation): Yesterday the Leader of the Opposition asked whether certain plans relating to the proposed development of the City of Perth in the transport sense could be made available. I now have two plans with me and I ask permission for these to be laid upon the Table of the House.

The SPEAKER: Permission granted.

The plans were tabled.

MINISTERIAL VISIT TO JAPAN

Statement by Premier

MR. J. T. TONKIN (Melville—Premier) [11.02 a.m.]: I seek leave to make a statement to the House regarding the visit of the Minister for Mines and myself to Japan.

The SPEAKER: The Premier seeks leave to make a statement on the visit by the Minister for Mines and himself to Japan. I point out that if there is a dissentient voice leave will not be granted. Is there any dissentient voice?

Mr. Nalder: Will the vote on this question be taken immediately?

The SPEAKER: Yes.

Point of Order

Mr. COURT: In view of the fact that the decision on this question will be resolved in the negative if there is a dissentient voice, should the Opposition so desire to ask some questions of the Premier at a later stage of the sitting could you, Sir, show some tolerance at the time allowed for questions without notice to permit us to ask these questions otherwise we are precluded from doing so under the Standing Orders?

The SPEAKER: I will show some tolerance on this occasion in view of the circumstances. There being no dissentient voice, I call upon the Premier.

Debate Resumed

Mr. J. T. TONKIN: I thank the House for giving me this facility. I think it is most desirable that the Minister for Mines and myself, having just returned from Japan at midnight last night, should take the first opportunity to apprise the House of what transpired during the period we were away from the State, more particularly as some very erroneous reports have appeared; those reports coming from uninformed and ill-informed reporters stationed in Japan.

What I propose to do is to state the facts and then, having done that, if I am permitted, to express a few opinions as to the likely outcome of the facts. The Government felt it necessary, in view of the abrogation of iron ore contracts by certain Japanese companies to ascertain what the situation in Japan was with regard to these contracts and the reasons the Japanese felt obliged to go outside their contracts. The contracts provided for the taking of a certain basic quantity of iron ore with plus or minus options of 10 per cent. and, in the main, up till now, the Japanese have been taking more than the basic quantity of iron ore because it suited them.

However, a situation having developed in Japan, the companies were entitled, under their contracts, to go back to their minus options and take the basic quantity, less 10 per cent., but they asked the iron ore companies to take approximately 7 per cent. less than the minus option which meant, altogether, a 17 per cent. cut-back on the basic quantity. That is serious for the iron ore producers in Western Australia and it is serious for the Government because of the consequent loss of royalties; and it was felt, in the interests of the Government and the companies, that we should endeavour to find out precisely the reason the Japanese companies felt obliged to cut back to this extent and, if it were possible, to have some improvement effected.

In our desire to do this we were encouraged by the local iron ore producers who felt that if we went to Japan we could effect some improvement. At this stage I would like to remind the House that before we went to Japan, despite the fact that the producing companies in Western Australia encouraged us to go, an article written by a reporter stationed in Japan was published in *The West Australian* stating that our visit would be fruitless; it was too late because negotiations had been completed. I emphasise this because that same scribe subsequently set out, apparently, to justify his original article in which he stated it was fruitless for us to go to Japan.

So anything he said subsequently must be considered in the light of his original statement. This man said he had been called hurriedly to a Press conference. That is not true, and he knows it is not true. But what is true is that my P.R.O. arranged for me a Press conference to take place on one morning which was to be followed by a Press conference by the Minister for Mines the following morning, and this reporter arrived half an hour late for both of them. We should take no notice—and I do not propose to take any more notice—of uninformed and ill-informed criticism, but instead, we should let the facts speak for themselves.

The next purpose of our visit was to assure the Japanese that even though a change of Government had taken place there was no need for apprehension or concern with regard to the possibility for investment and development in Western Australia; and it was admitted to us that following the change of Government the heads of the Japanese companies did have apprehension, and concern, and doubt—

Mr. Davies: I would say it was inspired.

Mr. J. T. TONKIN: —as to what might happen. But there was no doubt as to the attitude when we left, as I shall be able to indicate when I reveal what transpired. Mr. Speaker, we were able to meet the very top men in the steel-producing companies and in the trading companies —no substitutes, no deputies, but the very top men with all the heads of the various departments lined up with them, so that every angle that we wished to discuss could be discussed there and then.

On the Government side, because it was soon made apparent to us that it was necessary for us to go through to the Government if we were to effect any improvement, we met first of all Mr. Tanaka who was publicly announced in our presence at a gathering as the probable next Prime Minister of Japan to succeed Mr. Sato. In discussions wth Mr. Tanaka he told me that he very much regretted what had occurred in connection with the iron ore contracts, and he would do his utmost to have the situation corrected as quickly as possible; and to this end he proposed to make representations to the Minister for Finance who apparently is in control of this situation in Japan.

Long before we went there a committee had been set up in Japan for the purpose of making recommendations to the Government as to what action ought to be taken by it in the circumstances then existing. A proposal was put up that the Government should find $560,000,000 in order to enable the producers to honour their contracts for both ferrous and nonferrous metals, but when this went to the Ministry for Finance it was cut back by $200,000,000, and only sufficient was made available to enable the buyers of nonferrous metals to honour their contracts, leaving the buyers of ferrous metals unaided in this direction.

Mr. Tanaka told me that he would endeavour to see whether the Government could be induced to accept the full recommendation to provide $560,000,000, so that the contract with regard to ferrous metals as well as nonferrous metals could be met in the proper terms. We had a little difficulty initially in convincing the representatives of the Australia-Japan Parliamentary Union that there had, in fact, been abrogation of the contract. They said "No. All that has happened is that the companies have gone back to their minus options."

Fortunately we had the documentary proof available to show there had been a cut-back of 7 per cent. below the minus options. When the representatives of the Australia-Japan Parliamentary Union saw this they said straightout that they would do their utmost to have the situation corrected to the extent of having the matter raised in the Diet and debated in that House.

I submit that up to this stage we could not have expected any more than that, because there is a situation which has to be corrected and the Government is in control—in Japan they operate under a system of cartels which are controlled by Government policy.

I think it is as well for a proper understanding of this position generally with regard to steel that I should read a letter which has been supplied to me by Mr. Nagano, who signs as the Representative Director and Chairman of the Board of Directors of Nippon Steel Corporation. Under date the 24th March, 1972, he wrote as follows:—

> The Hon. J. T. Tonkin
> Premier
> Western Australia
> Excellency,
>
> It was a great pleasure for me and my associates to have been given an opportunity of meeting with you and your colleagues on March 23rd. I think that our meeting was of great significance in that we were able thereby to promote mutual understanding and closer relationship between Western Australia and the Japanese iron and steel industry. I believe that, as a result of our discussions, you have come to fully understand the fact that the recession in Japanese economy has further been deteriorated owing specifically to the so-called "Nixon shock" of last August, and that we are still under the grip of a very serious economic predicament. We, in the meantime, have been negotiating with various mining companies of Western Australia in a friendly atmosphere. As a result of our meeting, however, we are now in full appreciation of the difficult situation that your Government is confronted with.
>
> Needless to say, iron ores from Western Australia have always been and will be highly evaluated as the most important source of raw materials for the Japanese iron and steel industry, and we are convinced that we and Western Australia will continue to maintain an inseparable relationship over many, many years to come. Therefore, I would like to emphasize that it is our basic attitude to correctly understand the difficulties faced by your Government and mining companies, and, on basis of such understanding, to exert our utmost efforts with sincerity to solve the problems.
>
> At present, however, it is very difficult for us to look far ahead into the course of recovery the Japanese economy might take. If I may be frank, my personal opinion is that this recession is so deeply rooted that it will continue quite some time in spite of the efforts being exerted jointly by Government and private industries together. I am also of the opinion that it will be difficult for the Japanese economy to continue to grow as rapidly as it did in the past.
>
> Be that as it may, however, I would like to confirm my sincere personal intention to see that we continue to frankly exchange information and opinions to mutually secure understanding of the situations on both sides, so that we might ultimately solve

the various problems we are confronted with to still deepen the friendly relations now in actual existence between Western Australia and Japan. In conclusion, may I extend my best wishes to you personally and to the prosperity of Australia as a whole.

With regard to Mr. Nagano's attempt to forecast the future in Japan, let me say that it was published whilst we were in Japan that if the month of February of this year was compared with the month of February last year it would be seen that exports were up 27.4 per cent. and imports were up 18.8 per cent. That does not suggest to me any deep-rooted recession in the Japanese economy generally.

Furthermore, it was published that Japanese steel production was up last year and that there was a 34.5 per cent. increase in the amount of exports of Japanese steel, which was 85 per cent. of the total crude steel production of Japan. Those figures of themselves do not indicate any steep recession in the industry generally.

There is no unemployment problem in Japan, frequently mentioned in our discussions. They are currently busily engaged trying to adjust to a situation which we were assured was created as a result of the Government control of the expansion of industry; and they have several difficulties. The revaluation of the American dollar created uncertainty and difficulty. Furthermore, the question of pollution in Japan is now serious and the Government has given a direction to the steel-producing companies and others which will result in their having to find substantial sums of money in order to effect the corrections which have been made obligatory upon them. It is this need to find the extra money which has placed a number of the producers in a temporary difficulty.

Although Mr. Nagano's opinion is that the recession is deep rooted, that opinion was not shared by the others with whom we spoke; and on our final night in Japan I was assured by the Chairman of the Sumitomo Group of companies that it was desirable we should keep the pressure on in our endeavours to have the contracts adhered to with regard to the sale of iron ore.

We sought opportunity to ascertain from the Japanese their views about encouraging additional producers into the field in Western Australia, recognising that there was not much sense in increasing the number of producers if iron ore contracts could not be made available to them. We explained that as a Government we had called applications for the sources of supply of high-grade iron ore and the question which confronted the Government was whether it was desirable to make available additional sources of supply to entirely new companies and bring them in as producers, or whether it would be much better from the point of view of the State and the Japanese industry if we took steps to ensure longer life for existing producers.

We felt the Japanese viewpoint could be helpful to the Government in making its decision as to the policy to follow; and I am pleased to say they were quite frank in expressing their opinions. With one exception they all expressed the same opinion. One company expressed a contrary opinion; but the way they discussed it and the reasons they gave to back up their opinions will be helpful to the Government when it has to decide what is to be done with the iron ore resources already and at present under the control of the Government which we are considering making available to other companies.

As to steel, I should emphasise that the matter is not closed with regard to the quantity of iron ore the Japanese will take, and I propose to follow up my representations by a direct letter to the Minister of Trade and Industry. However, the important thing to remember is that we were given a definite assurance a number of times by the persons directly concerned that, because of the disability following the cut-back in contracts which the Government itself and the iron ore producing companies would have, those companies would go out of their way to give us a preference when the situation improved and to take additional quantities of iron ore to make up to us for the situation which had been created.

That was one of the aspects emphasised to me by representatives of the iron ore companies in Western Australia as being a desirable assurance to obtain if we could, in view of the fact that other countries are entering into the area of iron ore production and quite a possibility exists that the Japanese companies might give some of their business elsewhere. So it is important that they have given us their word that because of the disabilities following the cut-back in the contracts they will do their utmost to make it up to us for the losses which have been sustained as a result.

Another reason for our going was to talk with the representatives of the Japanese trading companies in order to ascertain the extent of their interest in participating in Western Australian development, either by way of joint venture or by making finance available; and in this regard we found the greatest enthusism and confidence.

It was made clear to us that because of the substantial funds built up by Japanese industry following their large exports, funds were readily available for investment in other places and they

favoured Western Australia for this investment. They submitted questions with regard to the uranium find in Western Australia and the possibility of assisting in that development. They showed great interest in the natural gas field in the north and they are prepared to buy the l.n.g. in large quantities and are prepared to provide the finance to assist in the development. Although we did not go to Japan in order to try to obtain capital for the ventures, nevertheless the offers were made voluntarily by the companies with whom we spoke.

The leading man—and I emphasise, "the leading man"—in Mitsui—and both the Leader of the Opposition and the Deputy Leader of the Opposition would know the standing of such a man in industry in Japan—told me that his company was prepared to provide the whole of the money necessary to install a pipeline from the source of the gas supply right down to the metropolitan area, if we wanted it done. That will give some indication of the extent to which they are prepared to participate.

That was not the only offer of that kind in connection with the availability of finance for big projects. They indicated they are ready to go ahead now with the development of the kaolin deposits at Greenbushes and it is expected that this operation will be under way by June. The particular company proposes to open an office in Perth to facilitate its business.

The Minister for Mines had separate discussions with other groups with regard to uranium and the kaolin deposits in order to expedite the negotiations which were then under consideration, and he was given certain definite assurances in connection with these developments. Naturally enough, the Japanese are still interested in our supplies of nickel.

At this stage I want to say that there was ample evidence in Japan of the wisdom of the action of the Government in arranging for the Deputy Premier (Mr. Graham) and the Minister for Mines (Mr. May) to visit Japan in June of last year in order to assure the Japanese quickly that we proposed to continue the development of this State and retain the good relationship then existing between Japan and Western Australia. I found ample evidence that the visit was appreciated, and it really paved the way for the excellent reception which Mr. May and I received on the occasion of the visit to which I am now referring.

I say without the slightest hesitation that there was no indication whatever that we were not welcome. Our visit to Japan was fully appreciated and time will tell, without any doubt whatever, that it was a fruitful mission and will pay rich dividends. We will not have to wait very long before this will be most manifest.

Mr. Court: The member for Collie has gone a bit white.

Mr. J. T. TONKIN: I now have the details in front of me regarding the meeting we had with the representatives of the Australia-Japan Parliamentary Union, and if I may I will refer to it again because this is most important from the point of view of the further representations which we intend to make in order to get a quick return to the observance of the contracts.

There were present at the meeting Senator Kazuo, Mr. Katsushi Fujii—Chairman of the Sub-committee of the Budget Controlling Mineral Resources in the House of Representatives—and Mr. Hirose—Secretary of the Australia-Japan Parliamentary Union.

All those gentlemen indicated, without any reservation at all, they very much regretted that the terms of the contracts were not being adhered to, and they would do their utmost to have the situation corrected to the extent of taking it into the Diet for discussion. They said they would make the strongest representation to the Japanese Government in an endeavour to have funds made available to enable the steel-producing companies to purchase the iron ore which they had contracted to buy.

In conclusion, I would like to emphasise the outstanding points in connection with this visit. The possibility of an early resumption of the full intake under the iron ore contracts is still there. Good progress has already been made and we have the support of the top men who are prepared to work in this direction and, I repeat, one of them is no less a person than Mr. Tanaka who is referred to in Japan as the probable successor to Mr. Sato, the present Prime Minister. We also have the support of Senator Kazuo, and the Vice-Minister of M.I.T.I., the Ministry of International Trade and Industry in Japan. These gentlemen are influential in the political life of Japan, and have undertaken to do their utmost to have the existing situation corrected as soon as possible.

Another point is that if we need funds—if any of our companies need funds to enable them to develop, whether it is the Western Mining Corporation in connection with uranium or Woodside-Burmah Oil in connection with gas—the money is available for the purpose in almost unlimited quantities.

In connection with the possibility of a proposal for funds to be made available, the Minister for Mines—prior to our leaving Western Australia—was in consultation with the Federal Minister, Mr. Swartz, in order to be certain that anything we intended to do would not run counter to Commonwealth policy in connection with the matters we proposed to discuss.

To sum up, all in all, it can be said it was a good thing that we made this visit to Japan, and I am as sure as I stand here that excellent results in the interests of the State will accrue from it.

Mr. Court: I thought the Premier would tell us about the power station finance that was reported from Japan.

Mr. J. T. TONKIN: That is correct.

Mr. Court: And also about the State Government's intention to take equity participation in the gas.

Mr. J. T. TONKIN: I suggest the Deputy Leader of the Opposition should ask me some questions about that.

BILLS (5): INTRODUCTION AND FIRST READING

1. Stamp Act Amendment Bill.

   Bill introduced, on motion by Mr. J. T. Tonkin (Treasurer), and read a first time.

2. Zoological Gardens Bill.

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

3. Local Government Act Amendment Bill.

4. Plant Diseases Act Amendment Bill.

5. Plant Diseases (Registration Fees) Act Repeal Bill.

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

CRIMINAL CODE AMENDMENT BILL

Second Reading

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [11.45 a.m.]: I move—

> That the Bill be now read a second time.

The purpose of the Bill is to amend the Criminal Code and, as members will see from reading the Bill and heard when leave was sought for its introduction, it concerns many sections of the Criminal Code.

Changes in conditions of living and economic factors in the community make it necessary to keep laws relating to the protection of property and life under constant review. The amendments proposed arise from the need to achieve these objects and are considered essential if the democracy under which we live is to continue to operate satisfactorily.

The principal object of the legislation is to extend the classes of indictable offences which can be dealt with summarily by courts of petty sessions. This was a subject considered to be of sufficient importance to refer to the Law Reform Committee for that committee's investigation and recommendation.

The committee, which consists of Mr. C. Langoulant, Senior Assistant Crown Solicitor as chairman, Professor E. J. Edwards of the University Law School, and Mr. B. J. Rowland, a solicitor in private practice, was asked, "to consider the need for further legislation to provide for summary trial of indictable offences." In accordance with the committee's usual procedure, a working paper was prepared and circulated to the Chief Justice and judges of the Supreme Court, the magistrates, the Royal Association of Justices of Western Australia, the Commissioner of Police and the law reform commissions of other jurisdictions.

Trials by judge and jury on indictment undeniably take longer and are more costly, both to the State and the individual charged, than summary trials. It is believed many accused would prefer summary trial because of its practical advantages. Because he can be dealt with earlier, his anxieties are sooner resolved one way or the other. Moreover, the maximum penalty which can be imposed on summary conviction is generally less than that which can be imposed by the superior court. Support for these conclusions may be found in the experience of the district court. Since this court came into operation on the 1st April, 1970, 1,265 indictments have been filed in the court. Of these, 1,107 have pleaded guilty to offences which courts of petty sessions have been required to commit for trial and many of which may be dealt with summarily under the proposals contained in this Bill. These proposals which have been recommended by the committee may be accepted with confidence by members as being approved by interested persons and organisations representative of the community.

The consensus of opinion expressed on the material set out in the working paper was that any extension of the power to deal summarily with indictable offences should be restricted to magistrates. Generally, this view was accepted but, having regard for the vast area of the State and the scattered population, it was considered some regard should be had for the position where a magistrate is not readily available and—I emphasise—the defendant is prepared to consent to being dealt with by two justices.

The power to deal summarily with the additional offences will not sacrifice any of the traditional principles associated with trials of criminal cases.

This is a convenient time to pay tribute to the work of justices of the peace in this State. Without their assistance, the administration of justice could not be efficiently undertaken. However, without doubt they will agree with the view that magistrates, properly qualified, should preside when dealing with the offences enumerated in the Bill. The complexities

of laws make it impossible for persons not wholly engaged in the day-to-day work of the law to acquire the knowledge required for this important task; but this does not mean that justices of the peace will not continue to play an important role in dispensing justice in other cases.

Offences which are proposed to be dealt with summarily are—

obstructing officers of courts of justice;

poisoning waterholes;

keeping and using gaming houses;

keeping and using betting houses;

keeping and using places for the purpose of lotteries;

assaults;

assaults occasioning bodily harm;

trivial cases of defamation;

housebreaking and burglary where the value of the property does not exceed $500 and where no violence is used in the commission of the offence;

stealing and wilful damage—the value of property to be increased from $300 to $500.

Some difficulties have been experienced in obtaining convictions against adult offenders who procure or induce children to commit acts of gross indecency with them. At present it is necessary to prove an act closely akin to assault before a conviction can be obtained. The growing concern about the increasing number of these offences brought to notice makes it essential for the protection of children of tender years that the matter be reviewed. Accordingly, it is proposed to amend the appropriate section along the lines of the English legislation in current use, and make it clear that an offence is committed by a person who incites a person to deal indecently with him or with another person.

Section 289 of the Criminal Code, dealing with the crime of attempting to commit suicide, is to be repealed. There is general agreement that persons who attempt to take their own lives are in need of medical treatment and, therefore, should not be subject to court proceedings. For some years it has been the policy of the Commissioner of Police not to prefer charges in such cases but to have the person concerned transferred to Mental Health Services for treatment. There should be no objection to the repeal of this section, which for practical purposes has not been operative for some time.

Present provisions of the Criminal Code do not include a specific section which authorises the joinder of counts against more than one person but there are references in the Code which make it clear this may be done. Although it has been done frequently, very real difficulties have been experienced in the matter. The provision has been redrafted to overcome the problem.

A person charged on indictment for offences of stealing, false pretences, or cheating may be convicted of any other offences committed with respect to the same property if such other offences are established by the evidence. It is proposed that an alternative verdict may be given in respect of offences dealing with obtaining goods or credit by false pretences or by a wilfully false promise. The suggested amendment is reasonable under the circumstances existing today.

The settled policy of the Crown is to indict a person on a charge of manslaughter where, by reason of his unreasonable conduct in the driving of a motor vehicle, he is responsible for the death of another person. This policy was the subject of comment by a member of a court of criminal appeal on the need to leave to a jury the responsibility of returning a lesser verdict of reckless or dangerous driving causing death. The Crown's policy is founded on Supreme Court decisions that the degree of negligence is the same for both offences. The Law Reform Committee, after considering the matter, submitted alternative proposals for consideration.

The Government has therefore decided to redraft section 277, dealing with unlawful homicide, so that it will clearly include the offence of causing death by negligent use or management of a motor vehicle. Members will no doubt agree that any attempt to reduce the severity of the crime would be against the public interest, having regard for the increase in the road toll.

The provisions of this Bill will, I contend, meet the changing needs of the community and could be expected to receive the support of those interested in protecting law-abiding citizens without jeopardising the rights of those who offend. I commend the provisions of this Bill to the House.

Debate adjourned, on motion by Mr. Mensaros.

JUSTICES ACT AMENDMENT BILL

Second Reading

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [11.59 a.m.]: I move—

That the Bill be now read a second time.

The provisions of this Bill are consequential upon amendments to the Criminal Code providing for an extension of classes of offences which can be dealt with summarily by Courts of Petty Sessions. The opportunity is taken to incorporate other amendments considered desirable for the better administration of justice.

The increasing number of offences which are proposed to be capable of being dealt with summarily makes it desirable that

wherever possible the charges should be determined by stipendiary magistrates. Where a magistrate is available or defendants do not consent, it is proposed that justices of the peace shall be precluded from dealing with the charges.

As I have already indicated, the part played by justices of the peace in administering the laws has been and is recognised. However, it must also be recognised in these days of specialisation that wherever possible magistrates should deal with charges of a serious nature. The reasons have been explained when introducing amendments to the Criminal Code.

Some doubt has been expressed about the power to enforce under the provisions of the Justices Act recognisances which are not entered into pursuant to the order or decision of a court of summary jurisdiction. An example of such a recognisance is one entered into after arrest without warrant but before court appearance. An amendment is therefore proposed to cover all recognisances arising in summary matters obviating the need to take recovery action by suing in the local court for the amendment of the recognisance.

The court of petty sessions has a discretion not available to the local court to order any, or total, relief from the forfeiture where it appears there are special reasons for the breach of the recognisance. At present any party to a charge who has been dealt with in default of his appearance may apply to the court for an order to have the decision made in his absence set aside and for the matter to be reheard. The object of this provision is to provide an easy and economical means of ensuring that every person can be reasonably certain of a fair decision from the court. The section is used mainly in cases where persons plead guilty, usually in traffic cases, and then consider the penalty imposed as harsh or excessive.

A person seeking a rehearing must apply to the court within 21 days of the decision. Experience has shown it is not always possible for various reasons, such as unavoidable absences from usual place of residence or distance from the court, for the application to be made within the prescribed time. The court is to be empowered, therefore, to extend the period as it thinks fit.

As stated, the section is intended to provide ready means of enabling a party to have a charge reheard. Most of these applications involve breaches of the Traffic Act, in which police officers are usually the complainants. In such cases, the amount of security for costs has not been required. In a recent case where a shire traffic inspector was the complainant, an objection against the rehearing was successfully upheld on the ground that the amount of security for costs had not been lodged with the court. It is proposed to remove this requirement in respect of applications for rehearing.

Mr. Hartrey: Hear, hear!

Mr. T. D. EVANS: An increase in the value of goods protected against seizure under warrants of execution issued in default of payment of penalties is considered necessary. The present amount has remained unchanged since the Act was enacted in 1902. An increase to the same amount as provided in the Local Courts Act is reasonable, having regard for changes in money values since that early date.

Where, on a police prosecution, a person has been convicted after trial or on a plea of guilty, and it appears through some mischance or error that a conviction should not have been recorded, it is fair that the complainant should have the power to rectify the matter and have the conviction quashed or an order to review. In summary convictions it is frequently not worth the expense for the defendant to appeal, although he may feel aggrieved that the conviction stands against him. Under these circumstances, the amendment empowering the Attorney-General to seek an order to review is in the best interests of the administration of justice and enables the record to be corrected at no expense to the defendant. In the event of costs being ordered against the Attorney-General in such cases, suitable provision is made for payment of such costs by the Treasurer.

One of the problems facing every organisation is the custody and storage of records, and courts are no exception in this respect. The ever-increasing number of charges, most of which are not of a serious nature, has created a heavy demand for storage. Legal opinion is uncertain whether there is any valid authority for the destruction of records of courts of petty sessions. Generally microfilm storage has become an accepted alternative to retention of original records.

An examination of the problem by Crown Law officers has resulted in a suggestion that court records be placed on microfilm after three years and the original record then destroyed. The microfilm negative is to be recognised as the court record for the next 50 years. The practical effect of this proposal is that a court record of the conviction of a person will be maintained for 53 years. As offenders cannot be charged in courts of petty sessions until after attaining the age of 18, the prescribed period of 53 years appears to be adequate.

The amendments proposed in this Bill are recommended for favourable consideration as providing improvements in the administration of justice in Western Australia.

Debate adjourned, on motion by Mr. Mensaros.

CHILD WELFARE ACT AMENDMENT BILL

Second Reading

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [12.09 p.m.]: I move—

That the Bill be now read a second time.

This is a Bill to amend specific sections of the Child Welfare Act, 1947-1971, as it is necessary to authorise amendments consequential on the decision to amend the Criminal Code and the Justices Act. These amendments have already been proposed to the Chamber.

The amendments in this Bill which affect the Child Welfare Act are—

(1) To require a stipendiary magistrate, if available, to deal summarily with certain indictable offences, or if a magistrate is not available for the matter to be dealt with by two justices with the consent of the accused.

(2) As was explained when introducing the Bill to amend the Criminal Code, to provide that persons who incite a child to deal indecently with another person are guilty of an offence.

Members will recall that the reasons for these amendments have already been explained. Likewise, I commend the passage of this Bill to the House.

Debate adjourned, on motion by Mr. Mensaros.

PRESBYTERIAN CHURCH OF AUSTRALIA ACT AMENDMENT BILL

Second Reading

Debate resumed from the 28th March.

MR. I. W. MANNING (Wellington) [12.12 p.m.]: When introducing this Bill the Minister indicated that it contained two or three amendments of a machinery nature, and concerned only with the Presbyterian Church. In fact, the amendments merely insert in the Act some words which were inadvertently overlooked when the Act was originally drafted in 1970. I am satisfied that the inclusion of the words is important to the smooth functioning of the activities of the Presbyterian Church, and I support the Bill.

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [12.13 p.m.]: I thank the member for Wellington for his comments in support of the Bill. I would remark that possibly this measure may create a record for the quickest passage of a Bill through this Chamber in this session.

Mr. O'Neil: We did one without even adjourning it.

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.

PUBLIC WORKS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 23rd March.

MR. HUTCHINSON (Cottesloe) [12.15 p.m.]: The Opposition has doubts about this amending Bill—or, to be more precise, it has doubts about some of the amendments contained in it. These doubts are raised in our minds as a result of the value of some of the amendments in their own right; but in addition we have doubts as a result of the lack of proper description given by the Minister in his second reading speech.

I have been a Minister and I know that a second reading speech tends to describe the purposes of the Bill in general. But it should be the aim and the objective of the Minister to be as precise as possible in order that there is no misunderstanding and no possibility of misconstruing the meaning of the amendment. I submit that a great part of the Minister's speech, which was a comparatively short one—and, for Heaven's sake, I do not mind short speeches—cannot be understood and the Bill must be studied very closely in relation to the Act.

Of course, a close examination of the Bill and the Act is the proper procedure to follow, but it is a cold method of analysing legislation and it should be clothed in the Minister's description of the effect and purposes of the Bill, and the intention of the Government or the department in respect of the amendments. So I hope and trust that in his reply the Minister will endeavour to give us further information.

I make reference to the Minister's speech to give some idea of what I have been trying to say. In his speech the Minister said that the Bill has the object of—

> . . . making statutory provision in respect of some procedures concerning the acquisition of land which have been adopted and reaffirmed by successive Governments, but which are not provided for in the legislation as it now stands.

I can find nothing about this in his subsequent description. The Minister also said—

> In the drafting of the Bill opportunity has also been taken to make minor improvements in the phrasing of some recent amendments with the object of rationalising certain procedures in the interests of efficiency.

On their own, comments like that are not enough. I have no real objection—although some members on this side may have—to the alterations contained in this Bill to the definitions in the Act. Probably it has been found that with the passage of years a definition does not provide the exact description of what is in effect being done, and has been done by the department over a period of years. I can see nothing wrong with those amendments.

However, there is one provision I do not like at all, particularly as it has not been properly described. I refer to the amendment concerned with abrogating the rights of persons who own mining rights in regard to the acquistion of land for public works.

The Minister says that the aim and objective of this amendment is that the provisions of the Act concerning compensation payable in respect of mining rights and land required for public works are to be clarified, and also that it will have the effect of avoiding payment of compensation for loss of minerals and minimise the payment of compensation that is otherwise payable. Those generalities are set out in clause 3. This is a cold proposition which certainly cannot be accepted in its present form. There will be some, no doubt, who are not prepared to accept it at all, but I would, perhaps, view it more favourably if certain modifications were provided which safeguarded the financial interests and the rights of people holding mineral claims and other mining rights; to have qualifications along certain lines that negotiations would have to take place to ensure, at least, that the closest investigations were made to ascertain whether some other site or sites might be secured for the public works in question. So, as a cold proposition this leaves me very cold.

The Minister, when moving the second reading of the Bill, said—

> Since 1954, in consequence of amendments made to the Act, and also by Executive direction, the incidence of this legislation on the public has been considerably alleviated. . . .

I am not sure what the Minister means by those remarks. It would be interesting to know just what alleviation has taken place. The Minister went on to say—

> . . . but experience has proved that the application of some of the concessions made requires rationalisation in particular cases.

Here again, I ask: What particular cases? We have no knowledge of them. In concluding this particular paragraph of his speech, the Minister said—

> The Bill provides for amendments to meet this situation and these will be explained to members during the passage of the Bill.

When would the Minister have the opportunity to explain these amendments during the passage of the Bill?

Mr. Jamieson: I do not know how you examined the Bill when you took the adjournment, but when I used to take the adjournment of the debate on any Bill after the second reading by the Minister, I would search through the principal Act to see what it provided and then if I were not happy with what was contained in the Bill I would certainly indicate my objection to it during the course of the second reading debate, so that any amendments in question could be fully explained when attention was drawn to them in the Committee stage. However, I do not know what you do.

Mr. HUTCHINSON: At the beginning of my speech on this Bill I described how a member examines the situation.

Mr. Jamieson: You did not really, because you are relying entirely upon the speech that I made on the Bill which you have before you without referring to the provisions.

Mr. HUTCHINSON: Obviously the Minister did not hear what I said.

Mr. Jamieson: Oh yes, I did.

Mr. HUTCHINSON: I said the member had to analyse the Bill in relation to the Act.

Mr. Jamieson: You have not done that.

Mr. HUTCHINSON: I have.

Mr. Jamieson: In asking these questions, obviously you have not done so.

Mr. HUTCHINSON: I have. This cold analysis of a Bill that is made by a member does not provide the information that is necessary for me to gain a proper appreciation of the Bill.

Mr. Jamieson: A principle that has been adopted over the years.

Mr. HUTCHINSON: In this regard I echo, to a considerable extent, the remarks given by the Minister when he was a member of the Opposition, with far less justification on his part. I will return to the point I was making. The Minister, smoothly and glibly, said that these amendments would be explained during the passage of the Bill. The only chance he has of explaining them would be in the Committee stage; this is when he would make the explanation. However that is a late stage for us to determine the quality of these amendments because the Minister may not make the explanations during his reply to the second reading debate. Nevertheless, I hope he does, because upon his reply will depend whether the Opposition supports the Bill or not, and that is the logical course to pursue.

Mr. Bickerton: Does that matter?

Mr. HUTCHINSON: Even the Minister for Housing, who is most disorderly in speaking from his present position in the Chamber, would know this. I have no objection to that part of the Bill which relates to payments of up to two-thirds of the compensation payable to claimants for the resumption of their land before all resumption procedures have been concluded. At present the Act states that the Minister, after the formalities of resumption have been observed, may, at the wish of the claimant, pay up to two-thirds of the compensation value.

The purpose of the amendment in the Bill is that this act may be performed before all the procedures of resumption have been followed, and I think it is a desirable amendment. I see no real objection to the interest payments or to the Government's wish to impose a limit on the term during which interest is payable on compensation amounts held while negotiations ensue, because sometimes negotiations go beyond the point of reasonableness and fairness, and I have no objection to a term being placed upon the interest payments; this being in all fairness to the people.

I have no real objection, under the provisions of clause 12 of the Bill, to the amalgamation of sections 112 and 113 of the Act. These relate to the temporary and permanent occupancy of land for the construction of public works, and what is proposed in clause 12 merely seeks to clarify the situation set out in those two sections better than it is framed at the moment.

So with those comments I reserve my opinion as to whether the Bill should be supported or opposed and I will await the Minister's reply to my question. It may be that he should more closely examine the Bill, particularly that clause which seeks to amend the section of the Act dealing with mining rights. This is clause 3, which seeks to amend section 16. I have thought of ways to amend it, but I cannot come forward with any suitable amendment to the clause at the moment.

If he has regard for what I have said he might feel that certain modifications or alterations should be made to this whole proposition. For that reason I reserve my opinion on the Bill before us.

MR. MENSAROS (Floreat) [12.31 p.m.]: I am in somewhat the same position as the member for Cottesloe, and I hope that in the Minister's reply he may be able to supply some information on the queries which I shall raise.

In the first part of the Bill the definition of "Public work" is extended considerably. I understand this has a very important legal correlation to resumptions that might follow. Obviously the Government of the day will be in a much better position to resume land for what is defined as a public work, than to resume land which is not classified as such.

From that point of view when one examines these extensions to the definition of "Public work" one sees, for instance, in clause 2 (c) (ii) that universities, colleges, technical and other educational institutions, including residences or hostels for teachers or students, and playgrounds are included. I do not think that a great deal of objection will be raised in the minds of the people if resumption for these public institutions is undertaken. One could be somewhat hesitant, however, in agreeing to the proposal that a residence of a teacher should be included in this category of the definition.

Of course, it is the desire of all of us to provide teachers with residences, especially those in country areas where housing is difficult to obtain; nevertheless it goes a little too far when the residences of teachers are included in the definition of "Public work" without any qualification of the area, whether it be in the metropolitan area or in the country. If a teacher acquires a house, this will be classified as "Public work", and it can be resumed under this definition. I am not suggesting the Minister has the intention of resuming houses indiscriminately for teachers; I am only suggesting that according to the definition in the Bill this could happen. In this respect we come back to the old principle that if something is not needed then it should not be included in the legislation which should not be so wide as to enable the Government to use it for everything.

Mr. Jamieson: The words "including teachers' residences and playgrounds" are in the existing definition in the Act. This term is being substituted by the passage "universities, colleges, technical and other educational institutions, including residences or hostels for teachers . . . "

Mr. MENSAROS: That is so.

Mr. Jamieson: The definition in the Bill merely replaces that already appearing in the Act which includes the reference to teachers' residences.

Mr. MENSAROS: Those are the comments I have to make on the definition, and I await the Minister's reply. The comments I have made also apply to the provision in clause 2 (c) (iii) which seeks to add a new paragraph (8A). One does not want to be accused of having any bias in connection with the welfare of Aborigines, but I think it is too harsh to provide that dwellings, hostels, or other amenities for the welfare of Aborigines should be included; because not only the Minister but also every other member in this House realises what complications and objections, especially in the metropolitan area, can arise when some property proposed to be used for this purpose is to

be resumed. Again I emphasise I am not against the use of dwellings for housing of Aborigines, but obviously it would be a healthier situation if some new building, some new suburb, or some new development could be used.

If my interpretation is correct it means that any dwelling house in any suburb of the metropolitan area can be resumed for the purpose of using it as a dwelling for the welfare of Aborigines, because under this definition in the Bill such dwellings become public works. If I am wrong in my interpretation then obviously the Minister will correct me. However, if I am not wrong I wonder whether this provision will meet with the approval of the House. I mention purposely the "House" and not only the part of the House that comprises the Opposition, because I can well imagine many members opposite being placed in the situation of encountering opposition regarding these provisions from some of their constituents.

I go further and make the same observation in respect of proposed new paragraph (16) in clause 2 (c) (v), and especially to the last part of it which states "Harbours and ports including . . . the alteration or improvement of channels, waterways, and rivers, the protection of foreshores and banks, the provision of new channels and related works, including the landing and disposal of silt." First of all, what definition will be applied to channels? I cannot see any definition of that in the Bill or in the Act, but such a definition is quite important.

The question arises as to what is an "alteration" and " improvement." Nowadays, with conservation and environmental protection being so highly placed in the minds of people, it is quite obvious to me that whereas one person might say something was an improvement, another person might say it was very much a deterioration. Reference is made in the new paragraphs to channels, waterways, rivers, and foreshores, but it is important to have a definition of "channels."

If a person develops an area into a playing field or to be used for the mooring of boats, this might be a tremendous improvement in the eyes of some people; on the other hand there might be others who prefer to protect the environment and who would say that was destruction of the environment. In that event will the matter be brought before the Environmental Protection Authority for interpretation as to what is, in fact, the improvement of rivers, channels, and foreshores?

Furthermore, I see the same complication arising in regard to the interpretation of the term "foreshores" appearing also in that paragraph of the Bill. We all know that there are properties with titles extending to and including the foreshore. Before I am accused of having a vested interest in this regard, I say without hesitation that I do not own any land which includes a foreshore. However, there are many people in the electorate of Swan, such as those living in some parts of Guildford, and also many living in the electorates of the Deputy Leader of the Opposition and the member for Cottesloe who own properties that include a foreshore.

Does it mean that if some people suggest certain foreshores should be improved or altered the Minister might give his approval to resumption without realising the significance of this action? I am not suggesting the Minister will do this, but he has a huge department and obviously there are very many minor recommendations which he would not consider in detail. Thus, a person with a property which extends to and includes a foreshore could find that the whole or part of his property is to be resumed, in order to enable some alteration or improvement to be effected.

These remarks also apply to clause 2 (c) (vi) which deals with the improvements of rivers, watercourses, lakes, or inlets. Again the use of the word "improvement" is important. In this provision the word "alteration" is not included; only the word "improvement." Unless the Minister can give a reasonable explanation for the need to have this extension to the definitions appearing in the Act, I will not be happy with these proposals in the Bill.

As the remaining provisions in the measure have been adequately described by the member for Cottesloe, I will rest my case at that.

MR. I. W. MANNING (Wellington) [12.40 p.m.]: I would like to make a few comments on this measure, but I will confine them to the compensation provisions. I know many landholders who have had land resumed and who are eligible for compensation under the Act, but in the majority of cases many years elapse before the cases are resolved, and some have still not been resolved. Because of the arguments which have developed one landholder I know has given up his intention to obtain compensation.

Contained in this Bill is provision for the Government to pay into the Supreme Court two-thirds of its assessment of the value of the land resumed; but I am wondering whether this provision will in any way resolve the problems.

For the benefit of the Minister I will give the facts concerning a classic example of what can occur regarding resumptions. A farmer obtained a property on what is known as the Roelands Hill, which is on the Collie Road just out of Roelands. I think originally he took up the land as a soldier settler immediately after the first World War, but three times since then major changes have been made to the road alignment. First of all the original road

went right through his property and cut it completely in half. Then, I think in the 1930s, a winding road was established, and this seriously affected the farmer again. Finally, in the last two or three years the road was altered again and is more or less back to the original straight alignment.

The compensation claimed by the landholder is nowhere near that offered by the department, which states that it has taken very little land from the farmer and has returned as much to him as it has resumed. However, the farming operations have been injured considerably in my view, and certainly in his view, because he has been disturbed so much.

I am greatly concerned about the difficulty involved in resolving these situations; and I also have a query I would like the Minister to clarify for me. If a landholder is jockeyed into the situation where he must accept two-thirds of the compensation offered by the department, does he prejudice his chances of having the argument settled in his favour?

Mr. Jamieson: No, because the amount paid is only two-thirds of the sum originally offered. Then follows the bargaining and the amount paid has nothing to do with that. It in no way prejudices his chances under the Act.

Mr. I. W. MANNING: I would appreciate it if the Minister would make a closer study of the provisions of the Act and those contained in the Bill in order to ensure that they do cover the situation. In my opinion far too little regard is paid to the disturbance factor. In many instances when road widening and straightening takes place, the landholders involved are subjected to a considerable degree of disturbance.

Sitting suspended from 12.45 to 2.15 p.m.

Mr. I. W. MANNING: Prior to the luncheon suspension I was expressing concern at the time taken to finalise some of the transactions where compensation was involved. I want to make a further point to the Minister, and express some concern at what is proposed. If a claim bogs down and there is no finalisation the Government will have the opportunity to pay into the Supreme Court two-thirds of its assessment of the value of the compensation. My concern is in the light of what I have already said: I fear this will only aggravate the situation because the Government will have the opportunity to wash its hands of the deal. If finalisation cannot be reached the Government can pay some money into the Supreme Court and that money could remain there for some time with no-one being really concerned. My concern is that something ought to be done to provide machinery to speed up the finalisation of transactions.

Also contained in this clause is provision for 10 per cent. of the value of the compensation to be paid for disturbance. I quoted earlier the instance of a property owner who was concerned with the Roelands Hill road. The disturbance to that landholder far outweighed the value of the land resumed because virtually very little land, if any, was taken. The landholder had returned to him as much land as was taken, and in that situation, in the eyes of the department, he did not qualify for a great sum in the way of compensation. However, in all fairness, the disturbance caused to him as a farmer was considerable. The Bill now before us lacks a provision to cover such circumstances. I want to make that point in particular.

To take this matter one step further, I was always led to believe that when it was necessary for the department to resume land the department was required, first of all, to enter into negotiations with the landholder concerned in an effort to establish a price or a value before the land was resumed. I see very little of this being done, and I consider that if land is to be resumed some effort ought to be made to establish the value of compensation before the resumption takes place. I want to stress that point.

If it were not for the fact that the Public Works Department has in its employ some extremely able officers who are skilled in negotiating in these situations many of the successful settlements, with which I have been associated, would still not have been resolved. I pay tribute to the officers of the Minister's department who are in charge of this section.

I consider that the amendments now before us should include some better provision for tidying up compensation procedures and for resolving the difficult situations which crop up from time to time.

MR. REID (Blackwood) [2.21 p.m.]: I would like briefly to support some of the comments made by the member for Wellington regarding the payment of compensation under the provisions of this legislation. There is a great need to simplify the procedure. The system might be working on paper, but in actual practice it falls far short of the ideal.

Because of the considerable amount of work carried out by the Main Roads Department in my area I must support some of the comments made by the member for Wellington.

I suggest some of these problems could stem from the fact that the surveyors who are employed by the Main Roads Department in this instance are not fully qualified public surveyors. They map the boundaries of the roads, but until a qualified surveyor assesses and carries out the alignment the landowner cannot be notified of the actual intention. The qualified surveyor has to draw up a plan showing the exact area of land involved. On a number of occasions this system has led

to late decisions being made; the property-holder is often confused; and, unfortunately, there are often financial repercussions. Some have sought my advice on these matters.

Perhaps a general illustration would highlight the problems. About August twelve months ago a road up a winding hill was surveyed by the Main Roads Department, but it was late January, 1971, before it was finally surveyed and a plan drawn up. The landowner then found the boundaries of the road would dissect his stockyard. In the hottest and driest month of the year, February, he was then faced with the prospect of having to take immediate steps to rebuild his stockyard. Perhaps he was a little at fault, but because of the necessity for immediate action he set to at once to rebuild the stockyard.

This man has no other form of living and cannot exist unless he can handle his stock. The stockyard in question was his only one. He was given only a few weeks' notice that the works would commence. It was February, as I have said, and also the stockyard had to be built on a hard stony hill. The result was that the cost of building the yard far exceeded what he considered would be a normal cost for building at a normal time of the year. Members can imagine what happened when it came to talking about compensation for the yard; there was a great difference of opinion between the Main Roads Department and the landowner. This is only one of the many shortcomings which I think are being manifested in country areas.

I shall give another example of a landowner who, unfortunately, found his house stood in the middle of where a road would be realigned. That man was offered $6,000 compensation for his house, water supply, shed, and everything else. As the member for Wellington mentioned, there seems to be a need to establish some agreement on compensation before works are undertaken. Apparently the system is to offer a very low figure initially and then move towards something which it is hoped the landowner will accept, but which is still low in terms of compensation.

Mr. Jamieson: It cannot be done the other way. The department cannot offer $1,000,000 and start to go down.

Mr. W. G. Young: It cannot offer $1,000,000, period.

Mr. REID: I ask the Minister whether he would like to rebuild his house and to provide a water supply and everything else for $6,000. The man in question was not offered another site for his house. Surely if the Main Roads Department wants the area on which someone's house is located it should offer an alternative site. This man was offered nothing other than the $6,000 which was supposed to pay for his house, water supply, shed, and everything else, as I have said. Since the matter was raised with me nothing further has been heard of it. Obviously a higher figure is now being negotiated. The point which the member for Wellington made is that there are anomalies in the amounts of compensation paid by the Main Roads Department.

I understand another matter being considered is the realignment of a main road through the middle of a dam wall.

Mr. O'Neil: What sort of a wall?

Mr. I. W. Manning: The wall of a dam.

Mr. REID: It is not a very large dam. The case is somewhat complex because the landholder, a widow, has fences sited across the dam which gives access to 300 breeding cows. The stock can water from both paddocks on solid ground. If the road is resited across the middle of the dam it will mean that the widow must, somehow or other, make provision for another dam. The Main Roads Department is not willing to undertake or guarantee the construction of another dam.

Mr. Hartrey: It doesn't give a dam!

Mr. REID: The area is marshy and the landowner is very concerned that the solid footing necessary to avoid stock losses would be lost. There is also no guarantee that a dam reconstructed on another site to serve both paddocks would, in fact, hold water. A letter which I have with me states that the Main Roads Department does not normally enter into this type of work. This matter has caused a lady who was widowed in quite recent times a tremendous amount of worry and concern. Quite honestly it is beyond her ability to deal with this difficult situation.

I know we are not here to talk about generalities, but I have made these remarks in support of the member for Wellington, because there is a need to examine the compensation provisions and make the workings of the department fairer to those who are on the receiving end out in the field.

MR. RUSHTON (Dale) [2.29 p.m.]: I have a few brief comments to make to the measure. Others have mentioned in detail the issues which concern them. I wish to bring to the Minister's notice two or three points.

I refer initially to page 2 of the Bill. I know we shall have the opportunity to discuss it in Committee, but I take the opportunity to mention it now because the vital question of teachers' residences is involved. As I understand it, teachers' residences are handled at the present time by the State Housing Commission.

Mr. O'Neil: By the Government Employees' Housing Authority.

Mr. Jamieson: Yes, but properties must be obtained before they can be put on site.

Mr. Hutchinson: It is in the Public Works Act.

Mr. Jamieson: It is in the Act at the present time.

Mr. RUSHTON: Is it the same provision?

Mr. Jamieson: It can be seen that it will be restated in the section. It mentions teachers' houses.

Mr. RUSHTON: I will accept that.

The next item is, "Dwellings, hostels, or other amenities for the welfare of aborigines." Is this another one?

Mr. Jamieson: No, this is a new move.

Mr. RUSHTON: At the present moment the dwellings are managed by the State Housing Commission. When the Minister is replying I would like him to tell us more about this.

Mr. O'Neil: The point the honourable member is making is this: You are making provision for the resumption of land for Aboriginal housing but there is no power to resume land for white people.

Mr. Jamieson: I am telling members that this is a new measure. Did you not hear my interjection a moment ago?

Mr. RUSHTON: The Minister has noted my question and I hope he will give us an explanation in due course. This has all sorts of implications and could be of great concern to us.

It is a vital necessity to settle Aboriginal families, but it is also very necessary to adhere to normal practice. This provision would give tremendous power to the Minister. I am very interested to hear the Minister's explanation of the necessity for the inclusion of these provisions.

I will now move to another issue, and this deals with something which is taking place at this very moment in the Rockingham area. This clause appears to be written especially for Kwinana beach and Mangles Bay. Cabinet has approved plans for a change of concept in this area without even checking out the matter. This is very worrying.

Mr. Jamieson: Checked out by whom?

Mr. RUSHTON: By whoever should be doing such a thing. It was insisted on for the naval facilities, but it has not been insisted on for the rest of Point Peron.

Mr. Jamieson: In what way?

Mr. RUSHTON: The whole ecology of the area should be studied.

Mr. Graham: Who do you say was not consulted? I think you are definitely out of step with the local authorities.

Mr. RUSHTON: I know what has happened with the local authorities. I am not out of step with my people.

Mr. Jamieson: The port authority ensured that the ecology study of the sound was the most comprehensive of any carried out in the State.

Mr. RUSHTON: We are getting away from the issue before us. The Government has changed the whole concept. There is now provision for their berths.

Mr. Jamieson: I do not think that has anything to do with it. The department would not have had this in mind.

Mr. RUSHTON: The storage, handling, and wharfage areas would apply to the Kwinana beach area.

Mr. Jamieson: Perchance it may. However, this Bill was ready for presentation in the last session; long before the decision was made.

Mr. RUSHTON: It could apply very easily to the Kwinana beach area with its 200-odd houses still to be acquired.

Mr. Jamieson: Why are you arguing this point? The local authorities appear to be in accord.

Mr. RUSHTON: At Kwinana beach?

Mr. Graham: Yes.

Mr. Jamieson: I cannot see the point of your argument on this. The plan was prepared in consultation with the local authorities.

Mr. RUSHTON: The point I am making is this: These storage areas can be acquired at any one place. Must they be contiguous with a particular area? Can private land a long way away be resumed? Can other areas of land be acquired in the same way?

This is very worrying to me and I would like the Minister to elaborate on this point and give a clear indication of his intentions. It could spread to any area, and certainly it is applicable to the Rockingham-Kwinana beach area at the present time.

I would like the Minister to elaborate on the intention of this legislation and the extent of the envisaged activity. Is this to be contiguous with the port development or will the land be acquired from different places? Other land could be subject to a different code of development and the effects of this legislation could be very far-reaching.

Debate adjourned, on motion by Mr. Harman.

WESTERN AUSTRALIAN PRODUCTS SYMBOL BILL

Second Reading

Debate resumed from the 23rd March.

MR. COURT (Nedlands—Deputy Leader of the Opposition) [2.36 p.m.]: This Bill was introduced into the House last session but it was not proceeded with. At that time I gave notice of a number of

amendments which, in the view of the Opposition, would have improved the measure.

I would like to make it clear from the start that the Opposition does not oppose the idea of legislation to protect the Western Australian symbol.

I will very briefly trace the history of the symbol: Originally, the previous Government developed this symbol after seeking professional advice. It was then put into use. The Government gave thought to a recommendation from the Department of Industrial Development that it was desirable to give statutory protection to the symbol. However, when we weighed up the consequences of attempting this statutory protection, we decided that the problems which arose for all practical purposes outweighed the benefits which would have been achieved.

We did not deny the desirability of attempting to protect the symbol if it was to have any value to the users. On the other hand, we could see many practical difficulties. To summarise, we decided to give the symbol a trial run and issued instructions to the officers of the department to be vigilant concerning abuse of the symbol. The trial run was to determine whether legislation would achieve a practical result.

I admit that during the early days of the use of the symbol, as its value came to be recognised, we had a few cases of people wanting to jump on the bandwagon. These people wished to use the symbol on products which I could not accept as being worthy of carrying the Western Australian symbol. This was usually not because of the quality of the product, but because of the virtual lack of Western Australian components.

I forget the name of one particular product, but its manufacturer wanted to use the Western Australian symbol merely because the article was repacked in Western Australia. He claimed that because the board of which the container was made was produced at a paper mill in Western Australia, this was a sufficient Western Australian component for the product to carry the symbol. Action was quickly taken and manufacturers such as this were warned that they were not to use the symbol.

Various other devices were studied, such as whether the symbol could be copyrighted and supplied by the department. However, this idea also would have had its problems. Not every product requires the same form of symbol—for instance, some manufacturers do not like an adhesive-type symbol, they would rather something printed on a container.

The point I am making is that we are not opposed to the concept of this legislation provided we do not have to build up a new bureaucracy to police the symbol.

I agree with the Minister's comments on the professional surveys made to judge the degree of acceptance of Western Australian goods. For a long time we had considerable difficulty because of the prejudice against Western Australian goods, and if we research the *Hansards* of this Chamber we will find references from members on both sides of this House castigating the public for adopting a very damaging attitude towards the local product; in others words, if the product were made locally it could not be good. This is far from the truth because, over recent years, we have developed products of which we can be justifiably proud, and they will hold their own not only in this State but also in the Eastern States and abroad.

When we had the professional survey undertaken it indicated that a considerable number of people were now better informed and more ready to accept the local product. Therefore, they wanted some identification symbol which would make it easy for the public when entering a supermart, a furniture store, or anywhere else for that matter, to identify readily a product which was classed as a Western Australian product.

No matter what legislation we introduce there has to be some supervision and inspection system because many people will be ready to jump on the bandwagon when they find there is profit to be made in using the Western Australian symbol. I can only assume the Minister has devised ways and means of having this policed without an excessive build-up in staff numbers, but at the same time with a degree of effectiveness. I found that the practical check was the best one. If we have promotional officers in the department carrying out their duties in the ordinary course of their business they will see the symbol being used and will quickly identify, in their own minds, and from their own experience, those products manufactured by industries that do not qualify for this symbol.

I think also that the professional designers who arrived at this symbol produced something that was unique. I know when it was first brought to me for approval I thought that, for the first time, we had something which we could accept without reservation, because it had something about it which was distinctive. It was contemporary in design, and therefore more striking when used on packages and advertisements, and there was no hesitation in adopting it. I also realised, probably for the first time, just how effective the professional approach can be to some of these surveys. For this reason I was particularly interested in the fact that the Minister has had a further survey made which has shown an increasing improvement in the acceptance by Western Australian housewives of Western Australian products.

I have seen, as all of us have seen, many of the commercials that have been used by the department to further emphasise the symbol, and again I support this concept. I think some of the methods that have been used on television in publicising this are both desirable and necessary and none of us should begrudge even increasing the vote for this purpose. All of us have seen the power of advertising. If we can get some catchy type of advertisement with a peculiarity all of its own, such as some of those the fly-spray manufacturers have managed to get, so that people are repeating the wording of the advertisement day in and day out at no cost to the producer, it will be an even greater advantage so far as the use of the symbol is concerned.

I do not propose to deal in detail with the amendments I have on the notice paper, because they do not affect the principle of the Bill. They do not, in any way, oppose the concept of having statutory provision for the symbol, but they do, in our opinion, improve on its application once an acceptance is made of the principle that we are to have statutory protection and control of this device. Therefore, I support the Bill in its second reading and give notice that I intend to move and explain the amendments on the notice paper in my name when we go into Committee.

MR. W. A. MANNING (Narrogin) [2.45 p.m.]: I support the principle of the Bill because I feel it is important and, in fact, it is essential for Western Australians to wake up to the fact that they must support products manufactured by their own industries if they are to prosper. It has been very difficult to get this message over to the people, because some members of the public are not interested whether the goods they purchase are made in Western Australia. However, apart from this it is impossible to ascertain from the labels where a product has been made. Also, some products that are manufactured in the Eastern States have a label naming several States placed upon them, and therefore one cannot tell where the product is manufactured.

So I think it is important to introduce this symbol. I understand that since it has been introduced on an official basis it has had some influence in encouraging people to buy Western Australian goods and I hope this will continue. However, I am a little concerned about the Bill itself because most of the clauses in it deal with powers and penalties. There is no word or suggestion made as to how the use of the symbol can be encouraged. There is no word whatsoever of the approval of articles made in Western Australia, and I notice the Deputy Leader of the Opposition has amendments on the notice paper which will certainly improve the Bill. In fact, one of them does not go as far as I would like it to go, but it is essential to the operation of the measure.

Just imagine the situation of a supplier of goods in this State who, after he has placed the Western Australian symbol on his product, subsequently finds he is not entitled to use it. The Bill does not contain any provision to ascertain beforehand whether any manufacturer is entitled to affix the symbol to his product, but surely that is the right procedure to follow.

Let us take, as an example, a person who manufactures clothing, such as shirts. In every case he must import the material for manufacture, as the basic requirements for the article are important, whether they be imported from the Eastern States or overseas. However, that man contributes a great deal to the manufacture of the article and so no doubt he would be entitled to use the Western Australian symbol on it. On the other hand, however, a food product could be manufactured in bulk in some other State and brought to Western Australia to be canned or packaged. That manufacturer would certainly not be entitled to place the Western Australian symbol on his product, because if he were allowed to do so it would be prejudicial to the manufacturer who manufactured a similar product by carrying out the whole process in this State. Therefore, we need to define beforehand, quite clearly, those manufacturers who are permitted to use the Western Australian symbol. This is the reason for my saying that one of the amendments proposed by the Deputy Leader of the Opposition does not go far enough.

That is the main objection I have to the Bill. In fact this omission is so detrimental to the Bill that I would not be willing to agree to it as printed. I believe the amendment proposed is most essential. However, there is no need for me to enlarge on this point at present.

I wish to make only one other comment. I know the Minister in his remarks referred to the fact that the Government considered obtaining the necessary protection for the Western Australian symbol under the Commonwealth Trade Marks Act, but that investigations proved this would be costly and cumbersome. It occurs to me that if it is costly and cumbersome for the Government of a State to register a symbol under the Commonwealth Trade Marks Act how does a manufacturer of one product fare when he desires to take similar steps? Surely, therefore, inquiries need to be made into this aspect because the manufacturer of any article who seeks to have it protected under the Commonwealth Trade Marks Act must find extreme difficulty in doing so so far as cost and facility is concerned.

If it is too costly for the State to seek protection for its symbol under this Act I think it is time we made some inquiries into the operation of the Commonwealth Statute, because its provisions must deter many people from seeking protection under it. I raise that particular point among my objections, but for the time being I support the Bill.

MR. GRAHAM (Balcatta—Minister for Development and Decentralisation) [2.50 p.m.]: I appreciate the support in principle which has been offered to this Bill by the two members who have addressed themselves to it. In point of fact the measure seeks to give legal authority, substance, and validity to something which has been transpiring for a period of years.

Overall the concept of a distinctive Western Australian label is one which has appealed to manufacturers and producers as it has appealed to the public. No statutory authority has existed under which anyone has been able to enforce anything, and yet overall the system has worked very smoothly and remarkably few cases have occurred of companies producing or processing goods not playing the game.

Because the symbol has been recognised and accepted by the public, it is felt it is our obligation to guarantee to the public that when the symbol appears on an article that article has been substantially produced, manufactured, or processed in their home State.

Mr. Williams: Why did you not amend the 1957 legislation instead of introducing a new Bill?

Mr. GRAHAM: I would not know the niceties of that, but I can assure the member for Bunbury that it is not as a result of any decision on the part of the Government to be different or difficult. This legislation was introduced on the advice of the Crown Law Department that this is the best course to adopt.

Here and now perhaps it is well if I refer to the remarks of the member for Narrogin. It is possible without any infringement of anyone's rights to make some slight alteration to or modification of the seal and be able to get away with it unscathed. I remember that legislation was introduced to protect the ex-servicemen's badge so that anyone who made a replica of it or anything designed to give the appearance of its being that badge committed an offence. I think it was the then member for Canning (Mr. Yates) who submitted the proposition to this Parliament.

Problems can arise and so this legislation has been introduced. We must take steps to protect the situation as far as possible. I have already said—and it has been demonstrated by the tests—that beneficial results have occurred; namely, there has been an increase in acceptance by industry of the Western Australian symbol and an ever-increasing recognition of it by the public. This is good.

It would be surprising to the uninitiated to learn of the wide range of articles produced in Western Australia by people with considerable experience and expertise. The products are used by people in their domestic lives and also by other industries. It is a good thing that we become aware of what our State is doing and I hope and trust that we always purchase Western Australian goods not only because of a sentimental desire to support our own State but also because of their inherent quality making them reliable and dependable. Our skills are improving rapidly and that description can be applied to more and more products every day.

The use of the Western Australian symbol has, up to date, been a free-and-easy arrangement and, as already indicated, it has worked quite well and very smoothly because, by and large and overwhelmingly, business concerns have played the game, as I believe they must. It is true that the odd person or business seeks to take advantage of a situation, but with the passage of this legislation, such a person or business concern will be prosecuted. Unfavourable publicity will be attached to the case and, of course, finally the penalty will be inflicted by the court.

I do not anticipate for one moment that businesses will have any occasion to worry about busy-bodies or inspectors harassing them, interfering with their business, or seeking to discover trade secrets. If without any legislation we have been almost completely free of such behaviour, I would assume that with legislation the risk of any likelihood of it would be even less and that all concerned will conform with what is in the Bill.

I want to emphasise that the whole spirit and intention of this legislation is to make the necessary procedure as simple and direct as possible and therefore the Bill stipulates that firms may imprint the symbol in whatever way they desire without any obligation to the department. In other words, there is no suggestion of red tape or any difficulty because we want to encourage these people to use the symbol. For this reason it is impossible to stipulate a size or colour or any other such descriptions.

I visited a package firm the other day; that is, a firm which manufactures cartons of one sort and another. Somewhat naturally I was pleased to see the Western Australian symbol being placed on the cartons in the course of their manufacture. The symbols appeared in sizes large and small. It is also not possible to stipulate a colour although I would assume when possible gold or black or colours of that nature would be used. However, I repeat that a

stipulation as to colour would be impossible unless we imposed a burden upon the firms concerned.

Mr. W. A. Manning: If the symbol is on the carton, would that not apply also to the contents?

Mr. GRAHAM: Yes, that is so.

Mr. W. A. Manning: The carton manufacturers could not put the symbol on the products.

Mr. GRAHAM: The carton carried the name of some detergent and also the Western Australian symbol. The same applied to the labels on the containers.

Members will be aware that a few weeks ago a fruit cannery was opened in Manjimup. I am very pleased that the cannery reached fruition after the original shock and disappointment to the local people. It is very good to see the well-known brand on the tin; but emblazoned upon it is the Western Australian symbol. I have a tin of the fruit with me at the moment. It is manufactured in Manjimup, Western Australia.

Without my giving the firm free publicity, members can see that the tin has on it the name of a well-known brand. Also overprinted on the tin is the Western Australian symbol. The colour—rather appropriate for my football team—is royal blue.

Sir David Brand: What are the contents like?

Mr. GRAHAM: The overprinting was done in Western Australian. It would be inconvenient and would have involved added cost if the symbol had to be printed in a particular colour and size. Somewhat understandably, different concerns have their own choice of colours, and so on.

Mr. Nalder: This legislation does not intend to stipulate a colour.

Mr. GRAHAM: No.

Mr. Nalder: I was just making that point because you were dwelling on the subject.

Mr. GRAHAM: I would commend for the attention of the Leader of the Country Party certain amendments appearing on the notice paper.

Mr. Nalder: When will that product be on the market?

Mr. GRAHAM: It is on the market currently. The people in Manjimup are a little disappointed because on the label are the words "Perth, Western Australia" and "Made in Western Australia" and understandably they would have preferred the wording to read, "Made in Manjimup, Western Australia."

Mr. Lewis: Blue is quite all right on a white background.

Mr. GRAHAM: I can see that the football symbols are apparently of equal consequence with the symbol of being "Made in Western Australia." Even though there may be some superficial merit in the amendments appearing on the notice paper, and placed there by the Deputy Leader of the Opposition, and some merit in what has been submitted by the member for Narrogin, I think it would be wise to hasten slowly. That may sound strange coming from me.

The action we are taking is based on experience gained without any force. It has been left purely as a voluntary process without any reference to the Department of Development and Decentralisation, and this has worked very well. We now seek to give the symbol some official status, and to provide some machinery so that if a firm does not play the game action can be taken to force it to refrain from infringing the law.

If it is found necessary to follow a procedure of filling in forms A, B, C, and D, lodging a written application with the Department of Development and Decentralisation, and having that application investigated by an officer of the department, we could do the opposite to what is intended. Let us have as little red tape as we can.

I repeat: If it is found that there is a weakness or a looseness in the spirit of goodwill and good faith, and the scheme falls down because some people cannot be trusted, consideration can then be given to tightening the procedure. My advice is to give the contents of this Bill a go. I am certain it will work, based on previous experience. I hope members will adopt that attitude.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Bateman) in the Chair; Mr. Graham (Minister for Development and Decentralisation) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Prescribed symbol—

Mr. COURT: I have an amendment on the notice paper to add after the clause designation 4 the subclause designation (1). This is a machinery amendment to make it possible for me to move subsequent amendments. To give my amendment any purpose it is necessary for me to explain my proposed further amendments.

If my first amendment is successful I shall move to delete the words "and colour" because I prefer that we add some subclauses dealing with colour. Initially, one might ask what does it matter what the colour is, and is it not sufficient to rely on the outline set out in the schedule? People would then be able to have whatever colour suited their particular product.

Normally, one could go along with that idea but I believe there is a very good reason why the Government would want to have some prescription so far as colour is concerned. For instance, it may be that we eventually settle on something directly related to our State colours. I know if the Minister had his way the colours would be those of a well-known football team. He has not yet got around to changing the State colours. If that is his next move he may have a little difficulty, and there may be some interesting divisions.

Mr. O'Neil: The East Perth colours would be suitable for the State.

Mr. COURT: If the Minister decided to change the State colours to suit those of a certain football team the divisions would be as mixed as those on the Liquor Act.

Mr. Bickerton: We would "marshall" our forces.

Mr. COURT: Well said. There is only one thing we know for certain in this place: Whenever the Deputy Premier and I vote on the one side we invariably lose. If it is ever reported in the Press that the Deputy Premier and the Deputy Leader of the Opposition are supporting any matter it is now regarded as the "kiss of death."

Returning to the amendment, I believe it is desirable to give the Government power to prescribe the colour. This does not mean to say that every user of the symbol has to receive some authority be-because the Government could prescribe, in a very general way, to give a certain amount of license in respect of this.

I can imagine the situation where the symbol, to a certain extent, would be downgraded and become less effective if we allowed an open season so far as colour is concerned. The amendments on the notice paper provide that we take out the words "and colour" in clause 4 so that the clause would read as follows:—

> The form of design, irrespective of its size, depicted in the Schedule to this Act is the prescribed symbol for the purposes of this Act.

Then, my proposed new subclauses would read as follows:—

> The colour scheme of the prescribed symbol shall be as prescribed by regulation.
>
> The penalties prescribed for breaches of the regulations made pursuant to this section shall not exceed fifty dollars.

I move an amendment—

> Page 2, line 32—Add after the clause designation 4 the subclause designation (1).

Mr. GRAHAM: I admire the intent of the Deputy Leader of the Opposition but think upon reflection it will be found to be completely unworkable. If we prescribed the official symbol as being a black outline with a gold seal in the centre, then I suppose anybody who used a blue and black symbol would be quite in order even though the article was 100 per cent. imported. There would be no conflict on account of the colour situation.

Also, we will eventually have colour television and accordingly a symbol which was different in colour from that set down by the Department of Development and Decentralisation would be an infringement of the Act. Most certainly, it would not conform with the colours set down, whether they were black and gold, green and gold, or some other colour combination.

On account of the very many exceptions it would be desirable for the colour to be on a voluntary basis. I suppose we would seek to encourage the employment of State colours, but from a practical point of view to insist on definite colours would result in confusion. The position at the present moment is that about 95 per cent. use the Western Australian emblem in conformity with the proposed Act. Therefore, I think we would make ourselves look a little ridiculous.

Let us hasten slowly. Let us take this instalment first. After all, it will merely allow us to continue along the lines that have been followed not only in the last 12 months but also in the time the Deputy Leader of the Opposition was the Minister. It has gained increasing acceptance and popularity ever since. Let us continue with this free and easy and loose arrangement without the necessity for official labels of an official size and colour. Let us leave it to the good sense of the business firms. If it is found in due course that there is some weakness—which has not been the case after several years of experience—I would be prepared to submit amendments and I would readily accept amendments submitted by any member on either side of the Chamber or in any other part of this Parliament. In the circumstances, I have no alternative but to reject the amendment.

Mr. W. A. MANNING: I am afraid I cannot accept this amendment. The Deputy Leader of the Opposition usually gives his reasons for suggesting amendments. On this occasion he has not told us why he wants the colour to be defined. I can find many reasons why the colour should not be defined. It may not fit in with the colour of the article—it may match or clash with the colour of the article on which it is to be printed; there may be difficulties in weaving, and so on. There are so many difficulties that could arise. I cannot see any reason why it should not be of a colour that fits in with the printing on the article on which the

symbol is intended to be used, as long as the symbol is appropriate to the article that is produced.

Mr. COURT: I think the objective of the proposed amendment is being completely overlooked. The Deputy Premier introduced a red herring when he spoke about somebody using a symbol of the prescribed colour on products which might have been imported. If the law were being observed, this would be impracticable, because later provisions deal with the control of the symbol and its illegal use.

It therefore comes to a question, first of all, of determining whether any restriction will be placed on size and colour. No-one has tried to interfere with the size because the clause provides that, irrespective of size, the symbol will prevail. That is good sense because the size of the symbol must be proportionate to the size of the article on which it is to be placed, whether it be a tube of toothpaste or a cruiser yacht, such as we saw yesterday.

Colour is a different matter. I have no anxiety about it at this stage but I raised it because I can foresee a situation developing where someone will produce this symbol in the most hideous colours which would denigrate the whole symbol.

Mr. Graham: Would it not also be denigrating the goods? Therefore, no-one would do it.

Mr. COURT: That does not apply to some people whose ideas are not similar to ours. I am more concerned about denigration of the symbol than denigration of the product because if the symbol is made a joke of by one product it will reflect on other products.

The Minister has undertaken to keep this matter under review. This suggested amendment has served my purpose by giving warning that some people will come along with hideous colours for the symbol. I am not suggesting anyone would have an outline in a colour someone does not like, such as the colour of death, or an outline in one colour with the symbol in the centre in another colour; but I am suggesting some people would want all shades and colours in the outline itself, which would bring about a denigration of the symbol.

I am not suggesting for one minute that we should prescribe that the colours will be black and gold, or blue and white, or any other combination of colours. I was proposing that the prescription should be on a very broad basis so that a great variety of colours could be used; or alternatively a standard colour but giving people the right to apply to the department to register a change of colour. In other words, we should avoid a lot of red tape but perhaps introduce a degree of sanity as far as the colours are concerned. I do not object to bright colours and I do not suggest we stick to the State colours. I can see the merit in using colours that blend with a particular packaging, but I can foresee the day when the Government might want to take some action to prevent someone using a hideous colour scheme which would denigrate the whole symbol.

Under the circumstances, I do not propose to press my amendment. Having heard the Minister's assurance that he will keep this matter under review, I have served my purpose.

Amendment put and negatived.

Clause 5: Authority to use prescribed symbol—

Mr. COURT: Mr. Chairman, I seek your advice as to how I should go about this. Should I seek to defeat the clause altogether with a view to moving my amendment at a later stage in the proceedings, or should I move the deletion of all the words after the figure "5"?

The CHAIRMAN: You will have to seek to defeat the clause.

Mr. COURT: As I cannot move the deletion of the clause and the reinsertion of a new clause at the same time, I ask members to vote against the clause with a view to inserting a new clause 5 at the appropriate time. The existing clause reads—

> 5. A person who sells any product the production and preparation of which is substantially carried out in the State is authorised to affix to the product or to its container a prescribed symbol.

I can foresee that the Government of the day will need more definition in the Statute than is contained in that clause because some people will take advantage of this when they can see some gain to be derived from putting the symbol on their goods, especially when the symbol becomes better known and more widely accepted.

We have seen the progress made already in the acceptance of the symbol and it would be quite wrong if any *bona fide* manufacturer who makes all the components of a product in this State used the symbol and found that someone who brings the bits and pieces into the State, puts them together, and places them in a cardboard package was getting the same benefit out of the symbol. For that reason, I believe we must have a degree of control in the use of the symbol.

I want to reverse the situation by having a new clause inserted which would read—

> 5. (1) Where it appears to the Minister that the production and preparation of any product or range of products is substantially carried out in the State, the Minister may on application being made to him in writing setting out particulars of the product or range of products and particulars of its production and preparation issue to the applicant a permit authorising him to attach to

product or to some or all of the range of products or to its or their container a prescribed symbol.

In other words, the person has to follow a very simple procedure of going to the department and establishing that his product is substantially produced in Western Australia. This is a common practice to many people. When the symbol was first introduced many people got in touch with the officers, and I think they showed a great deal of good sense. No doubt when departmental officers have doubts they go to the Minister to obtain a ruling. Not every product will have the same percentage of local components. When some products first come on the market the Minister and his department have to settle for 30 per cent. of Western Australian components. In other cases they might insist on 70 per cent., and in others not less than 100 per cent. Therefore, under the proposed new clause, a degree of discretion is vested in the Minister.

I believe it is better to do it that way rather than simply have a provision in the legislation stating that a person who sells any product the production and preparation of which is substantially carried out in the State is authorised to affix to the product or to its container a prescribed symbol. I can foresee a lot of trouble if we simply leave this clause free to roam and do not provide machinery whereby people may come to the department and say, "Here is my product. I want to place the symbol on it. It has such-and-such a degree of local components."

Later in the proposed new clause I have provided that the Minister may include in the permit such conditions as, in the circumstances of the case, he thinks fit to impose in respect of the use of the symbol. I have also included a provision that the Minister may, by notice in writing served on the holder of the permit so issued, from time to time alter any of the conditions of the permit or cancel it. In other words, having given to a firm a permit to use the symbol, it is not a Kathleen Mavourneen situation. If the officers of the department find the symbol is being abused, the Minister has vested in him the right to revoke the permit.

The Minister may want to alter a permit for the reason that when he initially gave the authority he asked for a 30 or 40 per cent. local component, but as time goes by as a result of the change in the local scene and the fact that more people are prepared to produce that product with a higher Western Australian component, the Minister may want to stiffen up the conditions. For the reasons I have put forward I think we should give this authority to the Minister. I oppose the clause with a view to inserting a new clause 5 at the appropriate stage.

Mr. GRAHAM: The reason for my opposition to the amendment is as previously outlined; that is, to overcome red tape. Firms have been able to make application for a permit on a voluntary basis over a period of several years, and it has worked very well. We are anxious that firms should be able to do this with the utmost facility and without any obstruction whatsoever. By and large they have played the game. Provision is now made for those odd occasions when they do not play the game, and the department may take appropriate action. However, I think this should be done mostly by persuasion and reason. But in the case of an exceedingly difficult firm there is provision for the law to be enforced against it.

If there is this business of having to apply, and of having to wait while the investigation is made and a decision is taken, it could have the effect of discouraging firms. That, of course, is the opposite of what we want. Therefore, I would ask the Committee to agree to the retention of the clause.

Progress

Progress reported and leave given to sit again, on motion by Mr. Harman.

JUSTICES ACT AMENDMENT BILL

Message: Appropriations

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

LAPSED BILLS

Restoration to Notice Paper: Council's Message

Message from the Council received and read notifying that, as requested by the Assembly, the Council had agreed to resume consideration of the following Bills:—

Main Roads Act Amendment Bill.

Western Australian Marine Act Amendment Bill.

QUESTIONS (38): ON NOTICE

1. NICKEL MINING

Widgiemooltha: Cessation

Mr. BROWN, to the Minister for Mines:

(1) Has he read the report of Anaconda Australia Limited concerning the cessation of nickel mining operations at Widgiemooltha?

(2) Does he agree in substance with the report?

(3) Has his department investigated ways and means of assisting in the sale of nickel concentrates; if not, why not?

(4) Will he outline to the House the future prospects of sales of nickel concentrates on the world market?

Mr. MAY replied:

(1) Yes.

(2) Yes.

(3) It is not the function of the Department of Mines to become directly involved in the sales negotiations of individual companies, but the department has done whatever has been possible to generally assist the development of nickel mining.

(4) Future forecasts of metal prices and requirements necessarily have a high degree of uncertainty since they are directly dependent on total world economy and on unforeseeable factors such as discovery of new deposits, development of new uses or introduction of cheaper substitutes.

The consensus of current thinking among the various agencies concerned with this type of forecasting is that it could be some time yet before the demand for nickel catches up with production potential.

2. KANGAROO SHOOTERS

Licenses

Mr. BROWN, to the Minister for Fisheries and Fauna:

(1) How many kangaroo shooters are licensed?

(2) How many shooters have had their license renewed for this season?

(3) What methods are used for the selection and replacement of a kangaroo shooter's license?

Mr. DAVIES replied:

(1) 57 red kangaroo shooters licenses were issued in 1971.

(2) 54 licenses have been approved for renewal in 1972, and 52 of these have been issued.

(3) A replacement of a former licensed red kangaroo shooter would be selected according to his experience in hunting and his acceptability to the pastoral community and to the kangaroo industry.

3. FRIENDLY SOCIETIES PHARMACIES

Increase in Number

Mr. O'NEIL, to the Minister for Health:

(1) Does the Government intend to legislate to allow an increase in the number of friendly societies chemists permitted to operate in the State?

(2) For what reason was a limit placed upon the number of chemist shops which could be operated by one person or company?

(3) Under which Ministry and when were the present restrictions enacted?

Mr. DAVIES replied:

(1) Approaches have been made to increase the number of friendly society pharmacies. The position is being examined.

(2) Presuming this question relates to chemists under the Pharmacy Act (previously the Pharmacy and Poisons Act), the answer is: Broadly the present limitations were imposed at a time when there was a real threat that a large chain organisation was contemplating a takeover of retail pharmacy in this State.

A referral to the *Hansard* report of the debate may provide greater detail for the Member.

(3) Originally enacted in 1937 and introduced by the Willcock Government; re-enacted in 1964.

4. WORKERS' COMPENSATION

Claims

Mr. O'NEIL, to the Minister for Labour:

(1) How many claims have been made under the Workers' Compensation Act during the last statistical year?

(2) How many such claims have been subject to dispute?

(3) If he cannot supply the total number of claims referred to in (1) and (2), will he supply the figures appropriate to claims dealt with by the State Government Insurance Office?

Mr. TAYLOR replied:

(1) and (2) This information is not available.

(3) The total number of claims dealt with by the State Government Insurance Office for the last statistical year was 26,155. It is not possible to ascertain the number disputed without searching each file.

5. ELECTRICITY SUPPLIES

Industrial Power Rates

Mr. LAPHAM, to the Minister for Electricity:

What is the charge per unit for electricity for industrial use in—

(a) the metropolitan area;

(b) country areas?

Mr. MAY replied:

(a) Perth Metropolitan System Supply Area. (From 1st November, 1971).

Industrial commercial and general

Option 1—separately metered lighting and power:

Table "A" Lighting—

First 100 per month—6.00 cents per unit.

Next 500 per month—5.50 cents per unit.

Next 4,400 per month—5.00 cents per unit.

All over 5,000 per month—4.00 cents per unit.

Table "B" Power—

First 200 per month—3.20 cents per unit.

Next 4,800 per month—2.90 cents per unit.

Next 50,000 per month—2.40 cents per unit.

All over 55,000 per month—2.00 cents per unit.

Option 2—combined lighting and power:

Table "E"—

First 50 per month—6.00 cents per unit.

Next 950 per month—5.80 cents per unit.

Next 4,000 per month—4.00 cents per unit.

Next 45,000 per month—2.40 cents per unit.

Next 450,000 per month—2.00 cents per unit.

All over 500,000 per month—1.60 cents per unit.

For three shift industry, when approved, all units over 1,000,000 per month—1.40 cents per unit.

Option 3—Separately metered demand and energy for demands exceeding 5000kW. Details are available on application to the commission's head office at 132 Murray Street, Perth.

Minimum Charge: Applicable to tables, A, B, E at the rate of $1.20 per quarter.

(b) Country system supply area (From 1st November, 1971).

Industrial commercial and general

Table "A" combined lighting and power—

First 50 per month—6.00 cents per unit.

Next 4,950 per month—3.20 cents per unit.

Next 56,000 per month—2.40 cents per unit.

Next 439,000 per month—2.00 cents per unit.

All over 500,000 per month—1.60 cents per unit.

For three shift industry only, when approved, all units over 1,000,000 per month—1.40 cents per unit.

Minimum Charge: At the rate of $1.20 per quarter.

6. WATER SUPPLIES

Pingrup

Mr. W. G. YOUNG, to the Minister for Water Supplies:

(1) As the previous Government's plans for a new town water supply at Pingrup were not continued with, could he inform me of what progress has been made for an alternative water supply?

(2) Is there any possibility of the situation being relieved in time to store some of the winter rains this year?

Mr. JAMIESON replied:

(1) No alternatives are under investigation at present.

(2) No.

7. RAILWAYS

Road Transport Service: Lake Grace-Pingaring

Mr. W. G. YOUNG, to the Minister representing the Minister for Railways:

(1) Is it the intention of the W.A.G.R. to close the road truck service operating between Lake Grace and Pingaring?

(2) If so, for what reasons?

Mr. MAY replied:

(1) Yes, but it is intended to provide an alternative service by extending the Narrogin-Kondinin-Hyden service on Tuesdays and Thursdays.

(2) The amount of traffic carried by the existing service does not justify its retention.

8. HOSPITALS

Bed Accommodation and Plans

Mr. RUSHTON, to the Minister for Health:

(1) Because of the extent of the tremendous imbalance of hospital facilities and service against the people residing south of the river in the metropolitan region, as disclosed by the Minister for Works in *The West Australian* 25th March and that Minister's statement relating to additions to Fremantle Hospital, new Rockingham-Kwinana hospital and new hospital in the Jandakot-Melville area, will he advise—

(a) to what extent these three additions or new hospitals will rectify the imbalance;

(b) how many additional beds will be available at each of these hospitals expressed as to date and phases of development?

(2) As it was advised by him that a final sketch plan for the Rockingham-Kwinana Hospital was to have been completed a long time ago, what is now holding up this completion of the sketch plan?

(3) Does he infer when he makes a statement relating to the building of this hospital: "The position is no different to what would have obtained had there been no change of Government" that a person or persons statements that the Brand Government had agreed to call tenders for April or May this year is in fact untruthful?

(4) If "No" to (3) how can he claim that the Tonkin Government has not delayed this project?

Mr. DAVIES replied:

(1) (a) and (b) Subject to availability of Loan Funds, additional beds would be available as under:—

Fremantle Hospital—150 beds by 1977 and a further 150 beds by 1982.

Rockingham Hospital—68 beds by 1975.

Lakes Hospital (Jandakot-Melville area)—Neither the number of beds nor details of phased development has been decided.

(2) Departmental officers hoped that finality would have been reached earlier, but planning processes did not permit this.

(3) No. What I am saying is that the Brand Government, if it had continued in office, could not have called tenders in April or May this year.

(4) Planning has continued on this project but departmental officers have not yet been prepared to approve the sketch plans.

9. CONNELL AVENUE SCHOOL

Playgrounds

Mr. RUSHTON, to the Minister for Education:

Adverting to question 8 on 22nd March, item 5:—

(1) As there are special development problems relating to the Connell Avenue primary school playing grounds due to the swampy nature of the area and the large drainage or filling involved, will he have this special circumstance investigated now with the intention of the Government covering the abnormal costs?

(2) In due course, will he let me have his findings and final decision?

Mr. T. D. EVANS replied:

(1) Yes.

(2) Yes.

10. YANCHEP NATIONAL PARK

Vandalism

Mr. LEWIS, to the Minister for Lands:

On which occasions have vandals been found destroying fauna and lighting fires at the Yanchep national park, and what are the details of these offences?

Mr. H. D. EVANS replied:

18th April, 1970—Damage to golf course by vehicle—offender prosecuted and costs of damage recovered.

23rd May, 1971—Damage to golf course by two motor cycles—offenders prosecuted and fined.

23rd May, 1971—Damage to north oval by two unknown vehicles.

7th June, 1971—Damage to golf course by unknown vehicles.

16th August, 1971—Damage to east oval by unknown vehicles.

November, 1971—Three persons apprehended on fire break with body of grey kangaroo in vehicle boot—offenders prosecuted, found guilty and fined.

Also on three recent occasions, vehicles have been sited on fire breaks, the occupants being engaged in shooting kangaroos. On being approached, vehicles escaped from the park.

Since the 11th December, 1971, four fires have occurred in the park, having been lit by persons unknown and on at least six occasions over the last summer, unauthorised picnic fires have been lit.

The illegal depositing of rubbish is increasing and it is hoped the closure of certain roads into the park will provide a further measure of control.

11. DUMBLEYUNG HIGH SCHOOL

Deep Sewerage

Mr. W. G. YOUNG, to the Minister for Education:

What plans has the Education Department for the rebuilding of the toilets at Dumbleyung junior high school with a view to connection with the deep sewerage?

Mr. T. D. EVANS replied:

The provision of toilets at Dumbleyung Junior High School has been listed as a high priority for consideration in the 1972-73 school building programme.

12. MOBILE DENTAL CLINIC

Pingrup

Mr. W. G. YOUNG, to the Minister for Health:

(1) Has Pingrup been included in the itinerary of the mobile dental clinic for the 1972 tour of southern areas?

(2) If not, why not?

Mr. DAVIES replied:

(1) No.

(2) The present resources do not permit an extension of the service to Pingrup. Dental service is available at nearby towns of Lake Grace, Ongerup and Jerramungup.

Extension of country services is under continual review.

13. YUNDURUP CANALS SCHEME

Use of Waterways

Mr. MENSAROS, to the Premier:

(1) According to the agreement with the developers, will the Yundurup canals be considered as public or private waterways?

(2) If they will be private waterways, who will be entitled to use them by boat coming from the estuary?

Mr. GRAHAM (for Mr. J. T. Tonkin) replied:

(1) and (2) They will become public waterways.

14. EDUCATION

Tertiary Education Commission

Mr. MENSAROS, to the Minister for Education:

(1) What is the estimated cost for 1971-72 of maintaining the Western Australian Tertiary Education Commission?

(2) Is it proposed to expand the work and/or accommodation of the commission in this or the next financial year?

(3) Were there any interim reports or other documents issued by the commission so far and have these been published?

(4) When is the final report expected and will it be published?

Mr. T. D. EVANS replied:

(1) $62,000.

(2) The accommodation of the commission has been expanded in this financial year to cope with a rapidly increasing flow of work.

(3) An interim report of the work of the commission to October, 1970 is available and was prepared by the chairman and given limited circulation.

(4) The commission is required under section 14 (e) of its Act to furnish a report on its activities to the Minister not later than six months after the 31st day of each December.

The commission's first report under the Act will review the activities of the commission to 31st December, 1971.

15. BUILDERS' REGISTRATION

Amending Legislation

Mr. BERTRAM, to the Minister for Works:

(1) Is it his intention to improve the law as to the registration of builders and matters incidental thereto?

(2) If "Yes" when does he expect to introduce the necessary legislation?

Mr. JAMIESON replied:

(1) Yes.

(2) As the matter is under investigation, no firm date can be given.

16. IRON ORE

Exports to Japan

Mr. BERTRAM, to the Minister for Development and Decentralisation:

Is he aware of any obligation (whether contractual or otherwise) on the companies selling iron ore to Japanese importers from this State to insist upon the Japanese importers taking no less than their minimum tonnage obligation?

Mr. GRAHAM replied:

The long term iron ore sales contracts commit a basic annual tonnage, and contain options as to additional or decreased tonnages to be nominated each year.

While it is possible for mining companies to insist on importers taking not less than the basic tonnage minus the optional decrease, it is considered that buyers would claim relief under the *force majeure* clause of the contract.

It is also necessary to consider what effect any legal action would have on future sales negotiations.

17. PROBATE DUTY

Safeguarding of Widows and Beneficiaries

Mr. BERTRAM, to the Attorney General:

Is it not so that simple procedures are available to widows and others

to ensure that they will not be left without means of support until death duties are paid on a deceased person's estate?

Mr. T. D. EVANS replied:

Yes. I would add that I understand there are two sections of the Administration Act which are appropriate, and I undertake to get fuller information for the honourable member. I understand that any relief which might be granted is at the discretion of the Commissioner of State Taxation, and such relief would depend on the merits and the circumstances of each individual case. I mention that for the benefit of all members; so if any member is aware of any difficulties being experienced by a citizen of Western Australia in this regard, an approach to the Commissioner of State Taxation would be welcomed and I am sure would be given every sympathy and, indeed, every courtesy.

18. ELECTRICITY SUPPLIES

Tidal Power Feasibility Study

Mr. BERTRAM, to the Minister for Fuel:

(1) Have studies as to the feasibility of the use of tidal power for the generation of electricity been carried out by or for this State?

(2) If "Yes" when, and by whom were such studies undertaken and with what result?

Mr. BICKERTON replied:

(1) Yes.

(2) In 1965 a joint study was undertaken by State officers and the French firm Sogréah.

The estimated capital cost of the necessary installation to produce electric power from tidal sources was very high and the estimated cost of power produced was substantially higher than by conventional means.

19. SEWERAGE

Treatment Plant at Point Peron

Mr. RUSHTON, to the Minister for Works:

(1) Has the sewerage plant on Point Peron commenced treatment?

(2) If not, when is it expected to do so?

(3) How many homes and in what area will it connect to—

(a) now;

(b) within five years;

(c) within ten years?

Mr. JAMIESON replied:

(1) No—a small package plant near Lake Richmond discharges effluent through the outfall already constructed to serve the Point Peron treatment works.

(2) Within the next twelve months.

(3) (a) None are served directly by the board at present, private developers having arranged tankering pending the takeover of the system by the board.

(b) and (c) Will depend on rate of development.

20. ARMADALE-KELMSCOTT DISTRICT MEMORIAL HOSPITAL

Swimming Pool

Mr. RUSHTON, to the Minister for Health:

Adverting to question 9 on 23rd March regarding the building of a swimming pool for staff use on the 33 acre site of the Armadale-Kelmscott District Memorial Hospital—

(1) Will he let me know the kind and extent of material evidence he will require to reconsider the previous refusal to build?

(2) As the auxiliary are confident they can satisfy the questions of the department for establishment of this project, will he and the director of medical services visit with the auxiliary on site to iron out any doubts?

Mr. DAVIES replied:

(1) To date no submission has been made in relation to the points referred to in my letters to Dr. Wearing Smith and Mr. A. L. Dawkins, referred to in my reply to Question (9) on 23rd March, 1972. If additional evidence is submitted it will be carefully considered.

(2) This will be considered when further evidence is submitted.

21. MAXIMUM SECURITY PRISON

Site

Mr. RUSHTON, to the Minister representing the Chief Secretary:

(1) Now that at least two planning systems for the metropolitan region—corridor and direction of network—are under intense study, evaluation, selection and decision, will he defer for a short time the major planning for the maximum security prison?

(2) If it is not practical or feasible to site the maximum security prison away from future urban influences at, say, Wooroloo, Bartons Mill or

Karnet with a maximum security holding quarters in, say, Perth police station for court purposes, etc., will he detail the reasons for me?

(3) How many visits to the courts can be expected each year from our maximum security prison?

Mr. TAYLOR replied:

(1) No.

(2) The duplication of holding facilities would be economically unsound.

(3) In the past month an average 100 prisoners per week were transported from Fremantle Prison to metropolitan courts. On this basis 5,200 men per year are required by courts and the experience in other States indicates that these figures will increase.

22. COCKBURN SOUND

Harbour Developments

Mr. RUSHTON, to the Minister for Works:

(1) Relating to the recently announced amended Fremantle Port Authority development plan for Mangles Bay, Cockburn Sound, will he advise—

(a) the estimated cost of the Stage 1, 2 and 3 (separately) of the development plan;

(b) the capacity of each stage for general cargo berths?

(2) What was the estimated cost and capacity for the berths in the 1966 Fremantle Port Authority plan?

Mr. JAMIESON replied:

(1) (a) Stage 1—$17.5 million.
Stage 2—$45 million.
Stage 3—$35 million.

(b) Accepted capacity of a special purpose container berth—1.2 million tons per annum.

Estimated capacity of a special purpose ro-ro—1 million tons per annum.

Estimated capacity of a modern general cargo berth—.2 million tons per annum.

(2) $150 million based on 1966 costs. Capacity criteria was dependent on future growth of volume of cargo and changes in cargo handling techniques.

23. SCHOOL BOOKS

Eligibility for Assistance

Mr. WILLIAMS, to the Minister for Education:

(1) For parents to qualify for school book assistance, on behalf of their children, what is the present net family income determined by the Education Department and the deduction for dependent members of the family?

(2) Does a bank credit balance or investments have any bearing on the assessment for assistance; if so, to what extent?

(3) What were the amounts in (1) or (2) for each of the years 1965 to 1971 inclusive?

Mr. T. D. EVANS replied:

(1) In general, net income must not exceed $35.00 per week. In the case of pensioner applicants the limit is $35.00 per week plus the increase in pensions granted on 13th October, 1971.

In calculating net income, deductions are made for dependent family members as follows:—

	$
Wife	6.00
First child	4.00
Other children	3.00

(2) Bank credits and investments do not affect pensioner applicants unless they exceed the amounts allowed by the Social Service Department in relation to the maximum pension.

For non-pensioner applicants a bank credit or investment of $2,000 or more would have a bearing on assessment of eligibility.

(3)

	$
1965	22.00
1966	22.00
1967	22.00
1968	25.00
1969	25.00
1970	25.00
1971	35.00

Note: Until 1969 child endowment was included as income but it has been excluded since 1970.

24. MUSEUM

Assistance to Local Museums

Mr. WILLIAMS, to the Minister for Cultural Affairs:

(1) What assistance, in all forms, is given to local museums by the Western Australian Museum and what conditions are imposed?

(2) What assistance, in all forms, is the Western Australian Museum able to give to mobile historic pieces of equipment, such as a steam train and coaches, which date back to: locos 1897-1898; coaches 1897-1916; and what conditions are imposed?

Mr. J. T. TONKIN replied:

(1) The Trustees of the W.A. Museum may assist municipal museums established by local government authorities through the provisions of section 37 of the Museum Act.

Conditions are imposed by the Act requiring certain standards for the committee controlling the museum, siting of the museum and its maintenance.

The Trustees of the W.A. Museum have by resolution required that local government authorities seeking recognition shall—

(a) submit plans of existing buildings to meet approved standards of safety for the collection and of general presentation.

(b) submit a plan of proposed development and extension for approval.

(c) submit a plan of display areas for approval.

In addition, the trustees require the director to certify that the person appointed by the local museum committee to be Curator of the Municipal Museum has been trained at the W.A. Museum to reach an approved standard.

Currently the services given to recognised municipal museums are restricted by the availability of funds to assist in the following—

(a) planning the scope of the museum and its general layout and design.

(b) planning and designing displays to make the best use of available material.

(c) training of voluntary staff.

(d) advice on the repair and restoration of specimens.

(e) the loan of specimens from the State collection.

Any group of persons wishing to establish a museum in association with the W.A. Museum should raise the matter with the local government authority to enable the procedures laid down under the Museum Act to be followed.

(2) If the body possessing mobile historic pieces of equipment of the sort outlined in the question is a municipal museum recognised by the trustees under the abovementioned provisions of the Museum Act, the trustees may give assistance. The nature of the assistance depends upon the availability of facilities in the Department of History and the Conservation Laboratory of the W.A. Museum.

25. MUSEUM

Reorganisation of Displays

Mr. WILLIAMS, to the Minister for Cultural Affairs:

(1) As members of the public when visiting the Western Australian Museum are experiencing difficulties in knowing the whereabouts of the various sections and displays, would he outline the timetable for the reorganisation of—

(a) the old museum building;

(b) the new museum building,

what each will display, the sections they will house, and the use of each floor?

(2) During this reorganisation, whom should the public contact to have items catalogued or identified?

Mr. J. T. TONKIN replied:

(1) and (2) The museum is very conscious of the difficulties being experienced by the public in familiarising themselves with the new museum layout.

A guide brochure for free distribution to visitors to the museum has been prepared and will be available as from today.

This brochure indicates the whereabouts of the various displays and also the whereabouts of the enquiry counter to which members of the public requiring specimens to be identified, should proceed.

At week-ends and after hours telephone enquiries may be directed to the various staff members listed under their responsibilities under "Museum" in the State Government entries in the telephone directory.

There is also a duty officer at week-ends.

26. RAILWAYS

Electrification and Sinking of Line

Mr. COURT, to the Minister for Works:

(1) Does the $110 million estimate for the rapid transit underground electric rail system include cost of providing adequate additional State Electricity Commission electric power?

(2) What are the approximate divisions of the $110 million between the several sections of cost, such as, undergrounding, permanent way, electrification, rolling stock?

Mr. JAMIESON replied:

(1) No. It will be some years before the power requirement can be accurately defined.

(2) (a) Construct about 5.4 miles of railway, about 3.4 miles underground probably along an alignment approximating Hay Street, between Victoria Park, East Perth Terminal and West Leederville for electric traction initially in

	million $

narrow gauge, but with provision for standard gauge and provide 8 underground stations and one above ground station	66
(b) Electrify the remainder of the suburban system and provide running depots for the whole system	10
(c) Provide major bus/rail interchanges, probably in the vicinity of West Leederville, Mt. Lawley and Victoria Park	2
(d) Provide new rail rolling stock, buses and replacement buses	26
(e) Transport planning, engineering design and supervision	6
	$110

27. URBAN TRANSPORT

Electrification and Sinking of Railway Line

Mr. COURT, to the Minister representing the Minister for Transport:

Is the rail plan announced on 29th March to be part of the submissions to the Commonwealth within the framework of the Commonwealth-State studies currently being undertaken and referred to in the answers to my question 3 on 29th March?

Mr. JAMIESON replied:

The total plan as such will not be submitted to the Commonwealth at this time within the framework of the studies referred to in the reply to question (3) of 29th March.

However, as a result of the process described in the reply to question (3) the Commonwealth already have data from us and other States on the individual components of the plan, namely—

a bus way,
a bus station,

the upgrading by electrification of an existing railway line; and a new section of underground.

28. AGED PERSONS' HOUSING

Kalamunda

Mr. THOMPSON, to the Minister for Housing:

(1) Has the State Housing Commission any intention of increasing, in the Kalamunda area, the number of rental housing units suitable for aged persons?

(2) How many applications has the commission received for this type of accommodation in Kalamunda in the past 12 months?

(3) What action does the commission propose to meet the demand for rental accommodation for aged persons in the Kalamunda area?

(4) Does he consider it fair to expect persons who have resided in the hills areas to accept housing in other locations and thereby sever lifelong ties?

Mr. BICKERTON replied:

(1) Not immediately.

(2) Five from married pensioner couples and none from single aged persons.

(3) The commission's aged persons programme is determined from time to time in light of total demand in various parts of the State and the relative priorities which should be attached to each area.

(4) No. The commission is not the sole provider of this type of accommodation, and has, in fact, endeavoured to encourage church and charitable organisations who can enter into this field under the Commonwealth Government's Aged Persons Homes Act.

29. DRAINAGE

High Wycombe

Mr. THOMPSON, to the Minister for Water Supplies:

(1) Would the drainage system which caters for the High Wycombe Hotel have been necessary at the present time had that hotel not been built?

(2) If not, will he give reasons why people who live in the general location of the hotel should be rated because they happen to reside in the catchment area of a drainage system that was made necessary to allow only for the construction of the hotel?

Mr. JAMIESON replied:

(1) Yes. The work was finally made possible by a substantial contribution from the hotel.

(2) Answered by (1).

30. DRIVERS' LICENSES

Pensioners

Mr. BLAIKIE, to the Premier:

From what date will subsidised drivers' licenses to pensioners become operative?

Mr. J. T. TONKIN replied:

Should the Traffic Act Amendment Bill currently before the Legislative Council pass all stages, the concession will become available to all eligible pensioners shortly after proclamation.

31. TRAFFIC ACCIDENTS

High Risk Drivers

Mr. FLETCHER, to the Minister representing the Minister for Police:

(1) With a view to reducing the vehicle accident/hospital accommodation problem, what steps, if any, are being taken to eliminate "high risk drivers" from our roads?

(2) Has any Commonwealth or State authority any means of detecting "high risk drivers" in the community?

(3) Is the Minister aware that an American report suggests that there are statistically identifiable groups among the elderly and youthful drivers with high violation records that cause disproportionately more accidents than any other group (see *Daily News* 6th October, 1971)?

(4) If no action has been or is being taken, will the Minister investigate ways and means of initiating an authority as suggested in (2) for subsequent application to this State?

Mr. BICKERTON replied:

(1) In 1968 a State committee of experts examined the possibility of identifying the high risk driver and came to the conclusion, in brief, that at that point of time there was no instrument or technique available that would permit identification of a potential high risk applicant for a driver's license with sufficient reliability.

The Committee further said that prediction of subsequent driver history at the time of application for a license did not, because of the exposure variables, present a practical goal.

The Committee recommended before further research was undertaken, there should be an increased accumulation of driver history and this might be possible by the use of modern data processing techniques. Study of a similar nature, I understand, has also been carried out at the University.

(2) Only from traffic records.

(3) Yes.

(4) The Police Department is well aware of the potential benefits if the high risk driver can be identified and steps taken to rectify the inherent defects in driver behaviour which may be mental physical or educational.

It is currently examining the possibility of accumulating additional information on driver behaviour in an attempt to identify those individuals who substantially contribute to the accident problem.

32. KAOLIN MINING

Greenbushes District

Mr. REID, to the Minister for Mines:

(1) Referring to the Premier's statement in *The West Australian* 28th March, 1972 of $1.5 million investment by a Japanese company in kaolin mining in the Greenbushes district, has—

(a) a firm commitment been made by the respective company to commence mining;

(b) the tonnage of the kaolin deposits been assessed?

(c) the quality of the kaolin been established?

(2) What processing facilities would be required to treat 8,000 tons per month—

(a) how many men would likely to be employed at the refining site:

(b) what does the refining process entail;

(c) when is the likely commencement date of the full scale project;

(d) what is the value per ton of the refined product?

Mr. MAY replied:

(1) (a) The company is planning development that includes the formation of a joint venture company.

To this end, representatives of the company will be visiting Western Australia in June, 1972, and upon conclusion of agreement on this subject it is expected that erection of the plant will follow immediately.

(b) and (c) No results of a proper assessment have, as yet been reported to the Department of Mines, although it is probable that a reasonably good estimate has been made during the course of exploration for tin. Further information should be available from the company representatives in June.

(2) (a) Approximately 30.

(b) The removal by washing of associated contaminant minerals; this is usually mainly quartz.

(c) See answer 1 (a) above.

(d) Price depends on exact quality of the product, location of the customer and the size of the contract.

As an indication, kaolin imported into Australia during 1972 has averaged about $30 per ton f.o.b. whilst the price in Europe and America has been $60 per ton c.i.f. Australia.

33. RAILWAYS

Electrification and Sinking of Line

Mr. O'CONNOR, to the Minister for Works:

(1) Is the figure of $110 million for the new rail sinking project considered reasonably accurate?

(2) How was the figure arrived at?

(3) Would the present rolling stock, etc., be suitable for an electrified system?

(4) If not, what would be the cost of replacing locomotives and rolling stock, and is this amount included in the $110 million?

Mr. JAMIESON replied:

(1) It is as accurate as our existing knowledge allows.

(2) The figure was arrived at by comparing the scope, complexity and nature of our project with related projects commissioned or completed in London, Montreal, Mexico, City, Melbourne, Toronto and Stockholm.

(3) No.

(4) Our present estimate is $13.5 million. This amount is included in the $110 million.

In relation to the amount of $110 million I would like to remind the House of the way in which our announcement was worded: "Although only detailed planning will establish the cost and duration of the first section of the works, it is suggested that the cost will not be less than $110 million (1972 dollars) and the time taken will not be less than 10 years."

34. RAILWAYS

Electrification and Sinking of Line

Mr. O'CONNOR, to the Minister for Works:

Regarding the proposed underground railway—

(a) did all members of PERTS steering committee agree with this plan;

(b) to what depth would the rail line be below ground level;

(c) is it anticipated the plan would be difficult because of gradients and curves;

(d) would the plan when implemented cause problems to any building foundations?

Mr. JAMIESON replied:

(a) The Government benefited from the advice of all members of the PERTS steering committee.

(b) This will not be known until the engineering studies have been completed in some years time. The line may be at its greatest depth below ground just east of Victoria Avenue. The top of the tunnel could be 50 ft. or more below ground at this point.

(c) No accurate answer can be given for some time, but it appears as though curves will create no special difficulties.

(d) No accurate answer can be given to this either, but the magnitude of the foundations problem will, of course, be one of the determinants of the final alignment.

35. LAVERTON-WARBURTON ROAD

Grant to Laverton Shire Council

Mr. COYNE, to the Minister for Works:

(1) Has an application been received from the Laverton Shire Council for a $5,000 grant to restore the Laverton-Warburton road, which was reported to be badly washed out by recent thunderstorms?

(2) Is it anticipated that these funds will be made available?

Mr. JAMIESON replied:

(1) An approach has been made by the Laverton Shire Council in respect to the Laverton-Warburton Road and I recently approved of a special allocation of $10,000. I also approved of a special grant of $4,000 for improvement works on the Warburton-Wingelina Road.

(2) Answered by (1).

36. CONDITIONAL DRIVERS' LICENSES

Underage Applicants

Mr. McPHARLIN, to the Minister representing the Minister for Police:

When an application is made for a conditional driver's licence to underage persons under section 23B (1) of the Traffic Act which states that a licence may be issued if in the opinion of the Commissioner of Police the denial of a licence would occasion undue hardship or inconvenience—

(a) on what information does the commissioner form his opinion;

(b) is it obligatory on the person making investigations to enquire into the circumstances of the applicant's parents;

(c) are investigations carried out by police officers in country areas without referring to the local authority;

(d) does the commissioner accept without question the report of his officers?

Mr. BICKERTON replied:

(a) The commissioner forms his opinion on the circumstances put forward by—

(i) the applicant;

(ii) other persons supporting the application;

(iii) inquiries by his officers; and

(iv) recommendation by a senior police officer.

(b) No, unless relevant to the application.

(c) Yes, unless circumstances of the application warrant such reference.

(d) No.

37. WHEAT QUOTAS

Shortfall and Over-quota Production

Mr. NALDER, to the Minister for Agriculture:

(1) How many holders of wheat quotas did not plant wheat for each of the years 1969-70, 1970-71, 1971-72?

(2) What was the amount, in bushels, involved for each of the years?

(3) Is this wheat counted as shortfall?

(4) How many wheat farmers had shortfalls for the years 1969-70, 1970-71, 1971-72?

(5) What number of bushels were involved for the same period?

(6) What is the total shortfall, in bushels, at the end of 1971-72?

(7) How many wheat farmers had over-quotas for 1969-70, 1970-71, 1971-72?

(8) What number of bushels were involved for the same period?

(9) What is the total over-quota wheat, in bushels, at the end of 1971-72?

Mr. H. D. EVANS replied:

(1) In the 1969-70 season 130 growers who indicated on their application for a wheat quota they did not intend to plant wheat were not issued with a delivery entitlement or a quota number.

Of those who were issued with a delivery certificate, 124 were later cancelled because no crop had in fact been sown.

In the 1970-71 season, 197 quota holders did not plant wheat, however, only 12 of this number qualified for a delivery entitlement as 185 had delivered over-quota wheat in the 1969-70 season in excess of their 1971-72 delivery entitlement.

In the 1971-72 season, 243 quota holders did not plant wheat. A total of 303 growers delivered over-quota wheat in the 1970-71 season in excess of their 1971-72 delivery entitlement.

(2) 526,912 bushels. 56,590 bushels. 761,745 bushels.

(3) No—delivery entitlements not required by non croppers are distributed to growers who do plant wheat in the relevant year.

(4) 6,383. 1,907. Final figures will not be known until Co-operative Bulk Handling schedules are received in early May.

(5) 1969-70—32,623,092. 1970-71—3,131,053. 1971-72—not known at present. Estimated to be about 5 million bushels.

(6) The total individual shortfall for the 3 years will be approximately 40,754,145 bushels.

(7) 2,583. 6,975. Not yet available.

(8) 1969-70—4,636,100 bushels. 1970-71—19,622,517 bushels. 1971-72—not yet known.

(9) Not known accurately—but estimated individual over-quota deliveries for the 3 years will total approximately 30 million bushels.

38. HEALTH

Chemical 245T: Harmful Effects

Mr. THOMPSON, to the Minister for Health:

(1) Is he aware that the chemical 245T, a defoliant chemical, the use of which was sharply reduced by the U.S.A. in the Vietnam war because of its harmful effects, is being freely used by the State Electricity Commission, Forests Department, and farmers in this State?

(2) Is it true that some of this chemical is present in streams and rivers of the State to such an extent that fish are dying?

(3) Bearing in mind that this chemical is being used at least by the S.E.C. and Forests Department on water catchment areas, including those of the Metropolitan Water Board and Country Town Water Supply, will he state what steps he is taking to ensure that no injury to the health of people supplied with water from these areas will result?

(4) Until he is able to give a categorical assurance that the present use of 245T is not liable to injure health, will he ensure that it is not used where it is likely to enter public water supplies?

Mr. DAVIES replied:

(1) I am aware that the chemical 2,4,5-T is registered (under the Pesticide Regulations of the Health Act) for use in connection with special problems such as blackberries, poisonous plants, and eucalypt-sucker re-growth; and that it is used for these purposes by the State Electricity Commission, the Forests Department and farmers in this State.

(2) I am not aware of evidence to this effect.

(3) The methods of application and the quantities and concentrations of the chemical used by the agencies referred to are such as to safeguard against water pollution.

(4) Answered by (3).

QUESTIONS (14): WITHOUT NOTICE

1. THOMAS STREET AND WINTHROP AVENUE

Median Strips

Mr. JAMIESON (Minister for Works): On Tuesday, the 28th March, the member for Cottesloe asked me a further question, related to question 2 on the notice paper, as follows:—

> With regard to question 2 on today's notice paper, and the Minister's answer to it, will he request the Commissioner of Main Roads to ascertain from the Perth City Council and the Subiaco City Council whether indeed an improvement plan for Winthrop Avenue and Thomas Street has been prepared, and whether it is intended to implement any plan with regard to the improvement of the median strips?

I am now informed by the Commissioner of Main Roads that inquiries at the Perth City Council indicate that the council is well forward with plans for reticulation and beautification of median strips in Winthrop Avenue and Thomas Street. A further meeting of interested parties will shortly be called to discuss the plan and sharing of costs.

2. JAPANESE ECONOMY

Depressed State, and Recovery

Sir DAVID BRAND, to the Premier:

(1) Is he of the opinion that the Japanese economy is as depressed as is generally believed?

(2) In view of the letter from Mr. Nagano, did he find that there was a difference of opinion as to the time in which the economy would recover?

I would like an expression of opinion from the Premier.

Mr. J. T. TONKIN replied:

In reply, one requires to know, in endeavouring to understand the question asked by the Leader of the Opposition, what he means by "generally believed." Does he mean generally believed in Australia or generally believed in Japan?

Sir David Brand: By us, in Australia.

Mr. J. T. TONKIN:

(1) Well, no. The figures given with regard to the Japanese economy, generally, do not give any indication of depression at all. When I made my statement this morning I referred to the month of February, which is only last month, compared with February of last year. That gives us a full 12 months' period.

Japanese exports, generally, were up 27.4 per cent. in February this year compared with February of last year. Japanese imports were up by 18.8 per cent. in February of this year when compared with February of last year.

I would say those figures do not indicate any depression at all in Japanese industry.

Mr. Hutchinson: Not in the month of February, anyway.

Mr. J. T. TONKIN: I do not believe the month of February can be taken in isolation. It was quoted in Japanese newspapers as being the last month. However, if there is any doubt in the mind of the member for Cottesloe I would tell him that figures were also quoted for January, which showed a similar trend.

(2) There was a most definite difference of opinion. The leaders of some companies expressed to me their view that Japan would emerge quickly from the present situation which they attributed to two things: The action of the Japanese Government in imposing restraint, and the effect of what they called the "American shock." The shock was the devaluation of the American dollar which had an effect on prices and the stability in Japan. Those two factors taken together have created what some Japanese call, "a marking time."

There was no concerted opinion as to whether this would be for a short period or a long period. I did not find anybody who had a similar view to that expressed by Mr. Nagano. His was the most pessimistic view of any expressed either to the Minister for Mines or myself in regard to Japanese industries.

3. IRON ORE

Japanese Contracts: Reduced Tonnages

Mr. COURT, to the Premier:

(1) His remarks this morning indicated that he regarded the 6 per cent. reduction in the iron ore quantities below the 10 per cent. option figure to be an abrogation of the iron ore contracts.

(2) Is not the correct position that there was no abrogation but the lower tonnages were negotiated by the companies as variations of the agreements with a clear understanding that there would be recognition of this and a degree of preferment when the tonnages were reinstated at a reasonably early date?

(3) (a) The Premier advised that with the one exception the steel mills were unanimous as to whether there should be additional iron ore producers or existing ones expanded, but he did not say which course they preferred.

(b) Can he advise the House of their views?

Mr. J. T. TONKIN replied:

(1) I regard the 6 per cent. cut-back below the minus option as a definite abrogation of a contract because the contracts provided for a certain basic figure with room to manoeuvre and a plus and minus option within the terms of the contracts. If any party to a contract decides to impose conditions which are not mentioned in the contract and to deliver a greater or smaller quantity, in my view that is not complying with the terms of the contract and it would be regarded as a breach of contract.

Mr. Court: It is not abrogation if the variations are negotiated.

Mr. J. T. TONKIN: It is a breach of contract, of course.

Mr. Court: Not if the parties negotiate.

Mr. J. T. TONKIN: The Deputy Leader of the Opposition thinks it is not; I think it is.

Mr. Court: It is abrogation when a party walks out of the terms of the contract.

Mr. J. T. TONKIN: That is where the matter must rest. The Deputy Leader of the Opposition asked for my opinion.

Mr. Court: I have given mine. It is abrogation when one party walks out of something without negotiation.

The SPEAKER: Order! Order!

Mr. J. T. TONKIN: I would expect better from the Deputy Leader of the Opposition. I suggest it amounts to a breach of a first contract and the renegotiation of a new contract.

Mr. Court: That is a very distorted approach to it.

Mr. J. T. TONKIN: The answer to the next part of the question is—

(2) I do not accept the position as stated in the question. I have no knowledge that in their negotiations there was a clear understanding that there would be a recognition of the disability being suffered and a degree of preferment given. If that is so, I am surprised that the manager of one of the companies asked me to endeavour to obtain an assurance that preferment would be given. If the assurance had already been given, there would have been no need to ask me to do anything at all in connection with the matter.

(3) (a) and (b) At this stage I am not prepared to indicate what the opinions of the various companies were in regard to this matter. I regard the information as confidential to the Government, to enable the Government to make the right determination in the allocation of the iron ore reserves.

4. RAILWAYS

Electrification and Sinking of Line

Mr. O'CONNOR, to the Minister for Works:

Following his answer to question 34 today, can I take it for granted that members of the Perth Steering Committee did not agree to the new plan for sinking the railway underground?

Mr. JAMIESON replied:

To the best of my knowledge, they all gave it their approbation. I am not conversant with all the individual opinions but, as will be noticed, the plans are signed on behalf of the Steering Committee

by a representative of the Railways Department, a representative of the design branch (Mr. Cann), and Mr. Knox. No suggestion of disagreement was made to me.

5. IRON ORE

Japanese Contracts: A.L.P. Criticism

Sir DAVID BRAND, to the Premier:

(1) Did the Japanese either at Government or industrial levels in the course of seeking assurances raise with him the criticisms made by the A.L.P. in and out of Parliament over the last 10 years about mineral developments in this State being heavily oriented towards Japan and criticism of potential Japanese investment in Western Australia?

(2) If so, can we take it from his remarks this morning that he has assured the Japanese that his party no longer has these previously expressed reservations?

Mr. J. T. TONKIN replied:

(1) No.

(2) Answered by (1).

Sir David Brand: I thought the answers would be brief.

6. MINISTERIAL VISIT TO JAPAN

Primary Products: Negotiations for Sale

Sir DAVID BRAND, to the Premier:

Did the Premier discuss with the Japanese the prospects of selling more of our primary products, such as lamb, mutton, coarse grain, and fruit?

Mr. J. T. TONKIN replied:

Yes. I am prepared to supply further information. The matter of the supply of mutton was raised, and I was surprised to learn from one company which was most anxious to promote mutton from Western Australia, that our price was too high. Having regard for the very small return to the producer, it seemed to me there was ample room for inquiry into this matter and I propose to have a talk with the Minister for Agriculture in order to ascertain what steps can be taken to make our mutton available to the Japanese at a competetive price. I assured my inquirer of this. There is no doubt whatever that if the price is right substantial quantities of mutton can be sold to Japan.

With regard to fruit, the position is difficult. The regulations in Japan, which are framed to prevent the introduction of diseases, are very stringent, and it seems to me there is little opening for fruit in its natural state. There is a definite opening for processed or dried fruits—raisins, currants, and sultanas. I think trade could be promoted along those lines.

There was also a definite inquiry about the Ord River and the possibility of increasing the supply of sorghum and rapeseed. I believe this is a field of production which warrants further inquiry because a market can definitely be found in Japan and the companies are anxious to promote those products. Mitsubishi was particularly interested in the possibility of developing trade in those commodities.

7. MINISTERIAL VISIT TO JAPAN

Natural Gas: Off-shore Development

Mr. COURT, to the Premier:

The Press report from Japan indicated that the Western Australian Government planned to have an equity interest in the north-west off-shore gas development.

Is this report correct; and, if so, what is to be the nature of this equity participation, how much will be involved, and from what source will the capital contribution be made?

Mr. J. T. TONKIN replied:

Without having seen the report I am unable to say whether or not it is correct, but I can explain that this matter was discussed and the Japanese are very anxious to be associated financially with the development. We were informed that talks had already been held between Burmah-Woodside and the Japanese with a view to raising finance to enable Japanese participation. It was not made clear whether this would be by way of joint venture or by way of making finance available; but, as I said this morning, the Chairman of Mitsui indicated to me that his company was prepared to provide the necessary finance to enable a pipeline to be installed from the source of supply to the metropolitan area.

Mr. Court: I think you misunderstood my question. The Press report stated the Western Australian Government planned to have an equity interest.

Mr. J. T. TONKIN: I would need to see the report to enable me to answer it. As far as I can recollect, neither the Minister for

Mines nor I made any suggestion that we would participate with Burmah Oil or anyone else in having an equity interest in the oilfields.

8. MINISTERIAL VISIT TO JAPAN

Trade and Investment Undertakings

Mr. HUTCHINSON, to the Premier:

Can he assure the Japanese that the undertakings he has given them in respect of trade and investment policy will be acceptable to and honoured by the Federal body of the A.L.P. and its industrial wing, the A.C.T.U., if there is ever a Federal Labor Government, in view of comments the first two named have made over the last few months?

Mr. J. T. TONKIN replied:

If I were to refer to May's *Parliamentary Practice*, I believe I would find this question was inadmissible.

Mr. Hutchinson: It is a very important one.

Mr. Court: You are part of the A.L.P.

Mr. J. T. TONKIN: The importance of a question does not make it admissible.

Mr. Court: You are part of the A.L.P.

Mr. J. T. TONKIN: It is a supposititious question.

Mr. Hutchinson: It relates to Japanese assurances.

Mr. J. T. TONKIN: If and but—Government assurances in certain circumstances which may or may not happen.

Mr. Hutchinson: This is what the Japanese want to know.

Mr. J. T. TONKIN: If the member for Cottesloe is prepared to give me an assurance that a Labor Government will be elected at the next Federal election, I will answer his question.

9. MINISTERIAL VISIT TO JAPAN

Industrial Stoppages: Discussion

Mr. WILLIAMS, to the Premier:

Did the Japanese steel mills or others raise the question of industrial unrest and in particular the bank-up of 11 ships at Port Hedland due to industrial action which coincided with his visit—especially in view of earlier assurances he and his colleagues gave the Japanese that there would be less industrial unrest under a Labor Government?

Mr. J. T. TONKIN replied:

I must answer this question in two parts. The Japanese steel mills and others raised the question of industrial unrest but made no particular reference to the bank-up of ships. However, the question was raised and I was able to say that during the little more than 12 months this Government has been in office less time was lost as a result of industrial unrest than during the term of the previous Government.

10. MINISTERIAL VISIT TO JAPAN

Power Generation, and Caustic-chlorine Petrochemical Industry

Mr. COURT, to the Premier:

(1) Is the Press report that came back from Japan in relation to his visit to the effect that the Japanese had offered to finance and build power stations in Western Australia, correct?

(2) If so, what were the conditions of the offers and were the Japanese told that this basis would be satisfactory to the State Government?

(3) Did he discuss the caustic-chlorine petrochemical industry which had previously been negotiated by the previous and present Governments to a considerable degree; and if so, what is the prospect of early success?

Mr. J. T. TONKIN replied:

(1) Yes.

(2) No conditions were discussed. It was suggested that the company interested should get in touch with the Department of Development and Decentralisation and the State Electricity Commission with a view to pursuing further the possibility of Japanese participation, either on a basis of a joint venture or on a basis of providing finance to enable power generation to be developed in this State with a view to making the cost of electricity much cheaper and, therefore, making it more likely that industries dependent upon cheap power could be induced to establish here; and also enabling the State better to meet the needs of a growing economy.

(3) I am unable to speak for the Minister for Mines because I was not with him at all discussions which took place. Sometimes he had discussions independently of myself. However, so far as I am concerned I did not discuss the caustic-chlorine petrochemical industry to which the Deputy Leader of the Opposition refers.

11. MINISTERIAL VISIT TO JAPAN

Caustic-chlorine Petrochemical Industry

Mr. COURT, to the Minister for Mines:

Mr. Speaker, I appreciate the significance of the Premier's answer to part (3) of my previous question; therefore I would ask the Minister for Mines—

Did he discuss the caustic-chlorine petrochemical industry which had previously been negotiated by the previous and present Governments to a considerable degree; and if so, what is the prospect of early success?

Mr. MAY replied:

This issue was raised on several occasions, and it is one of the reasons why an interest was taken in power generation in Western Australia. It was indicated to the company concerned that it should contact the Department of Development and Decentralisation, which is the department that initiated these inquiries before our visit to Japan.

12. INDUSTRIAL ARBITRATION ACT

Penal Provisions

Mr. COURT, to the Minister for Labour:

With reference to question 10 on Wednesday the 29th March, will he please answer part (3) (viz. "If paid, have they been refunded, and if so, when?"), including the date when the refunds were actually posted or delivered to the two recipients?

Mr. TAYLOR replied:

I thank the Deputy Leader of the Opposition for adequate notice of this question. The fines were paid on the 17th May, 1971, by the Australasian Society of Engineers on behalf of the two individuals who pleaded guilty (Parry—$25 fine, 70c costs; Lesnewski—$25 fine, $2.60 costs).

A cheque for the refund of the amounts paid—payable to the Australasian Society of Engineers, at its request—was approved for payment on the 23rd December, 1971, by the Attorney-General's Department. It was authorised by the Secretary for Labour on the 20 January, 1972, drawn by the Treasury on the 17th February, 1972, and posted either on that date or thereabouts to the union. Shortly after the union indicated receipt of the cheque.

13. MINISTERIAL VISIT TO JAPAN

Letter from Mr. Nagano

Mr. RUSHTON, to the Premier:

As a considerable amount of the Premier's confidence in the result of his trip to Japan appears to generate from Mr. Nagano's letter, will he please point out the portions of the letter which give him reason for this confidence?

Mr. J. T. TONKIN replied:

I assume that the member for Dale has a reasonable comprehension of the English language. Therefore, if he reads a copy of the letter he will be able to answer his own question.

14. BUSSELTON PRIMARY SCHOOL

Training Centre

Mr. BLAIKIE, to the Minister for Education:

(1) Since it has been announced that the building of new facilities for use as a training centre at the Busselton Primary School is to be deferred, what arrangements have been made to continue to provide the satisfactory educational requirements of those children concerned?

(2) Has the department taken any action to have the building of this centre given any earlier priority than the announced completion date of October, 1972?

Mr. T. D. EVANS replied:

I thank the member for Vasse for having communicated notice of this question to me. The answers are as follows:—

(1) The new building for Busselton training centre has not been deferred but there has been some delay in the planning stage. The school will operate in its present building until the new school is ready.

(2) A commission has been given to a private architect to expedite work on this project.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. J. T. TONKIN (Melville—Premier) [4.20 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 11th April, at 4.30 p.m.

Question put and passed.

House adjourned at 4.21 p.m.