One example, for instance, which might be cited is the Kalgoorlie Cup Lottery. Other similar examples could be quoted.

The Kalgoorlie Cup Lottery was launched about six weeks prior to the running of the cup and, receiving a ready response from subscribers, the sweep filled quickly, with the result that the commission held, in respect of that sweep, approximately $100,000 for a period of two weeks or so before it was needed for disbursement.

As I have indicated, this course of events applies to other lotteries. The commission always has two or three lotteries current at any given time, with a considerable temporary accumulation of funds, usually in excess of $50,000, which can be made available for the short-term money market where substantial profits can be acquired as compared with the interest rate payable on deposits in excess of $20,000.

It has transpired, as a consequence of these circumstances, that the Lotteries Commission recently invested funds which involved security by way of the State Electricity Commission of Western Australia. However, the commission is inhibited in this performance by the restriction of section 9(2) of the Act and the Auditor-General, acting on Crown Law opinion, has pointed out that such transactions are *ultra vires* the Lotteries (Control) Act.

One of the main objects of this piece of legislation now before members is, therefore, to amend the Act in order that the commission might utilise the facilities available for money on call or short-term investment without greatly weakening the security of repayments of such moneys. It would be helpful, I think, if I were to read for the benefit of members an appropriate part of the Act dealing with investment. The section in question states as follows:—

> The Commission's funds may be invested in its name in Commonwealth inscribed stock or in any security if the repayment of the moneys thereby secured is guaranteed by the Crown in the right of the State.

The restrictive effect of this provision in the light of present-day financial arrangements becomes obvious, and members may be assured that if the amendment now proposed is agreed to, the commission, as a matter of normal business prudence, can be relied upon to observe the interests of all parties concerned because the only requirements sought are to place the commission in a position no worse than that of any trustee who is charged with the care of a trust fund.

With respect to the second proposed amendment, I would inform members that Eastern States lotteries have again been turning their attention to the Western Australian market; for example, the South Australian lotteries body recently conducted a "householder" mail drop, both in Kalgoorlie and Bunbury. This move evidently met with some success because there was a corresponding fall off in sales in the local lottery in the two areas.

The commission regards the best way of combating these tactics is to make the Western Australian lottery more attractive. One way of doing this, which has been submitted, is to offer lottery tickets as consolation prizes for near-miss tickets. This practice is employed in a number of Eastern States lotteries and it is claimed has a public appeal.

Therefore, in introducing to members this Bill which has as its main objective the better investment of lottery funds, opportunity is being taken to seek an amendment to section 10 (b) of the Act, which has restricted, up to this point, the distribution of all prizes to cash. It is now proposed to amend this section of the Act to enable prizes to be distributed in the lottery by way of cash or by the issue of tickets in lotteries being conducted by the commission. I commend the Bill to the House.

Debate adjourned until Tuesday, the 15th September, on motion by The Hon. W. F. Willesee (Leader of the Opposition).

House adjourned at 5.50 p.m.

Legislative Assembly

Wednesday, the 9th September, 1970

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

ADDRESS-IN-REPLY

Acknowledgment of Presentation to Governor

THE SPEAKER (Mr. Guthrie): I desire to announce that, accompanied by the member for Mirrabooka (Mr. Cash), the member for Roe (Mr. Young), the member for Mt. Hawthorn (Mr. Bertram), the member for Northam (Mr. McIver), and the member for Albany (Mr. Cook), I waited upon His Excellency the Governor and presented the Address-in-Reply to His Excellency's Speech when he opened Parliament. His Excellency was pleased to reply in the following terms:—

> Mr. Speaker and members of the Legislative Assembly: I thank you for your expressions of loyalty to Her Most Gracious Majesty The Queen and for your Address-in-Reply to the Speech with which I opened Parliament.

QUESTIONS (28): ON NOTICE

1. INDUSTRIAL DEVELOPMENT

Regional Promotion Committees

Mr. WILLIAMS, to the Minister for Industrial Development:

(1) In what areas are industrial and/or regional promotion committees still functioning, i.e., those promoted by the department?

(2) Has the Government any future plan to—

(a) re-establish these committees;

(b) develop a new concept of regional committees?

(3) If "Yes" would he give details?

Mr. ROSS HUTCHINSON (for Mr. Court) replied:

(1) Committees sponsored by, or whose formation was supported by the Department of Industrial Development, are known to be currently active in—

Albany,

Geraldton,

Narrogin,

Northam,

Wagin.

(2) (a) Not at present, although support will continue to be given to existing or newly-formed committees.

(b) Not at present, but some comprehensive regional development studies are being undertaken and others are in the planning stage.

(3) See (2) (b).

2. LAND

Conditional Purchase

Mr. YOUNG, to the Minister for Lands:

(1) Has any decision been made in respect of the area of conditional purchase land that one individual may hold under lease above the present maximum of 5,000 acres?

(2) If "Yes" what is the new acreage limit and has any consideration been given to including an "option to purchase" clause in the new arrangement?

(3) What is the maximum lease period?

Mr. BOVELL replied:

(1) Yes.

(2) (a) Additional to present holding, up to a maximum of a further 5,000 acres as a sublease.

(b) No option to sublessee to purchase.

(3) Three years, with consideration to a five year term if warranted.

3. DROUGHT RELIEF

Comprehensive Water Supply Standpipes

Mr. GAYFER, to the Minister for Water Supplies;

(1) Will water be available at comprehensive water supply standpipes under the same conditions for farmers still carting or likely to restart carting water in areas that were declared drought areas last year and have applied for redeclaration this year?

(2) Will the same conditions apply at key points as pertained last year for those farmers who are still carting or likely to restart carting?

Mr. ROSS HUTCHINSON replied:

(1) and (2) Action adopted will be dependent on the prevailing situation. The position is being closely watched by the Drought Relief Advisory Committee which is meeting at regular intervals.

4. TOWN PLANNING

Long Point, Warnbro Sound

Mr. RUSHTON, to the Minister representing the Minister for Town Planning:

(1) Is there a detailed plan being prepared by his department to suggest future use of approximately 1,700 acres of land zoned for public purposes at Long Point (Port Kennedy) on Warnbro Sound?

(2) If "Yes" when is the plan expected to be completed?

(3) Before a plan is decided upon, will the local authority be consulted and a final decision be negotiated?

Mr. LEWIS replied:

(1) No.

(2) Answered by (1).

(3) In cases where the department prepares an overall development plan for an area, the normal procedure is to consult with the local authority concerned and whenever possible reach agreement on the proposals.

5. ROADS

Albany Highway-Bunbury Highway Junction

Mr. RUSHTON, to the Minister for Works:

(1) Has the design plan been completed for upgrading the junction of the Albany and Bunbury Highways at Armadale?

(2) If "Yes"—

(a) will he make a copy available to me;

(b) when will the development work be commenced;

(c) what is the estimated cost?

(3) If "No" when will the planning be completed and the work expected to begin?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) Answered by (1).

(3) Approximately the end of October, 1970. Construction will commence when land acquisition and other formalities have been completed.

6. ROADS

Albany Highway-Denny Avenue Junction

Mr. RUSHTON, to the Minister for Works:

(1) Will he advise when the safety road separation island is to be installed at the junction of Albany Highway and Denny Avenue, Kelmscott?

(2) If the diagram of the work is completed, will he let me have a copy?

(3) Who is responsible to finance and carry out this installation?

(4) What is the estimated cost?

(5) Is it intended to make provision in the island construction for persons using prams, wheel chairs, shopping trolleys, cycles, etc., to cross conveniently?

(6) If it is not intended to include a fully lighted and signed pedestrian crossover in these installations now, will he advise the statistical criterion necessary to obtain this upgraded safety measure in the future?

(7) With the many hundreds of per cent. increase in shopping facilities in recent years at Kelmscott and with the large increase in vehicle and pedestrian traffic, will he have the speed limit through Kelmscott reviewed and altered accordingly?

Mr. ROSS HUTCHINSON replied:

(1) Construction will commence when the requirements of the public utility authorities are known.

(2) Yes, a copy will be supplied.

(3) The Main Roads Department will meet the major part of the cost with a contribution of $925 from the Armadale-Kelmscott Shire Council.

(4) Final estimates have not been completed as requirements of public utility authorities are not to hand.

(5) Yes. Special breaks will be provided.

(6) The Main Roads Department, when considering submissions by metropolitan local authorities for the installation of pedestrian crossings, uses in general the Australia-wide warrant of pedestrian-vehicular product of 90,000 together with other related controlling factors. However, in order to guide local authorities in assessing whether any request to them justifies detailed examination, it is necessary for them to undertake a preliminary survey to establish a product level of 45,000 and minimum individual pedestrian and vehicle volumes.

This procedure has been in operation with local authorities in the metropolitan area since 1958.

(7) Yes. It will be reviewed on completion of the above works.

7. IRON ORE COMPANIES

Royalties

Mr. BICKERTON, to the Premier:

(1) In view of the large sums of money paid by iron ore companies, operating in Western Australia, to the Commonwealth by way of taxation, will he consider discussing with the companies the desirability of paying higher royalties which would be deductible from Commonwealth tax and consequently benefit the State?

(2) If he has given consideration to this matter, will he supply details and, if not, why not?

Sir DAVID BRAND replied:

(1) and (2) The wording of the question suggests that the companies by paying higher royalties, would be relieved of an equal amount of Commonwealth income tax which is not the case. Higher royalties would reduce assessable income but as there would be a saving in taxation of only 47.5c for every dollar of extra royalty paid to the State, the companies could not be expected to favour such a proposal.

8. *This question was postponed until the 15th September.*

9. COMPANIES ACT

Amendment

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

(1) Is it a fact that the Standing Committee of Attorneys-General, following consideration of the

Eggleston committee's four reports, agreed to amend the respective Companies Acts in the States especially in regard to—

(a) disclosure of substantial shareholdings, including the need for a company to keep a register of any such shareholdings;

(b) takeover provisions;

(c) accounts and audit provisions, including requirement for every company to appoint an auditor;

(d) interpretations including definitions of "group accounts" and "group companies";

(e) investigations?

(2) If "Yes" is it intended to implement this agreement by way of legislation during this session?

Mr. ROSS HUTCHINSON replied:

(1) (a) to (e) Yes.

(2) The legislation referred to is to be the subject of a uniform Bill but it is not yet possible to say it can be ready for introduction in the current session.

10. NICKEL SMELTER

Siting

Mr. T. D. EVANS, to the Minister for Industrial Development:

What significance does he place on the comment of Minister for National Development (Mr. Swartz), as quoted in the *Kalgoorlie Miner* of the 1st September, 1970, page 2: "Production of nickel concentrates should be sufficient in about five years to support smelting facilities at Kwinana"?

Mr. ROSS HUTCHINSON (for Mr. Court) replied:

No particular significance should be placed on these reported comments by the Minister for National Development, who could not be expected to be as fully informed as we are on the current state of studies, discussions, the timing, or the location of a smelter.

In any case, the final decision and announcement in respect of the smelter will be essentially a matter for the State Government when the current studies and discussions are completed.

11. SEWERAGE

Local Authorities: Utilisation of Loan Funds

Mr. TOMS, to the Minister for Water Supplies:

(1) How many local authorities have made arrangements with the Metropolitan Water Supply, Sewerage and Drainage Board to utilise loan funds or an overdraft, for the purpose of sewerage works as permitted under division 2 or 3 of part XXVI of the Local Government Act?

(2) Who are the authorities concerned, and to what financial extent is each committed?

Mr. ROSS HUTCHINSON replied:

(1) One.

(2) The Shire of Armadale-Kelmscott.

The shire has no financial commitment as the works have been purchased by the Metropolitan Water Supply, Sewerage and Drainage Board under the provisions of section 69A of its Act.

12. PUBLIC WORKS DEPARTMENT

Maintenance Section: Retrenchments

Mr. TOMS, to the Minister for Works:

(1) Have any retrenchments from the Public Works Department maintenance section taken place recently or are any anticipated in the near future?

(2) If so, what is the total proposed retrenchment, and what classifications of tradesmen are to be so affected in each trade?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) Two painters.

13. TRAFFIC

"B"-class Driving Licenses

Mr. GAYFER, to the Minister for Police:

(1) As the legal drinking age is 18 years and it is proposed to introduce a voting age of 18 years, can we now expect that the age of 18 will be the acceptable age for the holder of a "B"-class driving license?

(2) If not, why not?

Mr. CRAIG replied:

(1) No.

(2) The situation now existing in this State is consistent with the recommendations of the National Committee on Driver Improvement and endorsed by the Australian Transport Advisory Council, reading—

"20 years of age for goods vehicles over 40 cwt. unladen".

It is proposed to maintain uniformity. However, there is provision for the issue of "B"-class licenses to persons under 20 years of age where hardship or inconvenience exists.

14. RAILWAYS

North Fremantle Running Sheds

Mr. TAYLOR, to the Minister for Railways:

(1) Is his department at present considering the closing, leasing, or sale of the W.A.G.R. running sheds at North Fremantle?

(2) If "Yes" would he elaborate?

Mr. ROSS HUTCHINSON (for Mr. O'Connor) replied:

(1) No.

(2) Answered by (1).

15. KWINANA-BASED INDUSTRIES

Medical Facilities

Mr. TAYLOR, to the Minister for Labour:

(1) What permanent medical staff are employed full time and part time on the premises at Kwinana of—

(a) Western Mining (Nickel) Corp. Ltd.;

(b) B.P. Refinery (Kwinana) Pty. Ltd.;

(c) A.I.S. Pty. Ltd.;

(d) the S.E.C. Kwinana power station?

(2) What are the qualifications of such staff?

(3) What floor area is specifically utilised on a permanent basis for medical use at each of the above establishments?

(4) Are doctors available on a regular basis at each of the above establishments?

(5) Is an ambulance or other medically equipped vehicle available on a regular basis at each of the above establishments?

Mr. O'NEIL replied:

(1) to (5) There are no records kept in departments under my control which would enable me to answer these questions.

16. BUILDING INDUSTRY

Labour: Overseas Recruitment

Mr. MOIR, to the Minister for Immigration:

(1) Is he aware of the letter forwarded on the 1st July, 1970, by the Agent-General to Mr. Bailey, advertising department *Daily Mirror*, Holborn Circus, London, in connection with the recruitment of labour for the building industry in this State?

(2) Was this done with his approval?

(3) Has any recruitment of labour for building workers been carried out overseas by—

(a) private employers;

(b) the Government?

(4) If so, will he give details?

Mr. BOVELL replied:

(1) No.

(2) Answered by (1).

(3) and (4) As far as I am aware, the last recruitment of building industry workers from overseas by private employers was conducted by a representative of the Clay Brick Manufacturers' Association during the period December, 1969-January, 1970.

Recruitment of building industry workers by the Government is regulated by employment opportunities.

17. MILK BOARD

Chairman: Salary

Mr. FLETCHER, to the Minister for Agriculture:

What is the salary of the Chairman of the Milk Board?

Mr. NALDER replied:

$12,875 gross per annum.

18. ROADS

South Western Highway: Rerouting

Mr. BATEMAN, to the Minister for Works:

(1) Is he aware that roads and bridges in the Kenwick area are being permitted to deteriorate because local authorities are hesitant to spend money because of the pending rerouting of the South Western Highway through this area?

(2) If "Yes" is he in a position to advise when work on this project will commence?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) It is presumed that the question refers to the Wimbledon Street diversion of Albany Highway. Construction of this deviation is unlikely to be undertaken for many years.

19. NATIVE RESERVES

Acreage and Location

Mr. HARMAN, to the Minister for Native Welfare:

Will he provide a list of aboriginal reserves in excess of 200 acres in area, their approximate acreages, and general location; that is, Kimberley, Pilbara, etc.?

Mr. LEWIS replied:

Native reserves in excess of 200 acres in area and their general locations are as follows:—

Number	Reserve	Location	Area in Acres
297A	Pia	Murchison	50,000
612A	Cossack	Pilbara	800
1834	Beagle Bay	West Kimberley	700,000
3960	Forrest River	East Kimberley	99,000
9656	Fitzroy Crossing	West Kimberley	3,027
10396	Jigalong	Pilbara	22,000
11175	Injudinah	West Kimberley	4,000
13873	Forrest River	East Kimberley	3,312,000
13944	Violet Valley	East Kimberley	238,412
15530	Kunmunya	West Kimberley	238,000
16670	Wilgemia	Murchison	10,499
16682	Nullagine	Pilbara	640
16833	Mogumber	Midlands	12,527
17614	Central Australia	Central Australia	15,010,700
19751	Munja (Walcott Inlet)	West Kimberley	17,000
20285	Jigalong	Pilbara	16,000
20396	Point Salvation	Eastern Goldfields	500,000
20704	La Grange	West Kimberley	450
20927	Lombadina	West Kimberley	35,795
21327	Maurice Creek	West Kimberley	15,000
21328	Blythe Creek	West Kimberley	16,000
21329	Mt. Lyall	West Kimberley	14,800
21471	Warburton Ranges	Central Australia	650,000
21675	Kalumburu	East Kimberley	419,000
21907	Marribank	Great Southern	4,974
22032	Cosmo Newbery	Eastern Goldfields	1,115,435
22100	Cundeelee	Eastern Goldfields	280,000
22433	Wandering	Great Southern	9,170
22465	Norseman	Norseman	6,750
22615	Beagle Bay	West Kimberley	149,000
22956	Balgo	East Kimberley	15,000
23431	Jigalong	Pilbara	170,000
23648	Kurrawang	Goldfields	800
23709	Kunmunya	West Kimberley	1,120,172
24344	Jigalong	Pilbara	317,000
24490	Yandeyarra	Pilbara	630,178
24705	Kimberley	East Kimberley	275,600
24911	Gnowangerup	Plantagenet	2,434
24923	Central Australia	Eastern Division, Central Australia	9,600,000
24952	Esperance	Esperance	8,000
25028	DePuch	Pilbara	4,500
25050	Yamarna	Eastern Goldfields	529,598
25051	Yamarna	Eastern Goldfields	500,000
25059	Mulga Queen	Eastern Goldfields	249
25106	Sunday Island	West Kimberley	4,000
25404	Esperance	Esperance	7,875
26329	Esperance	Esperance	3,883
26373	Mt. Barker	Plantagenet	678
26399	Balwina	East Kimberley	5,121,000
28606	Midlands	Midlands	4,376
28607	Midlands	Midlands	5,361
28608	Midlands	Midlands	3,655
28609	Midlands	Midlands	4,988
29462	Milyuga	Central Australia	10,240
Temporary	Beagle Bay	West Kimberley	178,000
Temporary	Wotjulum	West Kimberley	414,000
Temporary	Admiralty Gulf	East Kimberley	500,000

20. TOWN PLANNING

Burns Beach Estates

Mr. BATEMAN, to the Minister representing the Minister for Town Planning:

(1) Is he aware of a proposal by Downs Projects Pty. Ltd. for a subdivision of rural land known as Burns Beach Estates?

(2) Have approaches been made by this company for subdivision and, if so, on what dates?

(3) Is he in a position to indicate generally when this area may ultimately be considered for urban development?

Mr. LEWIS replied:

(1) I am aware of two proposals advertised by this company in relation to land at Burns Beach. In September last year my attention was drawn to an advertisement by this company offering 35 acres of beach front land for $87,500 cash and indicating that smaller multiples with a minimum of $5,000 would be accepted. Literature issued by the company stated that it owned 1,615 acres at Burns Beach and that it was selling an area of 140 acres to provide further funds for other developments along the coast. The literature stated that a three-quarter interest had been sold in the 140 acres, thus leaving a one-quarter of interest of 35 acres to be sold.

On the 12th September, 1969, I made a Press statement pointing out that the only subdivision proposal received by the Town Planning Board was on the 15th May, 1969, for the creation of five new lots of between 150 and 200 acres, and that no application had been made for the subdivision of a 140-acre lot as referred to in the literature. I further pointed out that the land was zoned "rural" and that in view of previous decisions refusing the rezoning of coastal land north of Mullaloo and advice received from the Department of Agriculture on the economic size of rural units in this area, there was little likelihood of the company's holding being rezoned for urban development or being subdivided into smaller lots for a long time to come.

At the time of my statement, the Town Planning Board had not reached a decision on the subdivision. Later, on the 17th February, the board refused the application on the grounds that it was not related to the economic use of rural land.

Subsequently, the company engaged in substantial advertising of a proposal in which it invited the public to purchase an undivided share—of the 1,615 acres—said to be equal to two acres, at $1,400 per acre.

(2) None, apart from that referred to in (1).

(3) No. The situation remains as stated in my Press statement of the 12th September last.

21. FITZGERALD RIVER RESERVE

Coal Deposits

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

(1) What is the estimated tonnage of coal at the Fitzgerald River and what is the approximate area, in acres, of the coalfield?

(2) How were these estimates arrived at?

(3) What other coal deposits containing montan wax are in Western Australia, and what is the estimated tonnage of coal in each of these?

(4) What is the approximate percentage of wax in the coal in each of the deposits?

Mr. BOVELL replied:

(1) As tests carried out many years ago showed that the Fitzgerald "coal" was of no commercial value as a fuel, no attempt has been made by the Mines Department to delineate the area or tonnage of "coal" available.

(2) Answered by (1).

(3) Most vegetable matter contains some wax material, but it appears that lignite and peat contains more montan wax than the coal. Therefore no investigation of W.A. coals has been made for montan wax by the Mines Department.

(4) Answered by (3).

22. TWILIGHT COVE RESERVE

Dedication as Class "A"

Mr. COOK, to the Minister for Lands:

(1) Were field trips made by officers of the Lands Department to the Twilight Cove Reserve No. 27632 in the course of and as a part of the investigation into whether or not it should be declared an "A"-class reserve?

(2) If so, what was their duration, how many were made and by whom?

Mr. BOVELL replied:

(1) and (2) The investigations referred to were conducted in relation to the creation of the reserve. The officers concerned were familiar with the area, through knowledge gained in the course of their professional occupation over many years of experience as officers of the surveyor-general's division.

23. *This question was postponed.*

24. RAILWAYS

Albany: Resiting of Facilities

Mr. COOK, to the Minister for Railways:

Will he outline any plans the department may have to resite railway facilities, including marshalling yards, goods shed, station and loco depot at Albany?

Mr. ROSS HUTCHINSON (for Mr. O'Connor) replied:

No plans have been formulated by the Railways Department for the resiting of these facilities at this juncture.

25. ROYAL PERTH HOSPITAL

Admissions

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

(1) In the event of a person being referred by his doctor to Royal Perth Hospital for admission, does this necessarily mean such person will be admitted?

(2) Who has the final say regarding admissions?

(3) Under what conditions is admission refused?

(4) In such cases are any alternative arrangements available and, if so, to what extent?

(5) Are any figures available in regard to refused admissions?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) The medical administration.

(3) When the clinical need of the patient, after careful assessment by the medical staff, is not sufficient to warrant admission. There may be cases in which there is a change in the clinical condition of the patient since the time he was seen by the referring doctor. It may be that adequate facilities for outpatient treatment are available. The relative urgency of the patient's admission, relative to the facilities available, may justify delay in admission.

On occasion it is found that patients do not wish to be admitted to hospital and on other occasions suitable domiciliary services may be possible to allow the patient to be treated at home.

(4) Yes. If the patient's clinical condition so dictates, admission may be arranged to another hospital, where the facilities for further management of his clinical condition are available.

(5) There are no figures available with regard to refused admissions. The question of a refused admission as such does not arise without much thought and discussion, including that which takes place, whenever possible, with the referring doctor and every effort is made to see that the patient receives the appropriate treatment for the clinical condition which may, or may not, warrant admission to the hospital.

26. DAM

Preston Valley Irrigation Scheme

Mr. KITNEY, to the Minister for Water Supplies:

Further to my question of the 27th August, 1970, regarding the probable construction of a dam on Thompson Brook, how many alternative sites are under consideration, and where are they located?

Mr. ROSS HUTCHINSON replied:

There are three potential sites downstream of, but in close proximity to, the confluence of Thompson Brook and its south branch, and one other site just upstream.

27. TRAFFIC ACCIDENTS

Fatalities: Children

Mr. RIDGE, to the Minister for Police:

(1) How many child motor vehicle passengers have died in or as a result of road traffic accidents in Western Australia in—

(a) 1968;

(b) 1969;

(c) 1970?

(2) During each of the years referred to in (1) what number of children were under the age of four years?

(3) Is it known how many children were in child's seats of the type which loop over the back of the car seats?

(4) Are there any child's car seats available on the Western Australian market which have been approved by the A.S.A.?

(5) If "Yes" are any of them permanently anchored to the floor or other parts of the car body?

(6) If "No" are any investigations being carried out to determine what type of seat and restraining devices are considered to be the safest for young children?

Mr. CRAIG replied:

(1) Age under 5:
(a) 1968 — 7.
(b) 1969 — 5.
(c) 1970: To the 31st March — 3.

(2) Not known.

(3) Not known.

(4) The A.S.A. Specification ASE 46 of 1970 was issued on the 6th February, 1970. No seats approved by the A.S.A. are yet available in Western Australia.

(5) Yes. Each assembly shall be designed to be anchored to the vehicle frame or body.

(6) Answered by (4).

28. TRAFFIC

Police Control in Country Local Authority Areas

Mr. RIDGE, to the Minister for Police:

In instances where the Police Department has taken over vehicle licensing and traffic control from country local authorities, who is responsible for the provision and erection of standard road signs and the marking of crosswalks, parking bays, taxi stands, etc.?

Mr. CRAIG replied:

It is proposed the Main Roads Department will be responsible for the erection of signs regulating moving traffic including crosswalks, and the local authority for parking and advisory signs.

QUESTION WITHOUT NOTICE

DERBY DISTRICT HOSPITAL

Staff Shortage

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

(1) How many hospital patients have been or will be transferred from the Derby District Hospital as a result of the staff shortage which has caused the closure of the surgical wing?

(2) To what hospitals have patients been transferred?

(3) Is a medical officer available at each of the hospitals to which patients are being transferred?

(4) If "No" what arrangements have been made for medical supervision of convalescent treatment?

(5) Is there any evidence to indicate that other Kimberley hospitals will be affected by staff shortage?

(6) What urgent measures have been taken in an effort to recruit additional nursing staff?

(7) Has consideration been given to the provision of financial or other incentives for nursing service in remote areas?

(8) If "No" will the matter be investigated in an effort to ensure that there is not a recurrence of the situation which is currently being experienced at Derby?

(9) In view of the fact that the senior medical officer at Derby has warned stations on the Royal Flying Doctor Service network that only urgent cases would be evacuated to hospital, what arrangements have been made for the treatment of outpost patients who are not classified as urgent?

(10) When is it anticipated that sufficient staff will be recruited so as to allow the surgical ward to reopen?

Mr. ROSS HUTCHINSON replied:

I thank the member for Kimberley for giving me some prior notice of his intention to ask these questions.

(1) and (2) A number of convalescent cases have been returned home or to minor hospitals in the Kimberleys. A number of cases requiring specialist treatment are being brought to Perth. Exact numbers are not at present known.

(3) and (4) Doctors are available in the Perth hospitals, and the Kimberley hospitals are visited by the Flying Doctor.

(5) Most country hospitals are suffering from nursing staff shortages. There are approximately 200 vacancies for nurses and nurse aides in the country.

(6) to (8) Constant advertising, improvement in rates of pay, including penalty rates, bonuses for country nurses, with special bonuses for the north and north-west.

(9) They will be looked after by the Royal Flying Doctor Service.

(10) Not known.

FACTORIES AND SHOPS ACT AMENDMENT BILL (No. 2)

Introduction and First Reading

Bill introduced, on motion by Mr. O'Neil (Minister for Labour), and read a first time.

WORKERS' COMPENSATION ACT AMENDMENT BILL (No. 2)

Third Reading

Bill read a third time, on motion by Mr. O'Neil (Minister for Labour), and transmitted to the Council.

AERIAL SPRAYING CONTROL ACT AMENDMENT BILL

Third Reading

MR. NALDER (Katanning—Minister for Agriculture) [4.54 p.m.]: I move—

That the Bill be now read a third time.

Last night, when the Bill was in the Committee stage, I assured the member for Gascoyne that I would endeavour to make an explanation on that part of clause 3 which was causing him concern.

Let me say at the outset that the wording in the amending Bill is exactly the same as the wording used in legislation which exists in other States. This has come about as the result of a conference in the Eastern States which was attended by an officer of my department, and also of the conferences which have been held to try to obtain uniformity in this legislation. I made reference to these conferences last night.

The whole of the clause to which the honourable member referred involves the owner of an aircraft. Members will see that the marginal note to the clause is, "Security to be lodged by owner of aircraft against damage." As I say, the whole of the clause refers to the person who owns the aircraft.

The member for Gascoyne was concerned about the words—

> . . against liability up to the insured amount in the aggregate of the owner . .

I have been assured by the Crown Law Department that this refers to the owner of the aircraft. It goes on to make reference to loss or damage, whether to property or livestock, caused by the aeroplane which is being used for contract spraying. The damage may be caused by the mist that flows to any adjoining property or properties. However, the action for insurance is taken against the owner of the aircraft. This is the interpretation which has been given to me by the Crown Law Department. I hope this explanation will satisfy the member for Gascoyne and allay his concern as to the meaning of the clause.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILLS (2): THIRD READING

1. Prevention of Cruelty to Animals Act Amendment Bill.

   Bill read a third time, on motion by Mr. Craig (Minister for Police), and transmitted to the Council.

2. Lotteries (Control) Act Amendment Bill.

   Bill read a third time, on motion by Mr. Craig (Chief Secretary), and transmitted to the Council.

CHIROPRACTORS ACT AMENDMENT BILL

Second Reading

MR. BERTRAM (Mt. Hawthorn) [4.58 p.m.]: I move—

That the Bill be now read a second time.

So far as I am aware, this is the first occasion that an attempt has been made to amend the Chiropractors Act of 1964. The preamble to the parent Act reads—

> An Act to provide for Registration of Chiropractors, the Training and Qualification of Persons as Chiropractors, and the Practice of Chiropractic; and for incidental and other purposes.

It may also be of interest to know that two sets of regulations have been issued in respect of this Act; they are to be found in the issues of the *Government Gazette* of the 9th May, 1966, and the 12th November, 1968.

The real purpose of the Bill is to achieve two things: firstly, to provide machinery for appeal; and, secondly, to extend the already existing "grandfather" section in the Act. I understand that, broadly speaking, grandfather provisions—which one finds so often in Acts of this kind—allow for the registration of people, whether they be painters, dentists, or, as in this case, chiropractors, who have already been practising for some time. The provision allows those people to be registered provided they qualify in other respects as to character and the like.

A board is established under the Chiropractors Act and section 7 of that Act states who shall be on the board. The members include a legal practitioner and four other persons most, if not all, of whom are chiropractors. Section 18 of the Act gives the board power to make rules, and subsection (1) (j) states—

> (1) Subject to this Act the Board may, with the approval of the Governor, make rules—
>
> (j) relating to the registration (including the initial registration), suspension and deregistration of chiropractors;

Section 20 is most important because it sets out just who may be registered under the Act. Subsection (1) refers to people

who are already qualified by way of examination, and subsection (2) is the existing grandfather clause, which I hope to extend.

Section 21 of the Act states—

> (1) For the purposes of this Act there shall be kept by the registrar in the form and manner prescribed by the rules—
>
> (a) the Register of Chiropractors; and
>
> (b) the Record of Students.
>
> (2) The Register of Chiropractors kept pursuant to this section shall be open to inspection by any person at the office of the registrar on the days and during the hours prescribed, on payment of the prescribed fee for such inspection.

It will be seen, therefore that the board has the power to say who shall be registered or deregistered as a chiropractor, and whose name may be struck off the record of students. The regulations to which I have referred provide adequate machinery so that a person who wishes to be registered under the Act knows just what is the procedure. However, so far as I can see if the board refuses to register a person who has applied for registration, or if it decides to deregister a person who has been registered at some stage as a chiropractor, that is the end of the road.

That is a strange situation and one wonders just how it has come to pass. It will be seen that a person who is aggrieved has no right of appeal at all. A person registered under other Acts which one could mention off the cuff—for example, the Architects Act, the Dentists Act, and the Medical Act—who is aggrieved or deregistered has machinery available to him to appeal usually to either the local court or the Supreme Court. However, that right of appeal simply does not exist for chiropractors under this Act.

I would have thought this was an obvious need, and on that basis of thought it seems to me that the provision was inadvertently omitted from the original Act. Whether the omission was inadvertent, or deliberate for some reason or other, I am afraid I do not know; and in any event I think the writing of such a provision into the Act is long overdue. That is one of the purposes of this Bill.

The Bill provides for a right of appeal whenever the board refuses to register a person as a chiropractor, causes the name of any person to be struck off the register of chiropractors or the record of students, or refuses to re-enter in the register of chiropractors or the record of students the name of any person whose name was previously withdrawn or struck off the register. In those cases my Bill provides that—

> such person may, in the case where the refusal or striking off by the Board occurred before the commencement of the Chiropractors Act Amendment Act, 1970, within three months after the commencement of that Act but otherwise within three months after the date of the refusal or striking off by the Board, make application in writing to the Board for a statement by the Board in writing, of its reasons for such refusal or striking off, and the Board shall, as soon as reasonably may be after receipt of such application, furnish the applicant with the statement.

It then goes on to set out the machinery for appeal, in this case to a magistrate of the local court. I think, perhaps, the right of appeal to a magistrate of a local court is quite sufficient for the purposes of this Act, although I would not argue greatly against a proposition that the appeal should go to the Supreme Court. If it does nothing else, the Bill provides a right of appeal which is currently nonexistent.

The only other matter in the measure relates to the grandfather provision, which I have already mentioned. The Bill seeks to extend the existing section 20 by adding two new subsections, the first of which states—

> (4) A person who satisfies the Board that for the period of five years immediately preceding the commencement of this Act he held himself out as a chiropractor and treated members of the public in good faith using methods designed to promote normal nerve transmission and expression is entitled to be registered under this Act as a chiropractor.

The second proposed new subsection provides that such a person, if he wishes to avail himself of the opportunity to register, must make application within one year after the commencement of this Chiropractors Act Amendment Bill, 1970. I do not think many people will apply for registration under this provision. I think only very few people will seek and obtain registration under this proposed extension of the grandfather clause. I have a case in mind of a man who has held himself out as a chiropractor and who has treated literally thousands of people both prior to the legislation of 1964, and since. He has treated members of the public, generally; patients referred to him by medical practitioners; and medical practitioners themselves, who have commended him for his work.

It is not a matter of letting in somebody who will in any way injure the public because in this case the sheer facts I have mentioned—namely, practice over a long period of time and recognition of his skill by members of the medical profession—protect the public. When we have had no concern or protests expressed by the public to the Chiropractors Registration Board or anyone else with regard to a

particular individual, I think we have more than a good case to say that the public would in no way be adversely affected if he was registered.

Mr. Ross Hutchinson: Excuse me for interrupting, but I think it is important that you should say why it is considered necessary to bring in this man under a new grandfather clause.

Mr. BERTRAM: Well in the case I have in mind the man sought registration but the board said it was bound by the strict interpretation of the definition of "chiropractic" and that the man was not strictly practising chiropractic. The public say he is, and medical practitioners say he is, but the board says he is not. Therefore he has not been registered and, furthermore, the position has been aggravated by the fact that he has no right of appeal.

Mr. Ross Hutchinson: There is nothing to stop him from practising as such.

Mr. BERTRAM: No, but he cannot call himself a chiropractor.

Mr. Ross Hutchinson: That is quite correct.

Mr. BERTRAM: I think it is all humbug. In any case, this man is not what I might call a young chiropractor. He has held himself out as a chiropractor and members of the public have gone to him for the best part of two decades; and, as I have said, medical practitioners send their patients to him and go to him for their personal treatment.

Mr. Ross Hutchinson: Did he apply to be registered under the grandfather clause at the time the legislation was passed?

Mr. BERTRAM: Yes, I believe so; I think there is little doubt about that. In my submission there would be no detrimental or adverse effect upon the public if this man was registered. The only one who is being hurt is the man himself. He says he wants to be known as a chiropractor because the world has always regarded him as such. It is only by reason of the strictness of the definition and the application of the definition by the board that he has been barred. So far as I can see, the proposed provision will not open the flood gates nor will it operate to the detriment of the public.

If I might advert for a moment to the question of the right of appeal, it is hardly necessary for me to say this, but I would say there is certainly no suggestion in this Bill of a lack of confidence in the board. That has nothing to do with it. What I am saying is that if we believe magistrates and justices of the peace can err occasionally and that judges—whether they be Supreme Court judges or High Court judges—can err occasionally no matter how brilliant and erudite they may be, I think it follows that the board can err occasionally.

In any event, I think it is a good thing for public relations that the members of this profession should have available to them something which I think should be available wherever possible to people, whether they be chiropractors or not; namely, a right of appeal to a court against the occasional error. For the reasons I have given I commend the Bill to the House.

Debate adjourned, on motion by Mr. Ross Hutchinson (Minister for Works).

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Second Reading

MR. MAY (Clontarf) [5.15 p.m.]: I move—

> That the Bill be now read a second time.

This Bill seeks to amend the Local Government Act, 1960-70. Members may recall receiving a letter last year from The Municipal Officers' Association requesting them to give support to a move to have the Local Government Act amended for the purpose of providing members of the association with the right of appeal against the appointment of unqualified persons, with the approval of the Minister, to positions in local government that should have been filled by qualified officers who were also applicants for appointment.

The Municipal Officers' Association received numerous replies from private members and also from the Minister for Local Government, and it is because of the inactivity which eventuated from its original representations that the association asked several members whether they would be prepared to make some endeavour to amend the Act. The Minister replied to The Municipal Officers' Association on the 10th September, 1969, and I quote from that letter, *inter alia*—

> Careful consideration has been given to your proposal, but I am not prepared to accede to the request because there are many other factors which should influence a Council in selecting applicants for vacancies, other than academic qualifications. Generally, preference would be given to officers who are qualified under the Local Government (Qualifications of Municipal Officers) Regulations, but this may not necessarily be the deciding factor.

As I said previously, as a result of that letter The Municipal Officers' Association sought to have this amending Bill brought before Parliament. I think it will be appreciated that this is a most necessary amendment.

Although there has been a gradual decrease in the number of unqualified persons over the past few years to appointments which should have been filled by qualified men, the fact still remains that

those who enter the field of local government should be given an opportunity to have some right of appeal; some access to a tribunal or board, the appointment of which is proposed in the Bill now before us.

The Municipal Officers' Association has aproximately 1,700 members who are situated in all parts of Western Australia. Officers hold positions in local government in such places as Wyndham, East Kimberley, Kalgoorlie, Laverton, Esperance, Albany, Manjimup, Bridgetown, Busselton, Bunbury, Geraldton, and Port Hedland, apart from many places in the metropolitan area. If we are to recruit officers who are prepared to work in remote country areas in the field of local government, the Government should, in those cases where they possess the necessary qualifications, be obliged to provide them with access to some sort of tribunal that will handle all appointments and promotions. It is essential that local government officers should be granted this opportunity, because there is no doubt that it is a career industry.

Local government is closely aligned with Government institutions, and therefore local government officers should be given an opportunity to appeal against any appointment that is made. Employees of the Government have a right of appeal to such bodies as the Promotions Appeal Board and the Public Service Appeal Board. Further, many other organisations grant their employees this right of appeal.

Lines 2 and 3 of proposed new subsection (2a) clearly spell out that an appeal will arise only when an appointment is made to an office which should be filled by a qualified person. The consequences of such an appointment have been broken into two paragraphs for ease of comprehension. Paragraph (a) of proposed new subsection (2a) imposes a duty on the councils concerned, and paragraph (b) confers a right of appeal on the qualified applicants. Also, paragraph (a) requires that immediate notice in writing of the appointment shall be given to qualified applicants. It will be noted that the notice, and the right of appeal in paragraph (b), are restricted to qualified applicants only. In my opinion, both these provisions are most essential; that is, the right of appeal being restricted to qualified applicants and the applicants for a position being given notice of appointment in writing.

The board, as proposed in the Bill, would consist of three members who shall be appointed by the Governor. The chairman of the board would be an industrial magistrate. The second member would be a representative nominated by the Department of Local Government, and the third member would be a representative nominated by the organisation known as The Municipal Officers' Association of Australia. I think this provision is essential. I am sure the members of the proposed board would give adequate coverage to all offices in local government. Each member of the board, except the chairman, will hold office for three years from the date on which he shall take his seat on the board, and he shall be eligible for re-election.

Over a period of time the following appointments have caused concern to The Municipal Officers' Association:—

Shire of Perth—Treasurer.
Shire of Bayswater—Engineer.
Shire of Wanneroo—Shire clerk.
Town of Melville—Engineer.
Shire of Collie—Shire clerk.

In these instances an unqualified officer was appointed although qualified personnel had been applicants, and it is this which is causing concern to The Municipal Officers' Association. I would also point out that there are other instances of such appointments.

As I have already said, although these appointments do not occur frequently, the fact remains that they have occurred and there is still the possibility that they will occur in the future. This is the reason The Municipal Officers' Association would like to see an appeal board constituted; that is, to enable those persons employed by local governing authorities to have an avenue through which they can lodge an appeal. If a young person has made up his mind to make local government his career, obviously, unless he can be assured that he will have the right of appeal against any appointment, we will lose many potential academics to other areas of employment.

On the 15th March, 1968, in reply to a submission made by The Municipal Officers' Association concerning these appointments, the following was received from the Department of Local Government:—

> The policy which has been adopted is that when all other things are equal, preference will be given to the officer who is qualified under the Regulations, but in all the instances quoted by you the officer appointed has had special attributes which have outweighed the lack of final qualification.

This seems rather unusual because, on numerous occasions, the Minister for Local Government, when addressing local government conferences, has indicated that it is essential that officers should have academic qualifications when they sought appointment to local government positions, and that their promotions should not be made purely as a result of the effluxion of time in the service of local government. Therefore, on many occasions, the Minister has indicated that the onus is on the officers employed by loc-

authorities to ensure that they possess the necessary qualifications; but, conversely, there are these instances when appointments of unqualified personnel have been made.

The titles, and also the positions which some personnel hold in the field of local government are very august. For the information of the House, I would like to quote a few of them, as follows:—

Building surveyors.
Town planning officers.
Engineering assistants.
Health inspectors.
Foremen—all grades.
Meter readers.
Swimming pool managers.
Library staff.
Chief clerks.
Accountants.

It can be seen from this list that the quality of employees is such that academic qualifications are certainly necessary.

The use of the word "immediately" in paragraph (a) in proposed new subsection (2a) is related to the time for appeal referred to in paragraph (b). It is desirable that the period should be uniform and certain. If there is serious doubt about the period of 28 days from the date of appointment being sufficient, it would be preferable to lengthen the time rather than connect it to individual notification of appointment. This provision is contained in the Bill, and I think the period of 28 days from the day of appointment would be reasonable.

Since I gave notice of the introduction of the Bill, I have been in touch with various local authorities to ascertain the reaction of officers to the measure, and on every occasion those concerned have indicated their agreement that the Bill should come before the House. They feel that if the Minister decides to grant the right of appeal to local government officers, or decides that a board shall be established, this will grant them an opportunity to extend their qualifications and also allow them to settle down to a career in local government with the knowledge that if an appointment is made to a position, and the person appointed does not have the necessary academic qualifications, the qualified officers who were applicants for the position would have the right of appeal to the board.

If the Minister will agree to the appointment of this board, his department will be afforded the opportunity of being released from this work, and a good deal of satisfaction will be given to the individual members of The Municipal Officers' Association, which is well known and well organised. I am quite sure that the Minister himself will acknowledge the fact that the association has been operating successfully, and if this is so surely there is an obligation on the Government to foster an employer-employee relationship between itself and the association to the ultimate satisfaction of both parties, and to the satisfaction of the various local authorities who employ these officers.

Mr. Rushton: Has this matter been put before the Local Government Association?

Mr. MAY: Yes; I have here a letter from the Local Government Association which indicates that it has made representations to the Minister and he has once again said that he is not in agreement with the establishment of an appeal tribunal.

Mr. Rushton: The association asked for it, did it?

Mr. MAY: Yes; I have a letter with me, and I can make it available for the perusal of the honourable member at a later stage. Although the Minister indicated he was not in favour of a board being established as such, I think recent events have shown that the Government may favour the constitution of an appeal board, and I am quite sure the Premier is in favour of such boards being established, not only for the benefit of employees in Government institutions, but also for the benefit of officers employed by local government authorities, such as those who belong to The Municipal Officers' Association.

The fact that there has been so much discontent within the ranks of local authorities' organisations indicates that this move to have the Act amended will go a long way to assist in fostering better relations and I am sure if the Minister will give some thought to the matter he will find that the introduction of the Bill will be well worth while because of the ultimate satisfaction he will gain.

There is not very much more I can say in regard to the Bill, which is self-explanatory. It is a very small but a very significant measure. If the Government will give thought to allowing the Bill to go through in the form in which it is presented it will not only receive a good deal of commendation from the local authorities, but will also enable the men who are employed in these organisations to become more satisfied teams. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Nalder (Minister for Agriculture).

BILLS (5) RECEIPT AND FIRST READING

1. Coal Mine Workers (Pensions) Act Amendment Bill (No. 2).
   Bill received from the Council; and, on motion by Mr. Bovell (Minister for Lands), read a first time.
2. Child Welfare Act Amendment Bill.
   Bill received from the Council; and, on motion by Mr. Nalder (Minister for Agriculture), read a first time.

3. Offenders Probation and Parole Act Amendment Bill.

4. Roman Catholic Vicariate of the Kimberleys Property Act Amendment Bill.

Bills received from the Council; and, on motions by Sir David Brand (Premier), read a first time.

5. Petroleum Pipelines Act Amendment Bill.

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

EMPLOYMENT BROKERS

Inquiry by Select Committee: Motion

Debate resumed from the 2nd September, on the following motion by Mr. Burke:—

> That in the opinion of this House a Select Committee should be appointed to inquire into and report upon all aspects of the activities of private employment brokers in Western Australia.

MR. O'NEIL (East Melville—Minister for Labour) [5.35 p.m.]: At the outset let me express my regret at the circumstances which have occasioned the mover of the motion to be absent from the Chamber. However, as I understand the position, arrangements are being made for the debate to be adjourned following my speech. Therefore, since this is a motion moved by a private member, ample opportunity will be available to the member for Perth to read what I have to say and to assess the Government's attitude to the motion.

I think we are all indebted to the member for Perth for the very clear way in which he has explained and developed the principles upon which the Commonwealth Employment Service operates; but beyond that point I think there is little for which we are indebted to him.

The honourable member has given the reasons for the moving of the motion, and he made the point that the principle reason for seeking the appointment of a Select Committee to inquire into the activities of employment brokers is that the Employment Brokers Act, 1909-1918, was last amended some 52 years ago. If that is the principal reason for the appointment of a Select Committee then I suggest, without being facetious, that there should be a Select Committee to inquire into the Ten Commandments. I do not believe that because a law has stood unamended for a considerable period of time there is any argument at all for a Select Committee to be appointed to inquire into the activities which are subject to that law.

Mr. Tonkin: Do you mean no argument at all under any circumstances?

Mr. O'NEIL: I do not believe that is the main reason.

Mr. Tonkin: You said, "there is any argument at all." Surely there is some argument.

Mr. O'NEIL: There is some argument. The member for Perth made the point that that was the main reason which caused him to believe that there ought to be a Select Committee appointed to inquire into the activities of employment brokers. I think one has to have regard to the attitude of the honourable member, because on more than one occasion—in fact, on several occasions—he made the point that although he did not necessarily believe that employment brokers should be put out of existence, they must be able to justify their existence. I would refer to the final words in his speech—

> I have indicated in the theme of my speech that private employment brokers must be able to justify their existence if we are to allow them to continue in business in view of the fact that the taxpayer has to meet the cost of running the Commonwealth Employment Service.

I do not believe that attitude—if, in fact, it is the attitude of the mover of the motion—is one that should prevail if we are to set up a Select Committee to inquire into anything. It does, to a degree, indicate bias; and therefore it is certainly not a very good reason for appointing a Select Committee to inquire into a particular subject.

It is true that the number of employment brokers operating in this State seems to have increased in the last several years. The member for Perth again indicated some bias in describing the increase as an alarming increase. I do not know that it is an indication that we should be alarmed at all when people find a particular avocation or occupation attractive, and the number who engage in that avocation or occupation increases.

The member for Perth made some other statements; and in one he said there was no provision in the Act to allow objections to be lodged to the granting of licenses to employment brokers. In this regard I refer to section 9 of the Act which states—

> (1) At the hearing of any application for a certificate for, or for the renewal of a license, objections to the granting thereof on the ground that the applicant is not a fit and proper person to hold a license or of fraud, imposition, extortion, the conduct of the business for immoral purposes, or non-observance of this Act, may be made by—
>
> Any of the licensing magistrates;
> Any applicant for a license or any person already licensed in the district;

Any officer of police;

Any inspector of factories and any other person acting with the authority in writing of the Minister;

The council of the municipality within the district of which the said business premises are situate.

Surely that does not line up with the statement by the member for Perth that the Act does not contain any provision to enable objections to be lodged to the granting of licenses to employment brokers.

Another point he made was that one of the objections which employment brokers themselves have to the Employment Brokers Act is the multiplicity of records they have to keep. Once again reference to the Act will indicate that the records required to be kept are covered by sections 18 and 19. The first provision requires that an application book shall be kept; and the second requires that an engagement book shall be kept. What other records are kept by employment brokers is their own concern. Once again I cannot see any valid objection to the need for employment brokers to keep two simple registration books.

One can appreciate that the attitude of the Government, even on those grounds, is that there is insufficient warrant to establish a Select Committee to inquire into the activities of employment brokers. It is true there have been some criticisms of the operations of employment brokers, just as there are criticisms of the operations of anybody who is in business or in any other occupation.

Admittedly the member for Perth—and I think he did this quite rightly—did not mention specifically by name the employment brokers or agencies against whom some criticisms have been levied. I do not blame him for not mentioning the parties by name. However, I did request the department to let me know of any actions that had been taken against employment brokers in the last five years.

It is true that the number of complaints which have had to be examined have increased over the last four or five years, but this increase could be consequent upon the increase in the number of employment brokers now operating in the State, which increase the member for Perth described as alarming. In 1965-66 there was no action taken under the Act; in the following year there was one action; in 1967-68 there were two actions; in 1968-69 there were four actions; and in 1969-70 there were six actions.

I have been supplied with the details of the actions that have been taken against employment brokers, or against people operating as employment brokers but not registered as such. In my view most of these involve, essentially, technical breaches of the law, although I have to admit that in one case which was mentioned by the member for Perth the breach amounted to something more serious. This concerned an organisation known as the Western Australian Information Services which, in fact, was established in New Zealand. Therefore, no course of action was available in this State over its activities. It is interesting to note that the person concerned in the establishment of this particular service was prosecuted in this State in 1967-68 for functioning without a license. However, a license was issued to him ultimately. He is now out of the State, and the license has not been renewed.

I requested some information on the Western Australian Information Services, and found that it had obtained an employment broker's license on the 5th September, 1968. Complaints were received from dissatisfied clients, which resulted in detailed investigation. The investigation showed that the records maintained did not comply with the provisions of the Act; but during the period of the investigation the proprietor was absent for periods in New Zealand.

On completion of the investigation it was established that breaches of the Act had occurred, but at this time the proprietor was permanently resident in New Zealand and could not be prosecuted. His license lapsed on the 31st December, 1969, and the business has not functioned since that date. So one can see that the existing provisions of the Act do, to a degree, provide adequate machinery to deal with these breaches.

This does not mean to say that the Employment Brokers Act is satisfactory in all respects. In fact, many of the employment brokers themselves—as was explained by the member for Perth—would like something to be done, and action is already being taken.

I am advised that in January, 1969, there was an inaugural meeting of an organisation which is now known as the Employment Agents Association of Western Australia. The association was formed as a trade association within the Perth Chamber of Commerce. It has a Code of Ethics, and a Memorandum of Ethics, and in June, 1970, the association had some 29 members.

Since the association came into being it has been in touch with me and with the officers of the Department of Labour with a view to examining the provisions of the Employment Brokers Act and making representations to the Government concerning amendments to suit modern day conditions better than do the provisions contained in the Act of 1918.

On the 10th June, 1969, the association informed the Department of Labour that it had formed a subcommittee to study the operation of the Act and put forward proposed amendments. However, it was considered that the most obvious of the required amendments was to the provision relating to book work. Quite frankly, once again, if the only requirements are to keep two registers, then I wonder whether it is all that important.

On the 17th June, at the association's invitation, the department's Chief Inspector of Factories and Shops attended a meeting held by the association and it was agreed that the association would submit proposals for amendments to the Act either direct to the Minister, or to the department. On the 3rd September, 1969, certain proposals were submitted to me.

On the 27th September, 1969, representatives from the Department of Labour and the association conferred at a meeting held at the Department of Labour, and a number of suggested areas of amendment were discussed. There were no further discussions until the 24th June, 1970, and in the interim my department communicated with each of the other State departments and secured, for examination and comparison, their views on the legislation.

I am told that the South Australian, the New South Wales, and the Queensland legislation has been studied. However, Tasmania has not found it necessary to legislate, and the Victorian legislation was repealed in 1966. This is substantially the information which was conveyed to us by the member for Perth. On the 24th June, a further conference took place between officers of my department and the association and we finally agreed that the association should submit, in detail, its proposals for amending the Act.

Those proposals were presented in July of this year, and are currently being examined with a view to further discussion. I do not see that a Select Committee of members from this House could make any further investigation into the operations of employment brokers than that carried out by the officers of my department.

Mr. Lapham: Have the officers of your department made any investigations at all?

Mr. O'NEIL: Yes, I have just related quite a deal of what has been done.

Mr. Lapham: There were discussions with people regarding certain proposals.

Mr. O'NEIL: That is right. They have also carried out investigations into complaints against the operations of a number of employment brokers, and action has been taken.

Mr. Lapham: Does the department rely on complaints being made first, or does it look into the operations of the employment brokers periodically?

Mr. O'NEIL: I understand the employment brokers are subject to inspection the same as any registered shop.

Another point made by the member for Perth was the matter of an approach by the President of the Musicians' Union regarding agents in that industry. I must say that the matter of agents acting on behalf of entertainers is one which has been raised at some of the meetings of Ministers for Labour. It appears that quite a profitable business is attached to the engagement of entertainers for various purposes and it seems that some consideration needs to be given to ensure that the artists, themselves, are dealt with fairly by the agents. This, of course, is one of the matters which will be considered by my department in discussions with the Employment Agents Association of Western Australia.

I think it can be gathered from what I have said that the Government considers there is no need for a Select Committee to look into the matter of employment brokers. The issue is being adequately covered in consultation with the Employment Agents Association and the departments which I administer.

Mr. Harman: Does the Minister intend to introduce amendments during this session?

Mr. O'NEIL: The amendments are only just before the Government for consideration, and if the honourable member had had experience on this side of the House he would realise it is extremely difficult to guarantee the introduction of amendments to any specific legislation during a current session.

Mr. Lapham: Does the Minister intend to deal only with the requested amendments, or some from his own department also?

Mr. O'NEIL: My department is in consultation with the Employment Agents Association.

Mr. Lapham: I had the impression that the consultation was to deal with the requested amendments put forward by the association.

Mr. O'NEIL: No. As a matter of fact, even before the Employment Agents Association was formed I had asked my officers to see if they could ascertain the motive behind certain questions which were asked in this House in connection with the 1918 Act. I wanted to find out if there were any problems associated with employment brokers and, if so, what could be done. For that reason we started to carry out some examination of the Act. As I have said, that examination was as a result of questions asked in this Chamber before the Employment Agents Association came into being.

Debate adjourned, on motion by Mr. Davies.

House adjourned at 5.53 p.m.