are to be repealed at a later date I suppose it would be desirable for these Acts to have short titles.

The Hon. A. F. Griffith: It makes it easier to find them.

The Hon. J. DOLAN: I understand that the purpose of a long title is to enable people to know what a Bill deals with, generally speaking, without having to go through the whole of the measure. The short title merely condenses what is in the long title. I shall read only one long title for the information of members to show how thorough the draftsmen were in days gone by and how easy they made it for the ordinary member of the public to know what an Act dealt with. The Act to which I shall refer was passed in 1836, which is 134 years ago, and the long title reads as follows:—

> An Act for adopting, and applying certain Acts of Parliament, passed in the first, the first and second, the second, and the second and third, and the third and fourth years of the reign of His present Majesty, respectively, in the Administration of Justice in the Colony of Western Australia, in like manner as other laws of England are applied therein.

Our early laws, of course, were based on English law—in other words, what laws they had in England were given to us, we borrowed them, or we copied them in some form or other; and, in regard to the Act to which I have just referred, the following paragraph is added at the end:—

> This Act may be cited as the Imperial Acts Adopting Act, 1836.

That is the short title but it has nothing to do with the adoption of children. It deals with the adoption of British laws and some of the long titles shown in the second schedule are very long indeed.

The purpose of the third schedule is to make indexing more reliable and easier by removing from the short title the article "The." It is most confusing when one is confronted with a large number of Acts the short titles of which all start with the article "The." One has to go through all of them to find out their correct place in the index.

For instance, in the list in the third schedule there is The Aboriginal Offenders Act, 1883; The Bank Holidays Act, 1884; The Constitution Act, 1889; and The Arbitration Act, 1895. With the elimination of the article "The" each Act can be put in its correct place in the index which makes it much easier for all concerned. One can see the advantage of doing this.

I give the Bill my support but I do ask the Minister to explain why it was necessary, in part IV of the first schedule, to remove 10 of the Acts mentioned—this is done by an amendment to delete all of the 16 Acts referred to and then reintroducing six of them for inclusion under part IV.

The Hon. A. F. Griffith: I can do that.

The Hon. J. DOLAN: I will be delighted to hear the Minister's explanation. I would hate any doubt to remain in my mind that there might possibly have been a mistake in one of the other Bills we passed to deal with Statute law revision. In my own mind I know mistakes have not been made because I am appreciative of the meticulous care that is exercised in the examination of these old Statutes and the considerable amount of research that is done. However, I ask the Minister for that information. I support the measure.

Debate adjourned, on motion by The Hon. J. Heitman.

House adjourned at 6.9 p.m.

Legislative Assembly

Tuesday, the 17th March, 1970

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

ASSEMBLY CHAMBER

Improvements

THE SPEAKER (Mr. Guthrie): With the indulgence of the House, before we proceed, I would like to draw the attention of members to improvements that have been made in the Chamber and I would emphasise that, largely, these are experimental. During the recess it was not possible to have a dress rehearsal in the House with all members present with their papers lying on the benches, but it is hoped that the fans that have been installed in the ceiling will make conditions more comfortable for members.

However, if any honourable member thinks that further improvements can be made I would be glad if he would let me know. We are conscious of the fact that there is a fan in one corner of the Chamber but not in the other and I would like members, particularly the two in the back row on the opposition side, to advise me whether they consider another fan is necessary.

On conducting experiments we noticed that flimsy papers, particularly those that were lying on the front benches, had a tendency to take off. With a view to preventing papers being blown off the benches, it is proposed to supply all members with a board to which they can attach papers they may require when making speeches in the House. Unfortunately the sample board I have before me

is too large to fit into the drawers underneath the benches in front of members, so the boards that will eventually be made available will be smaller.

I would also draw attention to the fact that improvements are contemplated to reduce the heat from lights in the Chamber. It is appreciated there are 18 lights in the ceiling, each carrying a 2,000-watt globe, so there is a total wattage of 36,000 heating this Chamber. We have discovered that there is a new type of globe which gives a better light and which has only 400 watts. Therefore, if these are installed, the total wattage of lights in the Chamber will be reduced from 36,000 to 7,200.

Furthermore, the globes that are now being used have a life of only 1,000 hours but the new type of globe will have a life of 10,000 hours. Unfortunately, the globes supplied to us were not the right colour. They had a pinkish tinge and we have asked the manufacturers to supply us with another colour. When they are installed, the general comfort of members will be improved.

BILLS (34): ASSENT

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

1. Local Government Act Amendment Bill (No. 4).
2. District Court of Western Australia Bill.
3. Child Welfare Act Amendment Bill.
4. Manjimup Canned Fruits and Vegetables Industry Agreement Bill.
5. Licensing Act Amendment Bill (No. 2).
6. Transfer of Land Act Amendment Bill (No. 3).
7. Hospitals Act Amendment Bill.
8. Museum Bill.
9. Education Act Amendment Bill.
10. Forests Act Amendment Bill.
11. Land Act Amendment Bill (No. 3).
12. Road Closure Bill.
13. Land Tax Assessment Act Amendment Bill.
14. Land Tax Act Amendment Bill.
15. Northern Developments Pty. Limited Agreement Act Amendment Bill.
16. Companies Act Amendment Bill.
17. Fauna Conservation Act Amendment Bill.
18. Mines Regulation Act Amendment Bill.
19. Bush Fires Act Amendment Bill.
20. State Housing Act Amendment Bill (No. 2).
21. Rural and Industries Bank Act Amendment Bill.
22. Metropolitan Region Town Planning Scheme Act Amendment Bill.
23. Reserves Bill.
24. Wheat Industry Stabilization Act Amendment Bill.
25. Local Government Act Amendment Bill (No. 5).
26. Taxation (Staff Arrangements) Bill.
27. Loan Bill.
28. Marketing of Eggs Act Amendment Bill.
29. Petroleum Pipelines Bill.
30. Stamp Act Amendment Bill.
31. Wheat Delivery Quotas Bill.
32. Marketing of Linseed Bill.
33. Appropriation Bill (Consolidated Revenue Fund).
34. Appropriation Bill (General Loan Fund).

CONSTITUTION ACTS AMENDMENT BILL

Message: Royal Assent

Message from the Governor received and read notifying that he had reserved the Bill for the signification of Her Majesty's pleasure.

QUESTIONS (51): ON NOTICE

1. WHEAT

Over-quota Payments

Mr. SEWELL, to the Minister for Agriculture:

(1) Does he know when producers who have delivered over-quota wheat to Co-operative Bulk Handling Ltd. bins can expect payment?

(2) If "Yes" when?

Mr. NALDER replied:

(1) Payment on over-quota wheat delivered in the 1969-1970 season, up to a maximum of 50 per cent. of the quota held by the farmer, was authorised on the 29th January, 1970.

(2) I expect to make an announcement in the near future regarding the balance of over-quota wheat delivered in the 1969-1970 season.

2. RAILWAYS

Geraldton-Morawa

Mr. SEWELL, to the Minister for Railways:

What has been the cost to the Government in upgrading of the Geraldton-Morawa railway permanent way for the purpose of haulage of iron ore?

Mr. O'CONNOR replied:

It is not possible to separate the cost of upgrading the permanent way between Geraldton and Morawa on account of haulage of iron ore.

The cost of various items connected with permanent way for the departmental accounting section Geraldton to Wubin, since the 1st July 1964 is as under—

Year Ending	Maintenance of Per. Way	Bridges and Culverts	Renewal of Sleepers	Renewal of Crossing Timbers	Re-railing	Reballast Regrade Upgrading
	$	$	$	$	$	$
30/6/65	157,500	5,300	111,800	1,400	131,000	15,000
30/6/66	124,500	2,100	52,500	2,300	....	23,600
30/6/67	162,100	2,600	87,600	3,700	85,000	183,100
30/6/68	255,100	700	77,500	2,200	100	560,600
30/6/69	197,800	400	143,500	1,300	....	20,300
	$897,000	$11,100	$472,900	$10,900	$216,100	$802,600

3. GERALDTON HARBOUR

Cost of Development

Mr. SEWELL, to the Minister for Works:

What has been the cost to date for harbour development at Geraldton in the provision of a land backed berth and in dredging the inner harbour to facilitate the export of iron ore?

Mr. ROSS HUTCHINSON replied:

(a) Cost of No. 4 berth—$717,214.

(b) Cost of dredging to No. 4 berth—$259,708.

(c) Cost of ancillaries associated with No. 4 berth—that is, roads, paved areas, drainage, power, etc.—$164,081.

4. IRON ORE

Exports through Geraldton

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

(1) What tonnage of iron ore has been exported through the port of Geraldton by Western Mining Corporation Limited?

(2) What amount of royalty has been received to date from iron ore exported through Geraldton?

Mr. BOVELL replied:

(1) 2,044,244.48 tons to the 31st December, 1969.

(2) $901,672.32 to the 31st December, 1969.

5. RAILWAYS

Government Workshops

Mr. BRADY, to the Minister for Railways:

Referring to my question and his answers on the 21st October, 1969, regarding the Government Railways Workshops at Midland and work being performed for a South Australian tenderer building railway wagons—

(1) What were the—

(a) number of tenders received;

(b) names of the firms tendering;

(c) tender prices submitted in each case,

for the supply of wagons?

(2) How many of the firms tendering were based in Western Australia?

(3) Has the work on the WVCX wagons now been completed?

Mr. O'CONNOR replied:

(1) (a) Sixteen.

(b) 1. Mechanical Handling Ltd.
2. W.A.G.R.
3. Commonwealth Engineering (N.S.W.) Pty. Ltd.
4. Commonwealth Engineering (N.S.W.) Pty. Ltd.
5. Commonwealth Engineering (Qld.) Pty. Ltd.
6. A. E. Goodwin Ltd.
7. A. Goninan & Co. Ltd.
8. Tulloch Ltd.
9. K.T. Steel Industries Pty. Ltd.
10. Banbury Engineering Ltd.
11. Tata Exports Ltd.
12. Tata Exports Ltd.
13. Textile Machinery Co. Ltd.
14. V. D. Swami & Co. Pty. Ltd.

15. Jessop & Co. Ltd.
16. Masinexport.

(c) Information respecting unsuccessful tenders is not divulged under normal Tender Board procedure. Prices ranged from $10,117 to $18,804.

(2) Two.

(3) No.

6. ELECTORAL

Legislative Assembly Districts

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

(1) What were the respective enrolments for each of the Legislative Assembly Districts at the 28th February, 1970?

(2) At that date what were the requisite quotas of electors for—

(a) the metropolitan area districts, and

(b) the agricultural, mining and pastoral districts?

Mr. COURT replied:

(1) The undermentioned were the enrolment figures for each of the Legislative Assembly Districts as at the 3rd March, 1970—

Ascot	12,907
Balcatta	16,702
Belmont	13,359
Canning	17,907
Clontarf	13,122
Cockburn	17,138
Cottesloe	13,176
East Melville	14,690
Floreat	12,578
Fremantle	11,855
Karrinyup	13,785
Maylands	12,065
Melville	12,771
Mirrabooka	17,096
Mt Hawthorn	12,688
Mt. Lawley	13,164
Nedlands	12,545
Perth	11,621
South Perth	12,200
Subiaco	12,804
Swan	13,250
Victoria Park	12,133
Wembley	14,350
Albany	6,079
Avon	5,880
Blackwood	5,714
Boulder-Dundas	6,174
Bunbury	6,724
Collie	5,539
Dale	10,135
Darling Range	9,108
Geraldton	6,893
Greenough	6,903
Kalgoorlie	5,981
Katanning	5,850
Merredin-Yilgarn	6,771
Moore	6,860
Mt. Marshall	6,213
Murray	7,481
Narrogin	6,117
Northam	6,072
Roe	7,943
Stirling	6,582
Toodyay	6,628
Vasse	6,124
Warren	6,225
Wellington	6,177
Gascoyne	2,964
Kimberley	2,978
Murchison-Eyre	1,790
Pilbara	3,839

(2) On the aggregate enrolment figures for the undermentioned areas as at that date, the quotas calculated in accordance with the statutory provisions of the Electoral Districts Act, 1947-1965, would be—

(a) metropolitan area	13,648
(b) agricultural, mining and pastoral area	6,673

7. HOUSING

Applications Outstanding

Mr. CASH, to the Minister for Housing:

(1) How many waiting applicants are listed for—

(a) purchase homes;

(b) rental accommodation?

(2) What are the dates of applications lodged for which allocations are presently being made in the metropolitan area?

Mr. BOVELL (for Mr. O'Neil) replied:

(1) (a) Metropolitan—6,776.
Country—354.

(b) Metropolitan—8,407.
Country—1,345.

(2)

Type of Accommodation	Area Perth	Fremantle	Midland	Armadale	Medina
(a) (i) Purchase .... 4 Bedroom	October, 1966	July, 1966	November, 1965	December, 1965	April, 1966
(a) (ii) Purchase .... 3 Bedroom	April, 1966	December, 1965	October, 1965	December, 1965	July, 1966
(b) Rental .... 4 Bedroom house	October, 1965	May, 1965	January, 1965	N/A	April, 1966
(c) (i) Rental .... 3 Bedroom house	June, 1965	January, 1966	November, 1965	October, 1966	May, 1967
(c) (ii) Rental .... 3 Bedroom flat	April, 1966	May, 1966	May, 1968	June, 1968	May, 1967
(d) (i) Rental .... 2 Bedroom house	January, 1966	July, 1966	March, 1966	February, 1966	September, 1968
(d) (ii) Rental .... 2 Bedroom flat	December, 1966	April, 1967	August, 1969	September, 1969	September, 1968
(e) Rental .... 1 Bedroom flat	February, 1968	April, 1966	N/A	N/A	N/A
(f) Rental .... Pensioner flat	December, 1965	November, 1966	October, 1965	May, 1969	December, 1966

Note : These dates apply only to those who have no proven housing hardship according to the criteria adopted by the commission.
N/A indicates accommodation specified is not available in that area.

8. CONSUMER PROTECTION COUNCIL

Establishment

Mr. CASH, to the Premier:

Further to his answer to my question on the 25th March, 1969, can he advise what progress has been made in the Government's examination of the need within this State for the establishment of a Consumer Protection Council or for the appointment of a Commissioner for Consumer Affairs?

Sir DAVID BRAND replied:

A special committee in Victoria is investigating the feasibility of implementing the recommendations in the Rogerson Report. The matter will then be reconsidered by the Standing Committee of Attorneys-General.

9. TRAFFIC LIGHTS

Morley

Mr. CASH, to the Minister for Traffic:

(1) Have the plans for the installation of traffic control signals at the intersection of Walter, Wellington and Collier Roads, Morley, been completed?

(2) As present planning provides for the inclusion of these traffic lights in the 1970-71 programme, is he in a position to advise if work on this urgently needed installation can commence early in the new financial year and, if so, when?

Mr. CRAIG replied:

(1) Yes.

(2) Plans of the installation have recently been forwarded to the Bayswater Shire Council for their concurrence with a view to the work being done in 1970-71. However, the Main Roads Department has encountered unexpected delays at other approved sites and it is proposed to commence work at this intersection within two months.

10. INDUSTRIAL DEVELOPMENT

Termination of Uneconomic Industries

Mr. TONKIN, to the Minister for Industrial Development:

(1) When during a speech at the W.A. University on February 19th he said: "the great challenge of terminating uneconomic industries would have been tackled," what particular industries did he have in mind?

(2) Is it his idea that such task would be undertaken on a State or national basis?

(3) Of the "uneconomic industries" to which he referred which one would he terminate first if the task were his?

Mr. COURT replied:

(1) to (3) In the address to which the Leader of the Opposition makes reference I was, to meet the wishes of the society, covering a wide range of subjects from an assumed date in 1980 and en-

deavouring to look back on the current decade which had been the subject of a forward looking study earlier in the seminar.

The particular industries I had in mind were those primary and secondary industries which from time to time prove uneconomic and need Government help in one way or another. I was foreshadowing that we will over this decade develop the financial and economic techniques to phase out or otherwise reorganise such industries so that the people concerned and their effort and money will be better applied, both in their personal and the national interest, as part of a more experienced and sophisticated approach to economic development generally.

I was also foreshadowing that these changes would be made in a manner which would not inflict hardship on the people concerned especially where the original or changed circumstances were not the fault of the participants.

I had in mind that such techniques would have to be the result of Commonwealth and State Government co-operation with the industries and people directly concerned.

Mr. Davies: It sounds like democratic socialism!

11. EDUCATION

Morley High School Site

Mr. TONKIN, to the Minister for Education:

(1) What is the area of the Morley High School site?

(2) On what date was it acquired and when was payment made?

(3) What was the cost of acquisition?

Mr. LEWIS replied:

(1) 24ac. 3r. 10.8p.

(2) The site is being acquired in four sections. Two sections, totalling 12a. 3r. 18.8p., were purchased on the 19th and 27th February, 1970. One section of 2a. is presently to be purchased by agreement.

Negotiations are proceeding with the remainiing section of 9a. 3r. 32p., the owner of which is overseas.

Occupancy of the entire area is available.

(3) The cost of acquiring the first three sections was $163,835.

The cost of the last section has not yet been determined.

12. EDUCATION

Special Grant of $2,000,000: Use

Mr. TONKIN, to the Minister for Education:

(1) Will he name the ten new primary schools referred to in his announcement in *The West Australian* of the 11th February, 1970, upon which an early start would be enabled by the special grant of $2,000,000?

(2) How much, if any, of the amount provided will be absorbed in acquiring the sites for the ten schools?

(3) How much of the $2,000,000 was required to discharge commitments in respect of school sites already acquired but not paid for?

(4) Will he name all the school sites the purchase of which was expected to absorb the $680,000 mentioned by him as intended for this purpose and give the area and price in each instance?

Mr. LEWIS replied:

(1) The earlier proposal to build 10 schools has been slightly modified. Work will commence in the near future on the following nine schools:—

North East Balga.
Westfield Park.
North Morley (Benara Road).
South Manjimup.
Lockridge (Eden Hill).
Hamersley.
Kewdale Junior Primary.
Parmelia.
Gibbs Street, Cannington.

(2) $145,000.

(3) $160,000.

(4)

	Estimated Cost
	$
Fremantle Occupation Centre	75,000
Annie Street (Hamilton Hill)	50,000
Northmoor	11,000
East Kelmscott (Connell Avenue)	100,000
Greenwood Forest	25,000
North Morley (Benara Road)	100,000
North Perth	20,000
Hamersley	42,000
Little Grove (Albany)	32,000
Lockridge	45,000
Boyanup	6,000
East Carnarvon	10,000
Bungaree	100,000
Fremantle area (school sites extension)	64,000
	$680,000

The honourable member will realise that I have not given the area of the specific sites mentioned which he asked for in the fourth part of the question. The information was not available to me when I prepared the answer. If he wishes to pursue the matter, perhaps he could make it the subject of a further question.

13. CITY OF PERTH PARKING FACILITIES ACT

Amendment

Mr. TONKIN, to the Minister for Police:

(1) When did the Perth City Council request an amendment to the City of Perth Parking Facilities Act to include streets, lanes and thoroughfares under the control of the Council?

(2) Did he advise the Council or anyone else that the subject would be listed for early consideration in the March, 1970, parliamentary session?

(3) Has the matter received consideration and with what result?

Mr. CRAIG replied:

(1) The 30th May, 1969.

(2) Yes.

(3) Yes. It is doubtful whether it will be possible to introduce an amendment in the current session having in mind further amendments to this Act which are under consideration.

14. EDUCATION

Painting "Desert Storm"

Mr. TONKIN, to the Minister for Education:

(1) What was the amount paid for the purchase of Sidney Nolan's painting "Desert Storm"?

(2) What amount was made available by the Government as a special grant to enable the purchase to be made?

Mr. LEWIS replied:

(1) This painting was purchased by private negotiation between the Art Gallery Board and the artist. It is not considered to be in the interests of either party to disclose the price.

(2) The Government is making a special annual grant available over a number of years to supplement the board's own funds but consistent with the answer to question (1) it prefers not to disclose the total special grant.

Mr. Tonkin: What right has the Minister to withhold that information from Parliament?

15. PORT OF KING BAY

Regulations

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

(1) On what dates, if any, has the Crown Law Department drawn the attention of the Department of Industrial Development to the fact that its advice, given under date the 22nd February, 1966, that regulations issued by Hamersley Iron Pty. Ltd. for the Port of King Bay should be in the form of by-laws, had not been complied with?

(2) Has his department been content without protest to allow to continue for a period of more than four years the irregular regulations which were required to be in the form of by-laws?

(3) Is he aware of any other instances where such toleration has been shown as has occurred in the case of the Minister for Industrial Development's handling of the matter of by-laws for Hamersley Iron Pty. Ltd.?

(4) If "Yes" will he specify?

Mr. COURT replied:

(1) The advice of the Crown Law Department to the effect that any statutory regulations issued for the Port of King Bay should be in the form of by-laws has been accepted.

(2) to (4) The making of by-laws pursuant to the Iron Ore (Hamersley Range) Agreement Act comes about only on the initiative of the company (see clause 10(3) of the Agreement).

By-laws in draft form have been prepared, but discussions with the Company are still proceeding.

There is nothing "irregular" in the present position (see clause 10(2)(f) of the Agreement).

16. FLUORIDATION OF WATER SUPPLIES

Medical Aspects

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

(1) Has he read one scientific article about the medical aspects of fluoridation?

(2) If "Yes" who was the author of the article and when and where was it published?

Mr. ROSS HUTCHINSON replied:

(1) The Minister reports that he has read a considerable amount of material, both pro and con fluoridation—some of it in original form, some in precis form.

(2) The article he would still recommend as a commencing point for a proper study of all aspects of fluoridation is the World Health Organization Technical Report, Series No. 146, Expert Committee on Water Fluoridation, First Report, published in 1958, which is one of those he has read.

Mr. Tonkin: That is not a scientific article.

Mr. ROSS HUTCHINSON: Has the Leader of the Opposition read it?

Mr. Tonkin: The Minister for Health has not read one article and the Minister for Works knows it.

17. *This question was postponed.*

18. EDUCATION

Sorrento Primary School

Mr. LAPHAM, to the Minister for Education:

(1) When is it expected that the Sorrento Primary School will be ready for use?

(2) What number of children will it accommodate?

(3) Is the school sports ground to be cleared and levelled, grassed and reticulated at the department's expense or is a part of this cost to be borne by the Parents & Citizens' Association?

(4) If a part of the cost is to be borne by the P. & C. will he indicate what part is to be its responsibility and the estimated amount involved?

Mr. LEWIS replied:

(1) The 1st May, 1970.

(2) 240.

(3) Part of the cost will be borne by the Parents & Citizens' Association.

(4) No estimate for this work has been calculated.

19. RABBITS

Sales at Busselton, and Safeguards against Purchase of Poisoned Rabbits

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

(1) What action was taken against the person at Busselton who sold, for human consumption, rabbits which were subsequently considered to be poisoned by bait 1080, *The West Australian* of 24th February, 1970?

(2) Have the persons concerned recovered from the sickness believed to have been induced by 1080 poison?

(3) Since the Busselton occurrence, what additional safeguards, if any, have been taken by the department to ensure that bait 1080 poisoned rabbits are not made available for purchase by the general public?

Mr. ROSS HUTCHINSON replied:

(1) Interrogation of the person alleged to have provided the rabbits did not indicate that the rabbits were obtained from a poison area.

(2) As far as is known—yes.

(3) Section 102A of the Vermin Act provides for protection of the public.

20 and 21. *These questions were postponed.*

22. COMMISSIONER OF STAMPS

Adjudication Fee

Mr. T. D. EVANS, to the Premier:

Under what circumstances does the Commissioner of Stamps charge an adjudication fee over and above the amount of duty assessed?

Sir DAVID BRAND replied:

On instruments submitted in accordance with section 31 of the Stamp Act, which requires the payment of a 10c fee.

23. GOLD

Prospecting Areas

Mr. T. D. EVANS, to the Minister representing the Minister for Mines:

How many prospecting areas for gold have—

(a) been applied for;

(b) been granted,

within areas held as mineral claims subsequent to the 1968 amendments to section 28?

Mr. BOVELL replied:

(a) Three.

(b) Two. Processing of the third application has not yet been completed.

24. WATER SUPPLIES

Eastern Goldfields: Supply from Wiluna

Mr. T. D. EVANS, to the Minister for Water Supplies:

(1) Is the supply of fresh underground water available at Wiluna considered such as to warrant a feasibility study into the economics and desirability of pumping water from Wiluna to the eastern goldfields?

(2) Is the disused reservoir at Niagara considered to have a good holding quality?

(3) Having regard to the altitude of Niagara would the cost of pumping water from that reservoir to Kalgoorlie be reasonable?

Mr. ROSS HUTCHINSON replied:

(1) The outcome of investigations into the underground water potential of the Wiluna area will determine whether a feasibility study is justified. Investigations have not yet been finalised.

(2) No.

(3) The small contribution from Niagara Dam would not justify the capital expenditure necessary to pump water to Kalgoorlie at this juncture.

25. HOSPITALS

Kalgoorlie Regional

Mr. T. D. EVANS, to the Minister representing the Minister for Health:

(1) Has recent consideration been given to replacing or at least incorporating some of the existing hospital facilities at Kalgoorlie Regional Hospital by the provision of a new hospital comparable with regional hospitals built at other large provincial towns in recent years?

(2) If not, why not?

(3) If "Yes" has a decision to proceed been made?

(4) When will full and adequate casualty facilities be provided at Kalgoorlie Regional Hospital?

Mr. ROSS HUTCHINSON replied:

(1) to (3) A new children's ward block, costing $436,805, is under construction.

This is another phase of a programme designed to upgrade the Kalgoorlie Regional Hospital.

In addition to this contract, nearly $1,000,000 has been spent on major capital work at Kalgoorlie since 1962.

(4) This depends on preparation of plans and the availability of funds. Preliminary planning has commenced.

It is proposed that when the new children's ward block is occupied, probably towards the end of August, the old children's ward will be converted to temporary casualty and physiotherapy areas. This work should be completed by the latter part of 1970.

26. STAMP DUTY

Motor Vehicle Registration

Mr. T. D. EVANS, to the Premier:

Has the Government been tendered legal advice suggesting that the provisions of the Stamp Act imposing an *ad valorem* duty as a condition precedent to the registration of a new motor vehicle may be invalid as same may constitute a levy of excise duty?

Sir DAVID BRAND replied.

No.

27. WATER SUPPLIES

Carr Boyd Rocks and Scotia

Mr. T. D. EVANS, to the Minister for Water Supplies:

What steps are in hand for the provision of adequate water supplies for nickel mining operations at Carr Boyd Rocks and Scotia?

Mr. ROSS HUTCHINSON replied:

The supply method adopted is a decision for the mining companies concerned to whom various proposals for a supply from the Mundaring scheme have been submitted.

28. AIR POLLUTION

Exhaust Fumes

Mr. BERTRAM, to the Premier:

(1) Will the Government introduce legislation to curb pollution by way of exhaust fumes from motor vehicles?

(2) If "Yes" when?

(3) If "No" why?

Sir DAVID BRAND replied:

(1) No consideration is being given to legislation at this time. The Traffic Act already covers the emission of smoke from diesels. The introduction of closed circuit crank case ventilation, at the instigation of Western Australia, has been agreed between States.

(2) Answered by (1).

(3) Measurements of carbon monoxide have indicated loads at peak periods which are far below those at which action might be considered necessary. More sophisticated continuous recording apparatus is being obtained and the position will be kept under observation. Perth is possibly unique in cities of its size in that, (a) it has a climate of regular high winds, and (b) the presence of the Swan River, which has a very large area, spreads road traffic and prevents high concentration of cars in any one place.

29. REAL ESTATE INDUSTRY AND SECURITIES INDUSTRY

People and Organisations Concerned

Mr. BERTRAM, to the Premier:

(1) Having observed his recent reference to the real estate industry and another reference to the securities industry, are these new entities?

(2) Whether "Yes" or "No" what people and/or organisations are included in each of these "industries"?

Sir DAVID BRAND replied:

(1) and (2) No. the terms are generally understood to apply to those engaged in these fields of commercial activity.

30. POPULATION

One Million Mark: Celebrations

Mr. BERTRAM, to the Premier:

(1) Is it likely that the population of this State will reach 1,000,000 in or about October next?

(2) If "Yes" what celebrations and public relations activity will the Government engage in for this occasion and at what cost and over what space of time?

Sir DAVID BRAND replied:

(1) On the basis of recent population growth rates it is estimated that the State's population will reach 1,000,000 in November of this year.

(2) Preliminary inquiries as to suitable methods of commemoration are now being made, but no conclusions as to timings and costs have yet been reached.

31. LICENSING ACT

Amendment

Mr. BERTRAM, to the Premier:

Does the Government intend to amend the Licensing Act during this session of the Parliament?

Sir DAVID BRAND replied:

It is intended to introduce a Bill containing the recommendations of the committee appointed to review the provisions of the Licensing Act.

32. RAILWAYS

Employees: Retrospective Pay

Mr. BERTRAM, to the Minister for Railways:

(1) Has the retrospective pay recently and for a second time found to be payable to certain railway employees been paid?

(2) If "Yes" when?

(3) If "No" when will it be paid?

Mr. O'CONNOR replied:

(1) No.

(2) Answered by (1).

(3) Efforts are being made to effect payment in week ending the 11th April, 1970.

33. IRON ORE

Royalties

Mr. JAMIESON, to the Treasurer:

What is the amount of royalties that has been paid to the State Government on the production of iron ore—

(a) at Cockatoo Island;

(b) at Koolan Island;

(c) from Koolyanobbing;

(d) by Hamersley Holdings Ltd.;

(e) by Mount Newman Iron Ore Company Ltd.;

(f) by Goldsworthy Mining Ltd.;

(g) by the joint venture Western Mining Corporation, Australian Hanna Ltd., Homestake Iron Ore Australia Ltd.,

up to the end of December, 1969, or the date nearest to that for which information is available?

Sir DAVID BRAND replied:

Royalties paid to the State Government from the production of iron ore to the 31st December, 1969, were—

(a) $2,047,136;

(b) $1,077,353;

(c) $382,353;

(d) $13,074,038;

(e) $1,003,995;

(f) $5,733,304;

(g) $901,671.

34. HOUSING

Medical Department: Carnarvon

Mr. NORTON, to the Minister for Housing:

(1) Is his department responsible for the building of two houses for the Medical Department in the Morgan Town area at Carnarvon?

(2) If "Yes" what was the type of construction?

(3) What is the area of each?

(4) What was the total cost of each, including electricity, water, sewerage connections, fencing, and footpaths?

Mr. BOVELL (for Mr. O'Neil) replied:

(1) to (4) No work has been undertaken by the State Housing Commission in respect of these two houses.

35. LOCAL GOVERNMENT BY-LAWS

House Stumps

Mr. NORTON, to the Minister representing the Minister for Local Government:

(1) Is there any by-law or regulation under the standard building by-laws which states the minimum requirements in respect of the number of stumps which have to be placed under a house which is constructed of materials other than brick?

(2) If "Yes" what are the requirements?

Mr. NALDER replied:

(1) There is no by-law stipulating the required number of stumps as that is governed by the dimensions of the dwelling. By-law 2512 of the Uniform General Building By-laws, however, states the required spacing of the stumps.

By-law 2503 requires that the framework on any wall shall rest upon—*inter alia*—stumps or galvanised iron piping. By-law 2512 states that the spacing of such stumps shall be at no more than 4 ft. centres.

(2) Answered by (1).

36. HOUSING

Carnarvon: Duplex Units

Mr. NORTON, to the Minister for Housing:

(1) What was the cost of the duplex houses built on the following lots at Carnarvon—

(a) lot 1116;

(b) lot 1112, and

(c) lot 1127?

(2) What is the area of each house?

(3) Did the price include all electrical work, plumbing, fencing, footpaths, and septic systems?

(4) Was there any maintenance clause in the contract and, if so, what was it?

Mr. BOVELL (for Mr. O'Neil) replied:

(1) (a) $20,408

(b) $20,476

(c) $15,639

$56,523

(2) (a) 2,210 square feet

(b) 2,210 square feet

(c) 1,430 square feet.

(3) Yes.

(4) Yes; 6 months—Clauses 43 and 44 building agreement, file No. 316/68.

37. EDUCATION

Belmont Primary School Library

Mr. TOMS, to the Minister for Education:

(1) Is he aware that—

(a) the Belmont Primary School Parents & Citizens' Association has built up a library of over 3,000 books and has been using an unused classroom for library purposes;

(b) this year owing to increased enrolments the room is not now available for same?

(2) Will any action be taken by the department to provide some accommodation so as to enable the library to continue to function?

Mr. LEWIS replied:

(1) (a) Yes.

(b) Yes. In the interests of the school it was decided to appoint an additional teacher.

(2) The school will be provided with a demountable classroom as soon as one can be made available. In the meantime library facilities will be organised on a classroom basis.

38. POLICE PROTECTION

North Metropolitan Beaches

Mr. LAPHAM, to the Minister for Police:

(1) Have requests been received from residents and organisations within the area embracing Trigg, North Beach, Waterman, Marmion and Sorrento for better police protection for the area?

(2) If so, will he state what action is proposed or has been taken to satisfy the requests?

Mr. CRAIG replied:

(1) Yes.

(2) Mobile patrols have been increased, 405 special and 315 general inquiry patrols being carried out from Scarborough to Sorrento during the 12 months ended the 28th February, 1970. Additional patrols are made by traffic policemen. All patrols are intensified during summer months.

39. HOUSING

Carnarvon: Transportable Units

Mr. NORTON, to the Minister for Housing:

(1) Is the State Housing Commission or the Government Employees' Housing Authority currently having transportable homes assembled in Carnarvon; if so, how many?

(2) If "Yes" were tenders called for these buildings?

(3) How many tenders were received?

(4) Who was the successful tenderer?

(5) Were these houses constructed in accordance with plans and specifications drawn up by his department; if not, who drew up the plans and specifications?

(6) What is the area of each?

(7) What was the price of each unit on site at Carnarvon?

(8) Did the price include—
  (a) the coupling of the water supply;
  (b) electricity;
  (c) sewerage;
  (d) fencing;
  (e) footpaths?

(9) If (8) is "No" what was the extra cost in respect of each item?

(10) Were the units inspected during construction by the department's inspectors in respect of—
  (a) workmanship;
  (b) materials used;
  (c) electrical wiring;
  (d) water reticulation?

(11) Is the company supplying the units responsible for maintenance; if so, for what period?

(12) Were tenders called for the construction of similar units on site at Carnarvon; if not, why not?

Mr. BOVELL (for Mr. O'Neil) replied:

(1) The Government Employees' Housing Authority has authorised the State Housing Commission to supervise the erection of one transportable house and one transportable duplex supplied from Perth and installed in Carnarvon to overcome an emergent situation to provide urgent and immediate accommodation for teachers.

(2) Selected tendering invited by the Government Employees' Housing Authority from three firms specialising in this form of construction.

(3) Three.

(4) Ready Built Accommodations (Aust.) Pty. Ltd.

(5) No. Supplier's plans and specification.

(6) House 1,008 square feet, plus garage.
Duplex 2,090 square feet.

(7) House $16,725.00.
Duplex $29,427.00.
Plus total variation of $218.00 for better type fencing demanded by the local authority.

(8) (a) Yes.
(b) Yes.
(c) Yes.
(d) Yes.
(e) Yes.

(9) Not applicable.

(10) (a) Yes.
(b) Yes.
(c) Yes—for the position and type of fittings, but installation is tested and passed by the local electricity supply authority.
(d) Yes—for the position and type of fittings, but installation is tested by the Country Towns Water Sewerage Division.

(11) Yes—six months.

(12) See (2) above.

40. PROBATE DUTIES

Valuations: Farming Areas

Mr. GAYFER, to the Treasurer:

As the economy of all farming areas and the true values of these properties have declined alarmingly, virtually overnight, and practically no sales for a comparative basis have been made of recent months, has the Taxation Department taken into consideration these aspects in order to arrive at a more realistic scale of valuations in the event of death and general farm property taxes?

Sir DAVID BRAND replied:

Valuations adopted by the Taxation Office have been established after taking into consideration evidence of sales of comparable land and such other factors as bear on the question of values.

To date sales in rural areas do not indicate that there have been significant changes in the level of values. Should sales take place which demonstrate such a movement, that evidence will be given full consideration by the Taxation Office for all valuation purposes.

41. BETTING

Illegal Bookmaking

Mr. TONKIN, to the Minister for Police:

(1) How many other instances of illegal bookmaking the same as, or similar to, the offence with which Robert James Wardrop, a former T.A.B. shop licensee, was charged and convicted have come under the notice of the Chairman of the T.A.B. in the last three years?

(2) In how many of these instances were charges laid and what are the particulars?

(3) What was the reason in each case, why no charge was laid in those instances where an offence had been committed but there was no prosecution?

Mr. CRAIG replied:

(1) None.

(2) Answered by (1) above.

(3) Answered by (1) above.

42. BETTING

Wagers on Non-starters

Mr. TONKIN, to the Minister for Police:

For the financial years ended the 31st July, 1968 and 1969, what were the amounts respectively which were wagered on non-starters and not returned to investors?

Mr. CRAIG replied:

Year ended 31/7/68—$29,679.

Year ended 31/7/69—$36,646.

43. STOCK EXCHANGES

Legislation

Mr. TONKIN, to the Premier:

(1) Is he aware that in *The West Australian* of the 10th February, 1970, it was reported that the Victorian Attorney-General, Mr. G. O. Reid, had said that Victoria expected all States to introduce complementary legislation to the Securities Industries Bill which Victoria was introducing to safeguard the investing public and that the Standing Committee of Attorneys-General had approved the principles of the proposed new law last December?

(2) As he was reported in *The West Australian* of the 3rd February as having said that his Government did not propose to take any action on share trading and such a declaration was tantamount to a repudiation of the reported approval of the Standing Committee of Attorneys-General, will he explain?

Sir DAVID BRAND replied:

(1) and (2) Legislation which New South Wales and Victoria have prepared is being considered by the Government.

A public announcement has been made that the Minister for Justice would recommend similar legislation in Western Australia.

This matter was receiving attention at the time.

44. PORT OF KING BAY

Regulations

Mr. TONKIN, to the Minister for Industrial Development:

(1) Has the advice of the Crown Law Department given by it as far back as the 22nd February, 1966, to the effect that regulations issued for the Port of King Bay should be in the form of by-laws yet been complied with?

(2) If "No" on what dates since the 17th September last year have discussions on the matter taken place with the company and who represented the Department of Industrial Development at such discussions?

(3) If by-laws have not yet been made and gazetted as required to replace the regulations issued by Hamersley Iron Pty. Ltd. on the 14th October, 1965, when is it expected they will be issued?

Mr. COURT replied:

(1) and (2) The advice of the Crown Law Department to the effect that regulations when issued for the Port of King Bay should be in the form of by-laws was accepted.

(3) By-laws in draft form have been prepared, but discussions with the company are still proceeding.

With the major developments recently approved for Dampier including the proposed East Intercourse Island harbour facilities, it may be desirable to defer promulgation of by-laws and regulations until the position is clarified.

In the meantime the operation of the port is covered by the provisions of the ratified agreement and present procedures.

Mr. Tonkin: Aren't you the Minister noted for speed of negotiation?

Mr. COURT: Yes.

Mr. Tonkin: Four years and still not completed!

Mr. COURT: What is the great worry?

Mr. Tonkin: You don't intend to do anything. You know that.

Mr. COURT: The honourable member will be surprised.

45. INDUSTRIAL ACCIDENTS

Building Industry

Mr. TOMS, to the Minister for Labour:

(1) Has he seen the latest issue of the Industrial Accidents from the Commonwealth Bureau of Census and Statistics, reference W24/70, indicating that of the total accidents for last year, namely, 53,436, 9,952 came from the building industry the highest number of any industry?

(2) What was the result of prosecutions lodged by the department and heard on January last?

(3) Who were the defendants in each case and what were the fines imposed?

(4) What comment did the magistrate make in imposing the maximum penalty?

(5) Does the Government intend taking action to increase the penalties?

Mr. BOVELL (for Mr. O'Neil) replied:

(1) Yes.

(2) and (3) Details of prosecutions and penalties imposed are shown below.

(4) No departmental records are kept concerning magistrates' comments.

(5) The matter of penalties is under current consideration.

Name	Amount Fined	Cost	Section of the Act Breached
	$	$	
Advanced Building Constructions	20.00	.90	Reg. 6(1)
Arcus Home Building Co. Pty. Ltd. (2 charges)	60.00	2.70	Reg. 6(1)
Berkley Construction Co. Pty. Ltd.	40.00	1.80	Reg. 6(1)
D. W. Brown and Co.	20.00	.90	Reg. 6(1)
Constructors John Brown (W.A.) Pty. Ltd.	15.00	.90	Reg. 6(1)
Bunning Bros. Pty. Ltd.	10.00	.90	Reg. 6(1)
W. T. Chamberlain Pty. Ltd.	20.00	.90	Reg. 6(1)
C. J. Duke and Company	10.00	.90	Reg. 6(1)
Gardiner and Mackie	10.00	.90	Reg. 6(1)
Gillon & Osboine Pty. Ltd.	20.00	.90	Reg. 6(1)
Leo Lucchesi	40.00	1.80	Reg. 6(1)
Madafferi Construction Co. Pty. Ltd.	40.00	1.80	Reg. 6(1)
Masterbuilt Homes Pty. Ltd.	20.00	.90	Reg. 6(1)
J. Mavric and Company	20.00	.90	Reg. 6(1)
Anthony Nibali	20.00	.90	Reg. 6(1)
Nollamara Building Co.	20.00	.90	Reg. 6(1)
W. Strickland and Company	20.00	.90	Reg. 6(1)
Vogue Homes	40.00	1.80	Reg. 6(1)
Woodland Constructions Pty. Ltd.	40.00	1.80	Reg. 6(1)
Toodyay Stone Suppliers Pty. Ltd.	case adjourned to 9/2/70		
subsequently fined	20.00	0.30	Reg. 6(1)
A. Giorgi	case withdrawn—insufficient information		
M. S. Mansfield	case withdrawn—wrong name		
A. W. Hoskins	case dismissed.		
I. C. Lush	case withdrawn—wrong name		

46. SHARK BAY INLETS

Closure

Mr. NORTON, to the Minister for for Lands:

(1) Is he aware that the closing of Useless Inlet at Shark Bay has caused a number of wells on Carrarang Station to go dry?

(2) As a pastoral lease without stock water is useless, is the pastoral leaseholder entitled to any compensation in such case?

(3) If compensation is payable, who would be liable for such compensation?

Mr. BOVELL replied:

(1) No.

(2) and (3) The Land Act provides for compensation to a pastoral lessee for the value of improvements only where resumption has taken place.

I might mention that any compensation to which the pastoral lessee considers he is entitled, which he cannot claim under the provisions of the Land Act, can be applied for by taking action against whoever the lessee might consider responsible. However, there is no compensation payable under the Land Act.

47. SHARK BAY INLETS

Closure

Mr. NORTON, to the Minister representing the Minister for Fisheries and Fauna:

(1) Has any research been done over the past two years into the effects

on the fishing industry by the closing of Useless Loop and Useless Inlet for salt production?

(2) If "Yes" has his department been able to reach a firm decision; if so, what were the findings?

(3) Who were the officers engaged in the research?

Mr. ROSS HUTCHINSON replied:

(1) No research specifically related to effects of salt industry in the Shark Bay fishery.

The research undertaken in Shark Bay has been on the whiting fishery as a whole.

(2) No firm decision has been reached. The Director of Fisheries has advised that it would take years of detailed research to determine the precise role Useless Loop and Useless Inlet play in the life history of the various Shark Bay fish populations. However, an examination of Shark Bay shows that Useless Loop and Useless Inlet form a relatively small percentage of the total area. The director has further advised that it could be said from this examination that the loss of Useless Loop and Useless Inlet to salt might result in a 5 to 10 per cent. reduction in the fish populations.

(3) Research Officer R. J. C. Lenanton.

48. TEMPORARY RESERVES

Gascoyne Goldfield

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

(1) What is the position of temporary reserves Nos. 4172H, 5173H and 4174H situated at Useless Inlet, Brown Inlet and Depuch Inlet respectively, in the Gascoyne goldfield since the Adelaide Steamship Company has ceased to operate in the area?

(2) Have any leases or reserves in that area been granted for salt or other minerals; if so, what is their location and purpose and to whom have they been allocated?

(3) Are temporary reserves Nos. 4849H, 4187H and 4186H still operative; if so, by whom are they held?

Mr. BOVELL replied:

(1) The occupany rights for solar salt investigation held by Shark Bay Salt Pty. Ltd. over temporary reserves Nos. 4172H, 4173H and 4174H in the Gascoyne Goldfield were to expire on the 30th March, 1970. As has been announced, 4173H and 4174H are being surrendered and cancelled immediately as a result of negotiations with Shark Bay Salt Pty. Ltd. 4172H will be surrendered and the area included in a lease to be issued under the Land Act.

The Adelaide Steamship Company, as such, has never been registered in the occupancy rights.

(2) See list below for existing holdings.

Claim No.	Holder	Minerals	Date Approved
M.C. 37	Garrick Agnew Pty. Ltd.	Gypsum	23/11/65
M.C. 38	" " " "	"	"
M.C. 39	" " " "	"	"
M.C. 40	" " " "	"	"
M.C. 41	" " " "	"	"
M.C. 42	" " " "	"	"
M.C. 43	" " " "	"	"
M.C. 44	" " " "	"	"
M.C. 49	" " " "	"	15/6/66
M.C. 50	" " " "	"	"
M.C. 77	Garrick Agnew Pty. Ltd. and Pilbara Minerals Pty. Ltd.	"	10/6/69
M.C. 78	" " " "	"	"
M.C. 79	" " " "	"	"
M.C. 80	" " " "	"	"
Lands Dept. Lease 3116/3415	Shark Bay Salt Pty. Ltd.	Salt	Expires 31/12/72

(3) Application for T.R. 4849H was refused on the 14th November, 1969.

T.R.'s. 4186H and 4167H were cancelled on the 23rd February, 1970.

49. FAUNA

Conservation of Snake Bird

Mr. BERTRAM, to the Minister Representing the Minister for Fisheries and Fauna:

What action has the Government taken to prevent the destruction of the natural, unique breeding grounds, situated at the delta of the Murray River at South Yunderup, of the rare, natural, and valuable water bird commonly known as the snake bird *(anninga)?*

Mr. ROSS HUTCHINSON replied:

The Australian darter or snakebird is distributed throughout Australia. It nests in small colonies usually in low trees over water. Nesting is not restricted to the South Yunderup area and no special measures to protect any site there have been considered.

The Government is laying down conditions in relation to dredging at Yunderup which will have the least possible effect on the wild life of the area.

50. RAIL FREIGHTS

Bauxite

Mr. BURKE, to the Minister for Railways:

(1) What is the present freight charge per ton mile for bauxite hauled from Jarrahdale to Kwinana by the W.A.G.R.?

(2) Have these rates ever been varied?

(3) If "Yes"—

(a) when were the rates changed;

(b) what were the previous rates per ton mile;

(c) were these rates written into the original contract?

Mr. O'CONNOR replied:

(1) 1.43 cents per ton mile.

(2) Yes.

(3) (a) The 5th December, 1967 and the 1st January, 1970.

(b) From the 5th December, 1967—

In tons per financial year	Rates per ton mile in cents
1.46 million and up to 2.16 million	1.70
2.16 " " " 2.86 "	1.50
2.86 " " " 3.56 "	1.35
3.56	1.20
From the 1st January, 1970	
1.46 million and up to 2.16 million	1.80
2.16 " " " 2.86 "	1.59
2.86 " " " 3.56 "	1.43
3.56	1.27

(c) The rates from the 5th December, 1967 were as amended by the Alumina Refinery Agreement Act Amendment Act, 1967.

The rates from the 1st January, 1970 were adjusted in accordance with the provisions of clause 10(ii) of this amendment Act.

51. HOUSING

Special Grant of $2,000,000

Mr. GRAHAM, to the Minister for Housing:

(1) From what fund was the $2,000,000 taken to be used for education purposes?

(2) For what reasons was this money not already spent or allocated for house building?

(3) Did he raise any objections to the diversion of funds from its prime purpose of assisting the housing position?

(4) Was it intended that the money was to be used for housing this financial year?

(5) What effect will the diversion have on the housing programme?

(6) In his view, has the housing position improved or worsened during the last twelve months so far as the State Housing Commission's responsibilities are concerned?

(7) Is it proposed that the $2,000,000 will be recouped to the Commission?

(8) If so, when?

Mr. BOVELL (for Mr. O'Neil) replied:

(1) General Loan Fund.

(2) and (3) The Commission had sufficient funds to finance the maximum housing programme that could be physically achieved this financial year. Had the $2,000,000 not been transferred to education, it would have been, at the 30th June, 1970, part of unexpended cash and thus available for next year's programme. On the understanding that sufficient funds would be available to enable an adequate housing programme for 1970-71, the transfer was accepted.

(4) Yes.

(5) No adverse effect.

(6) Improved.

(7) and (8) Answered by (2) and (3).

QUESTIONS (5): WITHOUT NOTICE

1. EDUCATION

Morley High School

Mr. CASH, to the Minister for Education:

(1) Can he confirm that a tender has been let for the building of the new Morley High School?

(2) What are the details of the accepted tender?

Mr. LEWIS replied:

I thank the honourable member for giving me some notice of this question, the answer to which is as follows:—

(1) Yes, a contract was let today, the 17th March, 1970.

(2) Contractor, C. Fogliani Pty. Ltd.

Contract price $543,490.

2. IRON ORE COMPANIES

Pilbara District: Rating

Mr. BICKERTON, to the Minister for the North-West:

(1) Can the Minister advise the House what stage the committee which was set up by the Government to study the rates that should be paid by the iron ore companies operating in the Pilbara district, has reached?

(2) Are the findings of the committee available to Parliament?

(3) If not, is it a fact that the findings have already been made available to the shires?

(4) Does he not agree that if they have been made available to local authorities they should be made available to Parliament?

Mr. COURT replied:

(1) to (4) This question, of course, does impinge very largely on the work of one of my colleagues. However, the fact is that the committee did get to a certain point in its studies, and my understanding is that as a matter of common sense and courtesy it discussed its findings to that point with the local authorities. Its findings are currently before the Government to find out what will be the final form of the legislation.

Mr. Bickerton: Could you tell us whether the companies are yet paying local shire rates on mining claims and mineral leases?

Mr. COURT: Some of them have been paying; but I would not know the exact nature of the payments off the cuff. However, they did want to work out something that was fair and equitable but, because of the attitude of a certain shire, the amicable arrangements which would have been very good all around were cut off in their prime, and this raised serious doubts as to whether the companies have to pay anything.

Mr. Bickerton: But on their leases—

The SPEAKER: Order! The honourable member cannot continue to interject. He must ask another question.

Mr. COURT: The short answer to the matter is that the findings of the committee are currently before the Government, because we want to bring down legislation as soon as possible.

3. SHARK BAY INLETS

Criticism of the Minister for the North-West

Mr. TONKIN, to the Minister for the North-West:

(1) Has the Minister read the criticisms contained in *Hansard* regarding statements he made to Parliament in connection with Useless Inlet, Brown Inlet, and Depuch Inlet?

(2) Does he intend to provide an opportunity to answer the criticism in the House?

Mr. COURT replied:

(1) and (2) Yes, I have read the comments and I feel they were rather unfair, being made in my absence.

Mr. Tonkin: What did you go away for?

Mr. COURT: I was trying to do something for the good of this State, which, apparently, has no value in the mind of the Leader of the Opposition.

Mr. Tonkin: Did you look into pollution?

Mr. COURT: I certainly did, and I hope I shall have an opportunity to answer the grossly unfair comments made by the Leader of the Opposition and others regarding my New York speech.

The SPEAKER: Order!

Mr. COURT: Having digressed briefly, I would like to advise the Leader of the Opposition that I have already discussed with the Speaker the procedure for me to follow in order to make a statement to the House.

4. COURT OF MARINE INQUIRY

Rehearing of the Case of George Henry Page

Mr. GRAYDEN, to the Minister for Works:

When is it expected that a court of marine inquiry will be convened for the purpose of hearing evidence relating to the collision some years ago between the vessels *Katameraire* and *Andrew*?

Mr. ROSS HUTCHINSON replied:

I find it difficult to answer the question of the honourable member. A further court of marine inquiry was convened, and it was postponed at the request of counsel for Mr. Page. I have heard nothing further since that time.

Mr. Grayden: It went to the Supreme Court some months ago.

Mr. ROSS HUTCHINSON: As far as I am aware, I have discharged my responsibilities in this matter. If the honourable member likes to question me further I will be only too happy to find out what more I can do to help him.

5. FLUORIDATION OF WATER SUPPLIES

Medical Aspects

Mr. TONKIN, to the Minister for Works:

My question refers to the answer the Minister gave on behalf of the Minister for Health to question No. 16 on the notice paper.

The Minister will recall that in answer to the question as to what scientific article had been read he said some material had been read. I ask the Minister: Has he read one scientific article on fluoridation and, if so, what is the article?

Mr. ROSS HUTCHINSON replied:

In the first place I think it is rather amazing that the Leader of the Opposition continues to show such a keen interest in this subject. We are all agog whenever he gets up on this matter. I have sketched through a number of scientific reports—

Mr. Tonkin: Are you sure?

Mr. ROSS HUTCHINSON: —mostly in summarised form, but I could not tell the Leader of the Opposition the name of any one off the cuff.

Mr. Tonkin: Of course you cannot, because you have not read one; neither has anybody else over there.

The SPEAKER: Order!

Mr. ROSS HUTCHINSON: However, in the interests of trying to arrive at the truth of the matter—and this is what this House should endeavour to do—I would like to refer again to the answer given by me on behalf of the Minister for Health. The starting point for a study of the pros and cons of fluoridation is the World Health report which is a summation by a number of very distinguished scientists from many parts of the world who evaluate scientific reports from all over the world. That report has a continuing value at this point of time.

MARKETING OF CYPRUS BARREL MEDIC SEED BILL

Council's Message

Message from the Council notifying that it insisted on its amendments Nos. 4 and 5 to which the Assembly had disagreed now considered.

In Committee

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

The amendments on which the Council insisted were as follows:—

No. 4.

Clause 9, page 4, line 23—Delete the word "six" and substitute the word "five".

No. 5.

Clause 9, page 4, lines 27 and 28—Delete paragraph (b) of subclause (1).

Mr. NALDER: I move—

That the Assembly continues to disagree to amendments Nos. 4 and 5 made by the Council.

Question put and passed.

Report

Resolution reported and the report adopted.

Assembly's Request for Conference

Mr. NALDER: I move—

That the Council be requested to grant a conference on the amendments insisted on by the Council, and that the managers for the Assembly be the member for Dale (Mr. Rushton), the member for Warren (Mr. H. D. Evans), and the mover.

Question put and passed, and a message accordingly returned to the Council.

STANDING ORDERS SUSPENSION

Introduction of Bills

SIR DAVID BRAND (Greenough—Premier) [5.29 p.m.]: I move—

That so much of the Standing Orders be suspended as to enable the following Bills to be introduced and taken to the stage that the motion "That the Bill be now read a second time" has been moved:—

Workers' Compensation Act Amendment Bill.

Public Education Endowment Act Amendment Bill.

Kewdale Lands Development Act Amendment Bill.

Police Act Amendment Bill.

Building Societies Act Amendment Bill.

Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill.

Anzac Day Act Amendment Bill.

Education Act Amendment Bill, 1970.

I should explain to the House that following a discussion with the Leader of the Opposition I decided to move this motion suspending Standing Orders on certain conditions in order that the second readings of the Bills I have mentioned might be presented to the House today. This, in turn, will enable the business of the House to go on later in the week; but tomorrow being a private members' day, it will look after itself. I would like to thank the Leader of the Opposition for his co-operation and help. As has been pointed out, this will enable us to carry on with some work.

As there are Bills of a major nature, and some of a minor nature, I can assure the Leader of the Opposition, members opposite, and anyone else who is interested, that we will offer the same co-operation as has been extended previously in making time available, if a little longer time than usual is needed to examine the measures.

There is nothing else in this move by the Government other than to enable us to get on with the work of the House, having regard to the fact that there was no Government business listed for the continuation of the session.

MR. TONKIN (Melville—Leader of the Opposition) [5.31 p.m.]: The Premier has stated the position fairly. Parliament has been called together for the dispatch of business, and as the notice paper stands there is not that much business with which we can deal; therefore we are quite prepared to co-operate in this way in order to facilitate the consideration of business. I am quite satisfied that what is proposed will not in any way disadvantage the Opposition, and so we offer no objection at all.

The SPEAKER: I would remind members that this motion has been moved without notice, and it is necessary for it to be carried by an absolute majority. If there is no dissentient voice I will count the House, but if there is a dissentient voice I will call for a division.

Question put.

The SPEAKER: I declare that I have counted the House, and the motion has been carried with the concurrence of an absolute majority of the whole of the members of the House.

Question thus passed.

ORDER OF BUSINESS

SIR DAVID BRAND (Greenough—Premier) [5.33 p.m.]: If I might put it this way, I suggest that we take the Bills as they are listed in the motion.

The SPEAKER: Are they all available?

Sir DAVID BRAND: Yes.

The SPEAKER: Very well.

WORKERS' COMPENSATION ACT AMENDMENT BILL

Introduction and First Reading

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

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [5.35 p.m.]: I move—

> That the Bill be now read a second time.

This is a Bill to amend the Workers' Compensation Act, 1912-1967. This much amended Act has been before the House a number of times in recent years, but for minor amendments only, or for increases of some of the payments to keep them in pace with general conditions. It has been felt for some time that a more extensive review was necessary and for that reason the Minister for Labour appointed a committee to consider amendments. The terms of reference given to the committee were as follows:—

> (a) the rates of weekly payments, other specific monetary payments and allowances, and the maximum total liability therefor, with particular regard to the relationships of these payments with those pertaining in other States of Australia, and
>
> (b) the introduction of new provisions, or the amendment of present general provisions of the Act thought necessary to provide reasonably adequate and just compensation to injured workers in this State.

The committee included the President and Assistant Director of the Employers Federation of Western Australia, two gentlemen nominated by the Trades and Labour Council, one nominated by the Underwriters Association of Western Australia, and the Manager of the State Government Insurance Office. The committee was presided over by the Chairman of the Workers' Compensation Board. The committee went very fully into the subject, and invited suggestions from as many outside organisations and individuals as possible.

In May of last year the report, containing a very large number of recommendations, was handed to the Minister for Labour. It was pleasing to note from the report that, generally speaking, the rates of weekly payments and other specific monetary payments, and the employers' maximum liability under the Act were, in general, comparable with the Acts of the other States, and it was not felt necessary to make any drastic suggestions in this regard. Many of the recommendations, however, touched important and even basic aspects of the Act, which require attention and in respect of which we have fallen behind the Acts of other States.

I should make special mention of the fact that despite diversity of interests represented on the committee it was found possible to hand to the Minister for Labour a unanimous report. This fact was found by the Minister for Labour to be particularly pleasing, and after consideration by Cabinet the present Bill reflects the recommendations of the committee.

The Minister for Labour had hoped to present this Bill in the last session of Parliament but, unfortunately, insufficient

time for adequate consideration and drafting prevented him from doing this. Among the more important matters dealt with in the Bill are the following:—

Definition of "worker": By far the worst source of confusion, difficulty, and misunderstanding for many years past has been the uncertainty as to whether men paid by results or piecework come within this Act. The obvious benefits to workers, employers, and the community, generally, of this mode of payment had led to an increase of payment in this way, and difficulties have grown in direct proportion. The greatest increase is probably seen in the building trades—with bricklayers, plasterers, carpenters, and other trades.

The great majority of men so paid are, both in fact and in law, workers. Where in such cases, through uncertainty, there is failure to insure, the result can be catastrophic to each of the parties involved when a serious injury by accident occurs. The uninsured employer could well be bankrupted, with effects spreading to his creditors and other workers. An insurer who has charged no premium for the particular class of worker involved obviously shows loss. The worker and his family usually lose their whole support with all that that tragically involves.

The uncertainty can only be removed by legislating that such workers either are, or are not, within the Act. In view of the fact that, as I mentioned, almost all such men are really workers, anyway; and in view of the fact that they are all within the socio-economic group which most usually is unable to accumulate reserves to last through unproductive periods —and is the very type and description of which it has always been the object of the Act to protect—it is hardly surprising that the committee recommended that they be brought in.

Similar difficulty was experienced in the other States, and action was taken to remove that difficulty. Indeed, similar difficulty was experienced in this State in connection with one of the earliest industries to pay at piece rates, namely, the timber industry; and this Parliament took action as early as 1923, and has never had reason to amend it. We intend to extend to workers generally the same provisions that were formerly given to the timber workers.

It might be mentioned that the Acts of some of the other States have much more elaborate and detailed provisions which appear to go further than that which is now proposed. Our proposal is, however, extremely simple, and this is important in an Act which is used by so many lay persons. More important, however, is the fact that the provision made applicable to the timber worker appears to have passed the test of time by giving general satisfaction, and we can do no better than extend its application to workers generally. Finally, and I think it most important that I stress this point, the amendment will not, and should not, bring within the Act those persons, firms or companies who are not workers, but truly independent contractors.

Principal and subcontractor—section 16: Until 1960 our Act contained a provision that where the principal employed a subcontractor to perform work on any project, then the subcontractor's worker could, for the purpose of compensation, claim against either his direct employer, the subcontractor, or against the principal as he saw fit. The intention of this section was to provide protection for the worker where his immediate employer was not insured and had insufficient assets to meet a compensation claim. It imposed no real hardship upon the principal as it gave the principal the right to be indemnified by his subcontractor; and, in any case, it is never difficult for a principal to insist that subcontractors with whom he has dealings are insured. In this way there is double protection against non-insurance.

In 1960, the section was deleted in the expectation that new provisions providing for the payment of workers from an uninsured fund in the case of non-insurance would supplant its need and usefulness. Unfortunately, considerable administrative difficulties have been experienced with the uninsured fund, and it appears that this has caused the loss of compensation to some few workers, and considerable and embarrassing delays to others. Although much thought has been given, no satisfactory way has been devised to overcome these difficulties.

For this reason, it is thought necessary to re-enact the former section 16 which had been in our Act since 1912 and which had been in the English Act before that. There is added reason for restoring this section in the fact that the principals in charge of some of the very large projects undertaken in this State of recent years have, at times, formed a separate company or agency apart from themselves to directly employ the men involved in the project. There are, no doubt, very good reasons which do not concern us for this, but it appears clearly obvious that the workers are entitled to recourse against the principal whom they genuinely think to be their direct employer.

Rehabilitation: Some provision is to be made for the rehabilitation of certain injured workers into useful and gainful employment. Many members will be aware that there has been a rapidly growing interest in rehabilitation of the disabled over more recent years on a world-wide basis, and it has been suggested that this should be given an even greater emphasis than the provision of compensation itself.

The chairman of the board is a member of the state committee of the Australian Council for Rehabilitation of the Disabled. Although the board has no direct powers in this connection, it is empowered by section 29 (13) (9) to formulate recommendations and prepare estimates for the rehabilitation and re-employment of workers for the approval of Parliament, and to provide any such facilities as might be approved.

After very considerable research and inquiry the board formed the opinion that the direct provision of facilities for use by compensation cases alone—and the jurisdiction of the board goes no further—was impractical. It was submitted to the committee, however, and recommended by it, that funds be made available to allow injured workers in approved circumstances to avail themselves of the facilities already available in this State. These comprise chiefly the Melville Rehabilitation Centre, the annexe to the Royal Perth Hospital at Shenton Park, and the institutes specifically assisting the blind and the deaf. Arrangements with these institutions are already considerably advanced. Assurance has also been received of assistance from the medical profession in the selection of cases proper for rehabilitation.

Quite naturally, attendance for rehabilitation must be paid for. In the case of married workers, compensation is required to keep the home going with little or nothing over. It is proposed that the Workers' Compensation Board Fund be increased so that carefully approved cases may be subsidised to attend an appropriate institution. Proper cases are those who can be expected, with reasonable confidence, to return to work.

The extent of the need for rehabilitation cannot be accurately foretold. It is recommended that provision be made for 25 cases yearly. Whether this estimate is realistic, only experience can tell. Using as a guide averages of costs and lengths of treatment at the established centres, it is expected that the cost will be $1,000 each approximately. The amount to be added to the fund annually will be limited by regulation and so will be under the control of Parliament. The initial limit is to be $25,000 and each year hereafter there will be recouped the amount only of actual expenditure in the previous year.

This innovation to the Act is regarded as being of very great importance. Members should be generally aware that according to the views of respected authorities both in Australia and abroad, particularly in the United States of America, expenditure on rehabilitation is economic; it results in the saving to the community of many times its cost if properly directed. We will watch our own experience closely.

Allowance for children on death of worker: It is proposed that a different and more logical approach be made in compensating dependent children on the death of their father. At present the Act provides that on death of a worker where there are any persons who were totally dependent on his earnings, compensation shall be $10,881, plus $240 for each dependent child. The allowance for each child is the same in the case of a newly born babe as it is for a lad who, at the time of the death of his father, was about to commence work and become independent.

It is proposed that in lieu of a fixed amount or an arbitrary figure, there be allowed $3.50 weekly for each child or stepchild during dependency, and that there shall be no exception for ex-nuptial children. What is more, it is proposed that a more realistic view be taken of dependency, which, as we are all aware, by no means finishes at the age of 16 in many cases. It is now proposed that the payments be continued during dependency until the child reaches the age of 16 years and further until he reaches the age of 21 years while still a full-time student.

I think it will be generally agreed that this is a much more logical approach than was formerly the case. At times, of course, it will increase the cost of compensation, but it should be noted that, whereas compensation for one only total dependant, if that dependant be an infant is $10,881 plus $240, under the proposed scheme the compensation will comprise the specified payments of $3.50 weekly to be continued as described above, with a minimum payment in all of $2,537.

The weekly payments as proposed will, of course, entail some supervision, and the administration necessary is to be undertaken by the Workers' Compensation Board according to rules which will be promulgated and put before Parliament. It is intended that payments will be obtained quarterly from insurers or employers and paid to the dependants by the board with continual supervision of continuing entitlement.

Dependants outside the State: Under the present Act, the definition of dependants excludes such members of a worker's family who do not reside permanently in the State at the time of his death or incapacity, if either occurs after a period of five years of his residing in this State. It will be noted that this provision applies not only to the families of deceased workers who come from abroad, but also to those who come from other States of Australia.

It is also provided that where the Governor is satisfied that the country of origin of the deceased worker has similar compensation laws to our own and would extend their benefits to residents in this State who are dependants of workers killed abroad, then he may by Order-in-Council extend the benefits under our Act to dependants in that country. Several of the countries from which we derive migrants

have applied for, and been granted, reciprocity, but more of the others have not done so. Moreover, it is most difficult to decide the extent to which the laws of a foreign country would confer benefits to persons in this State.

In view of our established immigration policy and the extent to which we rely on migrants—and will continue to rely on them—it is proposed to give to dependants of our migrants the same benefits whether or not they have at the date of death already reached our shores. Of course, persons claiming under these provisions will still be required to give adequate proof of their relationship to the deceased worker and of their dependency on his earnings as at the time of death.

Basic wage adjustments: It is at present provided by section 4 of the Act that each time one or more adjustments to the basic wage aggregates 2½ per cent., then the benefits under the Act shall automatically be increased by a slight percentage without the necessity for amending the Act. This provision was brought into the Act at a time when basic wage adjustments were made quarterly, and when the wage level was fluctuating rapidly, and the system worked quite satisfactorily.

Since that time, however, basic wage adjustments were for some time abandoned and are now much less frequent. It is anticipated that they may not be made at less than 12-monthly intervals from time to time. This being so, workers could hardly be expected, where an increase falls barely to reach 2½ per cent., to wait several years for an increase in workers' compensation benefits. Accordingly, it is proposed that changes be made each time the basic wage is adjusted.

The second schedule: Members will be aware that the second schedule of the Act provides specific lump sum payments for losses specified, depending upon the gravity of the loss. For instance. for the loss of a right arm there is allowed $8,705 and for the loss of the right forefinger $2,176 is allowed.

I am informed that in practice considerable difficulty is experienced in deciding exactly when entitlement to these amounts accrue due to the workers. Usually it is some time after the happening of an accident that the exact outcome of that accident is known, or when the injury is stabilised so that the extent of loss can be properly assessed by a doctor or a medical board.

The Acts of some other States provide that these payments should become payable at such time as the injured worker himself elects; it being understood by the worker—and in all cases explained to him—that from and after election to accept the lump sum settlement in respect of his injury he should have no further right or claim to weekly payments in respect of incapacity or loss of work due to that injury.

Another way of looking at the matter is that it places him in much the same position as a worker on weekly payments who can apply to redeem the balance of future weekly payments due to him. In each case finality is reached. Experience elsewhere indicates that this system works satisfactorily, and it is proposed that it be introduced into our Act.

Industrial diseases—section 8: It was originally provided by our Act that in the case of diseases notoriously due to contact with dusts or other deleterious substances in certain occupations, and where workers showed that they were suffering from the effects of these dusts or substances, they had the right to compensation against any employer who had employed them in an industry, to the nature of which the condition is due, within a period of 12 months prior to disablement.

Subsequently, and in view of the length of time required for pneumoconiosis to develop, this period of 12 months was extended to three years, and latterly, indefinitely in the case of pneumoconiosis. The section provides that the worker should claim from his last employer, but it also provides in subsection (5) that in the case of a disease contracted by gradual process, the last employer should have the right to claim contribution from previous employers within the three-year period. In view of the fact that it has been considered reasonable to expand the time limit indefinitely in the case of a worker claiming pneumoconiosis, it seems logical that we should also extend the time during which the last employer can claim contribution in similar manner. This it is proposed that we do.

It is also proposed to include in the schedule of compensable diseases a disease known as mesothelioma, which is a rare condition occasioned by substantial exposure to blue asbestos dust. There have been only 12 cases of this nature in Western Australia, and medical literature suggests a time gap of some 25 to 30 years between contact and neoplasm.

Compulsory insurance—section 13: Although the Act is based on a system of compulsory insurance of employers with approved insurers, there is also provision for employers under certain circumstances obtaining exemption from insuring, and becoming self-insurers. Self-insurance, generally, has worked very well in this State, and it is not intended to discourage it in any way. It is, however, considered necessary that compulsory insurance be insisted upon in industries known to give rise to silicosis.

The chief risk in this direction, of course, arises from the mining industry. It should be realised that from the point of view of compensation, silicosis creates difficulties which are not experienced in regard to other injuries or diseases. These arise out of the fact that disablement from silicosis

usually does not occur until a number of years after contact with dust, and periods of upwards to 25 years are not unusual. What is more, the person who has been in contact with the dust can proceed to the disablement stage even when there is no further contact with the dust.

It will be readily appreciated that over long periods of time the identity of an employer can be lost so that there is no-one against whom the injured man can claim. Most usually the employer is a company and the average life of mining companies is often not great. Difficulties and hardship arise where a company has gone out of existence, been wound up or even changed its identity. Because of these difficulties, it has become necessary to restrict self-insurance where there is a silicosis risk.

Bankruptcy or death of employer—section 17: Section 17 of our Act already contains certain provision for procedure in the event of an employer becoming bankrupt or making a composition or arrangement with his creditors or, if the employer is a company, in the event of the company commencing to be wound up. Despite these provisions, workers have experienced some difficulties in their claims and it is felt that some further assistance should be given to them. Where any of these events occur a number of technical legal difficulties arise. We are not alone in experiencing these difficulties and it is proposed to add to our sections some provisions borrowed from the Victorian Act, which it is hoped will provide some relief.

It is also proposed to enact that in the case of an employer dying and leaving no personal representative against whom claim can be made, then if he is insured an injured worker can proceed directly against the insurer. These provisions are also borrowed from another Act and seem eminently sensible, particularly in view of the fact that even where an employer is alive negotiations by an injured worker are almost invariably made not through his employer but through the insurer.

Procedure: I am informed that the rule-making powers at present contained in the Act have proved insufficient in that the Workers' Compensation Board is unable to provide for such procedures as discovery, interrogatories, admissions and production of documents. Each of these procedures is used by all other courts in the State with the object of simplifying procedure. By means of these procedures information can often be obtained and brought before the board simply and cheaply, which could otherwise only be proved by the calling of a number of witnesses at cost of time and money. In fact, not infrequently after some of these procedures, the disputed facts are so clarified as to make it unnecessary to proceed further with the action.

Chiropractic: Although there are reasonable provisions in the Act providing for the cost, to an injured worker, of medical treatment, physiotherapy, hospitalisation, chemists items, etc., there is no provision for the costs of attendances by a chiropractor. I am informed that a number of injured workers have attended chiropractors and in many cases with undoubted benefit. Parliament having at some time past expressly legalised chiropractic, there seems no reason why its cost should not be allowed for under the provision of the Workers' Compensation Act, particularly in view of the fact, and this item ascertained, that the Chiropractors Board is now a functioning reality and there is in existence a proper registry.

Total and permanent incapacity: Compensation for total and permanent incapacity is by weekly payment during incapacity at the rate prescribed from time to time, but with the qualification that the total liability of the employer shall not exceed a fixed sum which stands at the moment at $10,881. The theory of workers' compensation has always been that payments should be maintained during incapacity, and the limitation of the extent of those payments has been made on the ground that there must be a limit to the amount that industry can bear, although it has never been satisfactorily explained how one should arrive at that limit. Fortunately, there are not a very great number of workers totally and permanently incapacitated, but to each of such few the position is grave when compensation payments come to an end.

In most of the other States and in the case of the Commonwealth, the arbitrary limit to payment of weekly payments has been removed in the case of totally and permanently incapacitated workers, and in several cases also in the case of permanent partial disablement of a major degree.

It is proposed that our Act be amended to lift the limit in the case of total and permanent incapacity wherever the board in its discretion is convinced that this is really the case. There should, however, be a provision that where a worker applies for redemption of the employer's liability for future weekly payments, the board in the exercise of its discretion shall not in any case take into account any amount which might have become payable beyond the normal statutory limit. This, I feel, will prevent any abuses which could otherwise occur. It is felt that this provision should be added to our Act in order to bring it into parity with the conditions applicable in the rest of Australia.

Payments on death: From time to time it happens that death results from an accident, but not until after a considerable amount of time has elapsed. In such cases, it is agreed from time to time that the compensation benefits have been increased by amendment of the Act in between the time of the accident and the time of death

of the injured worker. Where this has occurred considerable doubt has existed as to whether the dependants are entitled to the amount of compensation provided as at the date of the accident, or to the amended amount provided at the time of death. In practice the former amount has always been paid, as it was generally held throughout that this was the correct amount.

Last year a Victorian case went to the Privy Council and the decision therein indicates reasonably clearly that we should now regard and, in fact, should always have regarded, the date of death as the significant date. This being so, it is probably strictly not necessary to enact such a provision, but we feel that we should do so for the sake of clarity and certainty. Accordingly, it is proposed to provide that in circumstances as outlined above the amount of compensation payable to dependants should be ascertained according to the Act as at the date of death.

Rate of weekly payments: Although the rate of weekly payments at present provided has in general been found to be comparable with those of other States, it is proposed that in one direction they be amended. In the past it has been provided that regardless of the number of dependants an injured worker may have, or the amount of his preaccident earnings which he has lost through injury, there be a specific maximum weekly rate—the present maximum is $39.20—and it has been shown that hardship has arisen in some cases by this limit, and accordingly, it is proposed that the present specific maximum be changed, and that the new limit be the previous average weekly earnings of the injured worker. It will be appreciated that this change will only be effective in the case of a worker whose preaccident earnings were considerable, and the number of whose dependants would take him beyond the present limit.

Other benefits: In addition to the foregoing provisions, it is proposed in the Bill to remove a number of small anomalies which have been noticed and which it is felt were never in the first place intended. One example is the doubt which has occurred as to whether or not the worker is entitled to count as a dependant a child born after the accident or a wife married after the accident. It is confidently suggested that neither of such events is associated in any way with the worker's accident and would have taken place anyway, and that accordingly entitlement should follow. It is also sought to provide for the case of a wife who, while dependent at the time of the accident, finds compensation insufficient and decides to go to work to help out the limited compensation payments. It is proposed that she still be regarded as a dependant and not be penalised because of her willingness to assist.

I have already referred to the fact that a child who turns 16 years of age will not lose his status as a dependant for some time longer while he is a full time student. It is also proposed to add payment for contact lenses and for better provision for the repair of artificial aids. It will also be provided where, in special cases, cost of hospitalisation exceeds the normal weekly rate allowed and this is out of the control of the worker, then the Workers' Compensation Board can exercise discretion as to the increasing of the rate. Also, the present daily rate of allowance while a worker is away from his home to receive medical treatment will be increased to $4.

These are the provisions in the Bill put forward and derived from the recommendations made by the the representative committee of which I have already informed members.

Finally, although I have informed the House, in view of the findings of the committee that it was not proposed to make general amendments to the monetary benefits under the Act, members will notice in the Bill a complete re-enactment of the second schedule and of most of the other monetary amounts. I should explain that this has been done because of drafting necessities. In view of the fact that the amounts presently stated in the Act have already been varied several times subsequent to basic wage fluctuations, the inclusion of these amounts in the present Bill serves to bring the Act up to date with the present rates of payment.

I believe, and the Government believes, that these submissions are in the interests of all those concerned in industry and that the passing of this legislation will confer benefits on people who rightly deserve them.

Debate adjourned, on motion by Mr. Brady.

MARKETING OF CYPRUS BARREL MEDIC SEED BILL

Council's Further Message

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference, and had appointed The Hon. N. McNeill, The Hon. F. J. S. Wise, and The Hon. L. A. Logan (Minister for Local Government) as managers for the Council; the Select Committee room as the place of meeting; and the time 12 noon, Wednesday, the 18th March.

Sitting suspended from 6.13 to 7.30 p.m.

PUBLIC EDUCATION ENDOWMENT ACT AMENDMENT BILL

Introduction and First Reading

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

Second Reading

MR. LEWIS (Moore—Minister for Education) [7.31 p.m.]: I move—

That the Bill be now read a second time.

With the growth of enrolments at teachers' colleges, the University, and the Institute of Technology, the need for student accommodation in the metropolitan area is steadily growing. In a period of rapid State growth this imposes problems of finding suitable and economical accommodation for students.

It has been a cause of considerable concern to the Education Department that it has been unable to provide these boarding facilities, especially for country women students entering its teachers' colleges. They were once available at the Claremont Teachers' College, but ceased in 1931. Since that time country students have been required to find their own accommodation. Currently they receive financial assistance to the extent of $320 a year for this purpose.

In 1970, 776 female students entered teachers' colleges in this State and of this number 237 were from the country. No Government accommodation is available to these trainees. I understand that flat and house sharing is common, but this practice leads to interruption of study, poor diet habits, lack of privacy, and other related problems. In most cases these girls are 17-year-olds who have just left high school and are away from home for the first time and in need of a stabilised home environment.

While recognising the need, the Education Department has not been in a position to allocate the necessary funds for the provision of residential facilities. Indeed it must still give priority to urgently needed classrooms.

However, with the recent subdivision and sale of trust land the Public Education Endowment Trust has acquired a substantial sum of money and it has been suggested that it be used to erect a hostel for women students on the site of the Mt. Lawley Teachers' College. Unfortunately, there is substantial doubt as to whether the Public Education Endowment Act gives the trustees power to use funds for such a purpose. This doubt is shared by the Crown Law Department, which has advised that it would be advisable to clarify the issue by amending the Act. Although there is some doubt about the legality of using trust funds in this way I have no doubt that it would conform with the intention of the legislation; that is, to provide funds for public education.

For those who are unaware of the purpose of the trust, perhaps I should here briefly recount its early history. Early in this century secondary education was provided mostly by the independent church schools. As a result of a growing appreciation of the need for the State to provide more extensively in this field the Government of the day decided to create an endowment for public education. In 1909 it enacted the Public Education Endowment Act which contained conditions similar to those embodied in the University Endowment Act of 1904.

During the ten years following the passing of the Public Education Endowment Act, from time to time the Crown vested in the trustees certain lands throughout the State by way of a permanent endowment. These grants included substantial areas in Cottesloe; two lesser areas in Fremantle; several sizeable areas in the outer metropolitan regions of Kalamunda, Mundaring, Swan View, and Parkerville; small areas in a number of established country towns and newly declared rural townsites; and farm locations in a few, then newly opened, farming districts.

I would add that there have been no significant grants of Crown land to the trustees in the last 50 years. Indeed the lands held by the trust during this period have been considerably reduced. In several places land has been excised from trust reserves and revested in the Minister for Education for school sites, playground areas, and teachers' housing.

Furthermore, where there has been no prospect of leasing endowment land and it has been possible to arrange sales on advantageous terms, the trustees have sought parliamentary approval for its sale. The annual Reserves Bill provided the machinery for this purpose. The proceeds from the sale of land have been invested by the trustees as prescribed by the Act; that is to say, in authorised trustee investments.

Until recently the income of the trust derived from the leasing of its lands and the investment of capital obtained from the sale of land has not exceeded $13,000 a year. To date this income has been applied principally in the payment of scholarships and grants to students of indigent parents to enable them to continue at school to take junior and post junior courses.

However, the recent subdivision and sale, with parliamentary approval, of a parcel of land at Cottesloe increased the invested capital of the trust so that it now amounts to $369,000. Thus, for the first time the trustees are in a position to make some major contribution to public education.

It is at this point that I return to the question of a hostel for women teachers. From their invested capital the trustees are prepared to provide $250,000 to $300,000 towards the cost of erecting residential accommodation on the site of the new Mt. Lawley Teachers' College.

This hostel will accommodate not only country women student teachers but also teachers attending in-service courses at the college during vacations. The project would make a valuable contribution towards the needs of public education in Western Australia—the purpose for which the trust was designed.

However, as I stated earlier, there are legal problems. The Act does not give the trustees power to use funds for the improvement of property other than that held in trust. In this instance there appear to be two courses open to the trustees. One is to arrange for the vesting in the trust of that portion of the college site on which the residential accommodation would be built. With the Governor's approval trust funds could then be spent on the erection of the necessary buildings and other improvements. The other course is to amend the Act to give the trustees power to apply funds to the improvement of land vested in the Minister for Education.

The trustees will never have sufficient income to make more than a token contribution to the cost of carrying out the provisions of the Act relating to public education. Therefore, in these circumstances, it appears more appropriate to obtain authorisation for the latter course and permit proceeds from the sale of trust lands to be used on improvements to land vested in the Minister for Education, and the Bill has been drafted accordingly.

In the past the trustees have been constrained to obtain the approval of Parliament before disposing of any trust land. This has proved to be unsatisfactory because of the time factor. As I stated earlier, until now it has been the practice of the trustees to secure parliamentary approval through the annual Reserves Bill. This procedure can easily cause an unacceptable delay to an intending buyer. The trustees of the University endowment, operating under similar legislation, soon ran into difficulties and secured an amendment to their Act in 1927, which enabled them to dispose of trust land with the consent of the Governor.

The land still held by the trustees of the Public Education Endowment Trust is not suitable for improvement for public education purposes. Most of the land which could be used by the Education Department has already been handed over to it.

In the circumstances there seems to be no logical reason why it should not be made lawful for the trustees, with the consent of the Governor, to sell endowment land provided that the proceeds of the sale are applied in accordance with the provisions of the Act. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Jamieson.

KEWDALE LANDS DEVELOPMENT ACT AMENDMENT BILL

Introduction and First Reading

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

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [7.42 p.m.]: I move—

> That the Bill be now read a second time.

The purpose of this legislation is to ensure that sufficient well-located properly developed industrial land is available, when required, at reasonable prices.

A recent on-the-spot survey of the availability of industrial land in other States by an experienced officer of the Department of Industrial Development indicated that there is a greater choice of location in the Eastern States and that comparable land is generally cheaper and better serviced as, in most cases, sewerage is provided, and large sites of 50 to 200 acres are more readily available.

Whilst the price of industrial land in the metropolitan region of Perth and Fremantle is high when compared with prices in some of the Eastern States, the main problem now being experienced here is in respect of the actual availability of land in the right location, with appropriate services, and the complete absence of large developed sites of more than 50 acres or even less, except at the one location of Kwinana.

Kwinana is not a suitable location for all types of industry, and as a site of 40 or 50 acres would be difficult to assemble in any other location, and as sites of this size are not unusual in any moderately-industrialised community, it follows that the development of industry in the metropolitan area will be seriously handicapped as industrial development is accelerated.

This, together with the prospect that suitable vacant industrial land from existing stocks will no longer be available in most industrial areas, with the possible exception of Kwinana, in about five years' time, indicates an urgent need for action to ensure that not only will industrial land be available in a choice of locations at a reasonable price as and when required, but that it will be properly developed with necessary services.

It may confidently be expected that the necessity will arise from time to time for provision of sites of several hundred acres each and in this regard it could be mentioned that an area of 10 square miles comprising 6,400 acres of land will provide only 10 500-acre sites after provision has been made for roads and other necessary services.

This illustrates the necessity to make use of available industrial land to the best advantage and to plan ahead in order to provide the additional areas required, and for development of these areas. I emphasise the importance of planning well ahead so that we can obtain and control the right type of areas in the right locations at a time when prices will be reasonable. In my experience I find that when the Government of the day is in possession of this land at the right time it seems that there is not the same resentment as when any Government desires to acquire land at a later stage when development has become more defined.

In other words, if there is a large area of land such as we have at Kwinana, it is taken for granted that this is available for the Government to handle in the way it thinks best for the development of the right industries in the right places. If there is too much delay a situation is created similar to that which got out of hand at Kewdale, and it was for this reason that the Kewdale Lands Development Act of 1966 was introduced. That Act was brought down, firstly, to solve that problem, and secondly, as experimental legislation to ascertain how this type of redevelopment could be handled.

The Bill goes beyond industrial land in the metropolitan area. Although there is a greater need for conservation and choice of location in the metropolitan area where stocks of industrial land are declining and prices are high, there is an increasing necessity for provision and planning in regional centres, and this is provided for. It is becoming apparent very quickly that some of the major provincial centres will be running into industrial land problems in the near future. Places such as Bunbury, Albany, Esperance, Geraldton, and some of the inland towns as well could face this problem.

Although only minor by comparison with the experience we had with General Motors, we have encountered problems in some country areas. This has caused the local authority affected considerable concern, because of the danger of losing industries which, very understandably, it wanted to attract to its location.

A different approach is required as far as land outside the metropolitan area is concerned. The jurisdiction of the Metropolitan Region Planning Authority is limited to the metropolitan area. There is no metropolitan region scheme to provide land classifications in the country although land is generally more readily available in country districts.

It will be recalled that the Kewdale Development Authority was brought into being with the consent of Parliament and it virtually incorporated in the authority's machinery the provisions that existed within the metropolitan region planning legislation.

Mr. Tonkin: Will you permit me to interrupt for a moment?

Mr. COURT: Yes, very well.

Mr. Tonkin: Why is it that the Government is prepared to acquire land compulsorily for industry, but will not acquire land compulsorily for school sites?

Mr. COURT: I think the two matters are entirely different: I appreciate that the interjection is quite pertinent, but I do not want to get confused with the two matters. There is another question the Leader of the Opposition could ask which I think is just as logical—that is, why is the Government prepared to put aside this land for industry, but is not prepared to introduce similar legislation in regard to urban land? However, I think we will let the urban land look after itself. Legislation for urban land is under consideration by the Government but for a different reason and in a different way. However, so far as school sites are concerned I do not know what the practice is. I always understood that that question came within the definition of a public work.

Mr. Tonkin: Surely you know that the Government is paying $10,000 an acre for school sites when it could compulsorily resume available land for much less.

Mr. COURT: I can only assume that the Leader of the Opposition, when he was in government, adopted the attitude this Government has tried to adopt; namely, to try to obtain land by negotiation instead of hitting people over the head with a sledge hammer. In my experience with all Governments they have always tried to obtain land by negotiation and to exercise statutory resumption powers only when they find they cannot get any reasonable sense out of other people. However, I do not know the particular case to which the Leader of the Opposition is referring.

Mr. Jamieson: Even air was free in those days. We did not have to buy that.

Mr. COURT: I do not know the particular case to which the Leader of the Opposition was referring, so I cannot comment, but there could be special circumstances where the procedure adopted to pay that price was a reasonable thing.

Under the proposed new legislation Crown land in country areas which it is desirable to provide for industrial use can be transferred to the control of the development authority while other land can be purchased by negotiation and transferred to the development authority which can provide the funds for its purchase and develop it for sale for industry,.

Provision is also made in the Bill for the compulsory acquisition of land in country areas which are outside the jurisdiction of the Metropolitan Region Planning Authority. Under the existing provisions of the Metropolitan Region

Town Planning Scheme Act land can be acquired either by negotiation or by resumption for the purpose of advancing the planning development and use of land within the metropolitan region. This procedure was used to acquire the privately-owned land in the original Kewdale development scheme, and was also used to acquire the privately-owned land at Kwinana required for the nickel refinery.

As the metropolitan region is defined in the third schedule to the Town Planning and Development Act as being the municipalities of—

Claremont
Cottesloe
Fremantle
East Fremantle
North Fremantle
Guildford
Midland Junction
Perth
Subiaco

and—I thought I should list them—the road districts of—

Bassendean
Bayswater
Belmont Park
Canning
Melville
Kwinana
Mosman Park
Nedlands
Peppermint Grove
Perth
South Perth
Swan
Gosnells
Fremantle (now Cockburn)
Wanneroo
Darling Range
Mundaring
Armadale-Kelmscott
Rockingham
Serpentine-Jarrahdale

this additional provision to enable land to be acquired in country areas is essential if industry is to be developed on a regional basis.

This will ensure that adequate land will be available for decentralised industry on reasonable terms so that logical development will be assured up to the limits of a district's potential.

Any regional development and use of this legislation could be done in close consultation with local authorities. This has been the experience to date in respect of the limited experience we have had with the Kewdale Development Authority, and we are already setting up a system of liaison with the main regional centres. For instance, the township development committees we have had for Pinjarra and Bunbury has on it direct representation of the local authority as well as the Government representatives. The same applies in the Port Hedland and Roebourne Shires.

Existing industrial land legislation is inadequate to provide current and future requirements and comprises three separate Acts of Parliament establishing three different committees under the jurisdiction of two Ministers.

The three Acts concerned are—

(1) Industrial Development (Resumption of Land) Act, 1945-1960.

(2) Industrial Development (Kwinana Area) Act, 1952-1959.

(3) Kewdale Lands Development Act, 1966-1968.

These Acts which were originally passed by Parliament in 1945, 1952, and 1966 respectively have all been subsequently amended—the 1945 Act on four occasions, the 1952 Act three times, and the 1966 Act once.

The 1945 Act, which could be regarded as a general purpose Act, is now 25 years old, while the other two are special purpose Acts dealing with specific areas—one with Kwinana, and the other with Kewdale.

The 1945 Act establishes a committee of six, two of whom are *ex officio*, one member is nominated by the Chamber of Manufactures, one member is nominated by local governing authorities, one member is a medical officer of the Department of Public Health, and one member is an officer of the Department of Industrial Development.

The 1952 Act establishes a committee of four, two of whom are again *ex officio* with one member nominated by the Chamber of Manufactures and one member from the Town Planning Board, appointed by the Minister.

The 1966 Act, which is the Kewdale Lands Development Act, establishes an *ex officio* committee of three, with one member common to the other two committees.

These three committees all perform the same basic function of dealing with applications for purchase of Government-controlled industrial land.

Only one Act, the Kewdale Lands Development Act, makes provision for development of the land which comes within its provisions; development of the land subject to the other two Acts being carried out without any particular legislative authority by the Department of Industrial Development. In other words, it has been done on an *ad hoc* but a very restricted basis. I make the point that the other Acts have contained provision for acquiring land but not for developing it, and this has brought about many problems. The Kewdale Lands Development Act contained the specific power for redevelopment and development.

To enable development except in this latter case, to be undertaken, and without which the land is of little use, as roads, water supply, and drainage are essential, the Department of Industrial Development has, of necessity, been obliged to obtain each year an allocation of funds from the Treasury, and because of the usual shortage of such funds the amount available to the department always falls far short of requirements. I think that is an understatement.

To overcome the difficulties being encountered with respect to the inadequacies and multiple and often confusing procedures under the two earlier Acts, and to provide the funds necessary for subdivision and development of all the land concerned, the Bill provides for the establishment of an industrial land development authority and the setting up of an industrial land development fund.

The Kewdale Development Authority established under the provisions of the Kewdale Lands Development Act has demonstrated that fully serviced sites in an efficiently organised industrial estate can be provided at a price which, although not cheap by standards in some other States, compares more than favourably with the price of other less developed industrial land.

It is therefore proposed in the Bill to extend the function of the Kewdale Development Authority to include all the land at present subject to the three Acts previously referred to, and further land which will be acquired from time to time in the manner set out in the Act and proposed amendments.

All further land to be acquired in the metropolitan area will be dedicated to the provisions of the Industrial Development (Resumption of Land) Act prior to being transferred to the development authority, while any land to be acquired outside the metropolitan region as defined will be acquired direct by the development authority.

The Bill also provides for all the proceeds of sales of the land concerned to be paid into the industrial land development fund from which will be provided the cost of acquisition of subsequently acquired land and the cost of services such as roads, water supply, and drainage which are necessary in the course of development.

Because of these proposals for self-financing it is proposed in the Bill that a Treasury representative should be added to the development authority.

The proposals contained in the Bill are designed to provide the State's requirements of industrial land for many years to come and I commend the Bill to the House.

I summarise by saying that the main objectives are to ensure that there is orderly development, including the services necessary for such development; and also to ensure that there will be readily available sites of the proper size and type, and at reasonable cost. We further want to ensure that there is proper relationship of industries of each particular type to residential areas, having regard for aesthetic considerations, comfort of community and its well-being, transport costs and fatigue of work force in getting to and from work, and market and transport considerations of the industry.

It has been possible on many occasions to have plenty of land within the total amount of land that is available from the private sector or from the Government, but that particular land was not in the right place. Some industries need to be located within close range of others, whereas there are some industries of a light nature that want to follow a certain type of work force. If the land is readily available well ahead of time and the services are established it is possible, not to direct, but to influence some of these desirable industries to go into these parts.

So some of the considerations are not only the aesthetics but also the comfort of the community, so that we can develop the urban areas and the residential areas without the community having to live in discomfort in respect of industry if this is properly planned. Of course, in many countries much more attention is paid to the economics and the fatigue factor of distance between the place of work and the home. In Australia it is time we had regard for this. It does not mean to say that the residences have to be established right alongside industries, but they can be conveniently located so that the person going home from work is, in fact, going to a residential area and is not under the atmosphere or the influence of the work area.

I referred to market and transport considerations for the industry itself. We have classic cases of carefully located industries with BP Refinery (Kwinana), C.S.B.P., Western Mining nickel refinery and C.I.G., all of which either send to or receive from one another different chemicals and other raw materials.

We are entering a phase when, from now on, the emphasis will be on more industries in both the metropolitan area and the country. In 1959-60 we found the going very difficult to attract industries here because we had such a small population and a population which then had the lowest take-home pay in Australia. This year we hit our first 1,000,000 and we have a population with a higher income and spending capacity than we had 10 years ago. This is making it easier for us to start to attract industries which either found the going tough after we attracted them in 1959-60, or did not come at all.

We anticipate provision will be required for over 2,000 new factories in the metropolitan area between now and 1980. Some

will be very small and will require only a quarter of an acre, while some will be big and will want 200 acres or more. It is our aim to try to anticipate this situation so we do not get caught wanting when we get an opportunity. We do not get two chances.

With the regional concept starting to take effect in the south-west at Pinjarra and Manjimup, and all based on Bunbury, the industrial land situation in those regional centres will become more acute than before.

Mr. Graham: In the metropolitan area I think you might pep up some of the town planners. They seem to be the delaying factor.

Mr. COURT: Without joining in an argument with the Deputy Leader of the Opposition, I want to refer to the fact that we believe that equally important before we start to declare these areas industrially, is that someone be responsible for the areas—for example, some private group such as the one we appointed for the Sorrento-Mullaloo urban area to be responsible for the development of an industrial estate on a properly planned basis. It is one thing to have land zoned, and another to get control of its development. Actually the word "control" is wrong. I should have used the word "management".

Mr. Graham: But this was agreed to by Parliament about six or seven years ago and it is still impossible for industries to move in there. It is even impossible for owners of land to use their own land for industrial purposes.

Mr. COURT: That is land not rezoned?

Mr. Graham: Yes. It is land approved by this Parliament as industrial when the regional plan was adopted.

Mr. COURT: The Deputy Leader of the Opposition, I think, is referring more to the fact that those areas are not serviced. This occurred with regard to Kewdale and others. They have been a little like Topsy. They have just grown up and no-one—

Mr. Graham: There are no service problems. There are only problems with the planners.

Mr. COURT: I would be very interested if it referred to industrial land.

Mr. Graham: It does.

Sir David Brand: What area?

Mr. Graham: The Balcatta industrial area for one, and in the Morley direction, for another, both of which are in the Shire of Perth.

Mr. COURT: I would be very interested to have a look at them because on one occasion I went to see one of those areas in which I was asked to take an interest. However, I was confronted with people holding options over the land which made the prices unthinkable.

Mr. Tonkin: That is the land you are buying for schools!

Mr. COURT: Let us leave that subject out for the moment and concentrate on this problem.

I think I should touch on one other point and that is the question of valuation. If we are acquiring land that could be rural at the time the authority moves out to prepare for a development in a particular area, I know this presents some problems to the valuers in arriving at a price which is reasonable and which does give the original *bona fide* owner—and I emphasise *bona fide* owner and not an option holder in between—some recognition. It would certainly not be complete recognition, but it would be some recognition of the potential of the land as distinct from its value for growing pumpkins or wheat, or for the raising of sheep, as the case may be.

I understand from the valuers that they are able to deal with this in a fairly intelligent and practical way, but I emphasise the fact that the whole policy is not to go around using the resumption powers, except as a last resort. The idea is to do all that is possible to negotiate a purchase. If it is a negotiated purchase this problem of the academic valuation of land called rural, urban, or industrial does not arise, and it is possible then to work out a deal mutually satisfactory and pay the *bona fide* owner a price which reflects something of the potential of his land because he happens to be on the fringe of land currently urban or industrial, but which with the effluxion of time, would be obviously rezoned in due course.

Mr. Tonkin: This reflects quite a change from the situation at Kwinana, you know.

Mr. COURT: Not from my knowledge.

Mr. Tonkin: Have you forgotten Western Mining and the nickel refinery?

Mr. COURT: If the honourable member wants to persist in this one, he helps me greatly, because in this exercise we bought some land in the free market without disclosing the real purpose. I thought it would be interesting if we bought land in the free market and over the counter.

Mr. Tonkin: You bought it through agents whose names you did not disclose.

Mr. COURT: We bought it as ordinary people like John Tonkin and Charles Court.

Mr. Tonkin: No. You got agents to do it.

Mr. Jamieson: If you used those two names the price would be pretty high!

Mr. Graham: That is, if they were joint names!

Mr. COURT: I should imagine a combination of Court and Tonkin would be hard to believe, but stranger things have happened!

However, I make the point that we purposely said we would buy land on the free market straight across the counter and not haggle about the price. It was interesting to find out what we paid for that compared with the price paid for land after all the upheaval and the shemozzle started. The price was much higher when it was subsequently known that the new industry and the Government were involved in the picture. However, had we been able to wear dark glasses and whiskers, and bought all the land on the free market without its being known why the land was required, the saving to Western Mining, which eventually had to foot the bill, would have run into hundreds and thousands of dollars. However, that is another exercise. As soon as it is known that the Government or some big industry is involved, everyone adopts a different attitude towards the value of the land.

I think I have covered the main points, and I commend the Bill to the House.

Debate adjourned, on motion by Mr. Jamieson.

POLICE ACT AMENDMENT BILL, 1970

Introduction and First Reading

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

Second Reading

MR. CRAIG (Toodyay—Minister for Police) [8.10 p.m.]: I move—

> That the Bill be now read a second time.

The purposes of this Bill to amend the Police Act 1892-1969 are two-fold. The first concerns amendments to sections 23 and 24 which deal with penalties that may be imposed on non-commissioned officers and police officers of constable rank convicted of a disciplinary charge in the areas of insubordination, neglect of duty, and misconduct against the discipline.

Section 23 deals with penalties that may be imposed on non-commissioned officers and at present has the following range of penalties:—

(i) a fine not exceeding $30;
(ii) order his reduction in rank; and,
(iii) discharge or dismissal from the Force.

Section 24 deals with like matters in respect of police officers of constable rank and the penalties that may be applied on conviction are as follows:—

(i) a fine not exceeding $20;
(ii) order his discharge or dismissal from the Force.

At the present time, neither section gives the commissioner power to caution or reprimand and I feel sure all members will agree that this is a most unsatisfactory omission and one that should be rectified, as this Bill plans to do.

Additionally, it should be explained that, until the introduction of the two new ranks of senior constable and first class constable on the 2nd January, this year, the contents of section 24 constituted the full range of penalties, as it was not possible to reduce a constable in rank. In other words, the commissioner had no alternative but to fine him $20 or dismiss him.

However, the new ranks have made this possible and, subject to the suggested amendment in this Bill where the penalty is applicable, a senior constable could be reduced in rank to first class constable and a first class constable could be reduced in rank to constable.

The second section of the Bill concerns an amendment to section 81 which deals with the unlawful removal of boats.

Mr. Jamieson: What has a flat got to do with boats?

Mr. CRAIG: A flat?

Mr. Jamieson: Your notes state, "any boat, flat, or barge."

Mr. CRAIG: I am not sure about that. To continue, I am confident that any reasonable thinking person would agree that the value of commercial and pleasure boats commonly in use in Western Australia is such that it requires protection greater than that given by the present section 81 of the Police Act; that is, a fine of $100 or imprisonment not exceeding six months. Indeed, pleasure craft valued at $30,000 and fishing craft valued at $50,000 are common today and the present penalties are completely inadequate.

The present Bill envisages an amendment to make a person found guilty of an offence of this nature liable to a fine of $500 or imprisonment for two years.

The amended pecuniary penalty is the same as section 60(1)(i) of the Traffic Act and the terms of imprisonment the same as section 60(1)(ii), and it must be appreciated that the value of a boat today is much greater than that of a motorcar.

In addition to the revision of penalties, the opportunity is being taken to correct certain technical limitations in the wording of the section. At present, the section reads—

> Every person who in any of the waters of the State shall remove any boat, flat, or barge from its usual anchorage or mooring or from the place where the same shall have been last left by the owner, or person in charge thereof, or his boatman or servants, or who shall remove out of any such vessel any mast, sail, oar, or other furniture, or shall use such vessel or furniture, without the consent of the owner or other lawful authority, shall on conviction be liable to a fine not exceeding one hundred dollars or

imprisonment for any term not exceeding six months and in addition shall forfeit and pay to the party aggrieved such a reasonable sum as shall appear to the convicting Justice to be compensation for any loss of work or loss of time, or damage sustained by the owner or person in charge of such vessel or furniture by reason of such unauthorised removal thereof.

Legal opinion is that the words "in any water of the State" limit the whole operation to boats on water. They do not encompass boats beached or on slips or even, more importantly, those on trailers. The Bill seeks to remove these words.

Additionally, at the present time the whole operation is hinged around the boat being taken from "its usual anchorage or mooring or the place where it was last left by the owner." It only needs some intervening factor to set the boat away from where it was moored or last left and the section ceases to be operative.

The Bill recasts the operative part with respect to removing and deletes the emphasis on anchorage, mooring, or place where a boat was left.

There have been a number of offences against this section in the past year and it is felt amending legislation is necessary if this offence is to be minimised.

I might say that in the 12 months ended February, this year, there were no fewer than 109 cases reported to the police of boats either having been stolen or removed from their moorings. That does indicate there is a need for some action.

Mr. Davies: How many cases?

Mr. CRAIG: There were 109 cases in 12 months. In addition to that I can recall, over the years, receiving numerous representations from boating clubs and the like for greater police protection against vandals who have been removing parts of boats—particularly motors. I know the Deputy Leader of the Opposition is also very concerned about this matter.

The vandalism research committee has recently submitted a report to me—which I hope will be released very shortly—and that committee has also recommended action on the lines proposed in this Bill. I commend the measure to the House.

Debate adjourned, on motion by Mr. Brady.

BUILDING SOCIETIES ACT AMENDMENT BILL

Introduction and First Reading

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

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [8.19 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to bring the Act—last amended in 1961—up to date and in line with the need to maintain the current strong growth rate of permanent building societies.

Mr. Graham: The Act was amended in 1962.

Mr. BOVELL: I was informed that it was amended in 1961.

Mr. Graham: You had better check.

Mr. BOVELL: According to the Bill it was amended in 1962, so the information given to me must be incorrect.

Mr. Graham: You follow me and you will be correct.

Mr. BOVELL: To continue, the amendments presented by the movement and the accounting profession were recommended by the advisory committee following close liaison with the Western Australian Permanent Building Societies Association, the Federation of Building Societies of Western Australia, and the Institute of Chartered Accountants (Western Australian Division).

Greater protection will be given to the savings invested by over 70,000 people, and the Act will once again be brought into line with today's practices throughout the world.

The notes now before me refer to the year 1961; but as 1962 is mentioned in the Bill, perhaps I might amend the date to 1962. In that year, when the Act was comprehensively amended, it provided for the creation of an advisory committee, the appointment of approved valuers and a full time registrar, and empowered the registrar to inspect a society's books and affairs. The amendments also provided a basis upon which terminating societies were permitted to operate property.

In 1961, 10 permanent societies with assets of $7,900,000 and 14 terminating societies with assets of $1,200,000 were operating. Currently, 15 permanent societies with assets exceeding $200,000,000 are operating and 297 terminating societies have assets in excess of $30,000,000.

Terminating societies, receiving their funds under the Housing Loan Guarantee Act from financial institutions such as banks and insurance companies, and from the Commonwealth-State Housing Agreement, have assisted families with low and moderate incomes to purchase their homes. Their comparative expansion in recent years has not been as great as the permanent societies, but nevertheless their need is just as great as ever, and their continuance must be encouraged.

Recognising the strong demand for housing finance, permanent societies took up the challenge and introduced, in September, 1968, an investment scheme with an interest return of 6 per cent. per annum over a no-fixed-term. This opened up many new avenues, and the net investment income of all societies increased from $6,500,000 per quarter to a high of $25,000,000. These amendments in the main relate to the operations of permanent societies that, during this financial year, will make advances on mortgage of just over $100,000,000.

In the Bill there is a specific provision restricting the registration of new permanent societies to those that will have available at least $200,000 of members' share capital for a 10-year period, and is in addition to the already existing provisions of registration.

It has been said by leading operators of building societies throughout the world that liquidity is the word which describes the only real skill needed in the management of permanent societies. Our societies recognise this, and have voluntarily been submitting quarterly liquidity returns to the registrar for some time.

The Bill has a requirement whereby no society may make a loan unless the society holds liquid funds to the extent of 7.5 per cent. of its withdrawable capital and deposits.

Misleading advertising has been the concern of many in and out of the building society industry for some time, and the Bill empowers the registrar to control advertising by having to give written approval to advertisements for proposed societies and newly registered societies. The registrar shall also have authority to have misleading or incorrect advertisements by operating societies discontinued.

These moves create machinery in the Building Societies Act in regard to advertising in lieu of that now contained in the Companies Act and having application to the building societies.

Advertisements are defined as being any medium inviting business or making known all or any of the activities of a society or a proposed society.

With a complete revision of requirements regarding accounting and auditing provisions, the accounts must give a true and fair view of the society's affairs in detail by use of prescribed forms. Attached to annual accounts and auditor's reports which are to be forwarded to every member with an investment in excess of $100, must be a detailed directors' report. These provisions mean that investors have an up to date account of the financial state of affairs of the society and can judge for themselves whether they wish to continue to invest with that society.

The directors' report will show the number and amount of advances made in a year, details of special advances, total receipts and withdrawals and the number of borrowers who are more than 12 months in arrears.

Even in greater detail than the prescribed annual accounts, each society will have to forward a prescribed annual return to the registrar giving further protection against mismanagement. The Minister may give exemptions from these accounting and auditing provisions to terminating societies where appropriate.

Special advances in the Bill are defined as those to a corporate body, advances exceeding $30,000 and an advance in excess of $10,000 over vacant land. A society will not be permitted in any one year to advance more than 10 per cent. of its total advance on special loans, and must show all such loans in its annual accounts and returns. This will prevent societies from indulging recklessly with other people's money.

The Bill introduces limitations on the total of an advance made where mortgage insurance has not been taken out, and where the advances are not made with funds from the Commonwealth-State Housing Agreement and under the Housing Loan Guarantee Act. The maximum repayment period over which borrowers may repay advances has been extended from 30 to 40 years.

When the uniform Companies Act came into being it provided for limitations upon directors attaining the age, or being over the age, of 72, as well as requiring directors with interests in any agreement with a company to make full disclosure to the committee of management. Similar provisions are contained in this Bill for building societies as well as another extending the period of directors' meetings from once in every two months to three months.

Up to two executive officers will be permitted to be directors of a society and an executive officer may obtain a housing loan from the society upon written approval of all directors.

Provisions easing those for amalgamations, transfer or union of societies have been introduced and are based on those included in the English Act and the more recent new Building Societies Act of New South Wales.

In the present Act, the maximum holdings of shares to be held by any one corporation or incorporated company is 10 per cent. of the total shares, and the aggregate of shares to be held by corporation or incorporated companies is 40 per cent. These ratios have been increased to 20 per cent. and 50 per cent. respectively, the object being to assist in maintaining the impetus of societies. In addition, no one individual or his nominee is to hold more than 20 per cent. of the total shares.

A unique requirement has been introduced whereby societies by use of a prescribed form must notify borrowers the particulars of items such as the interest rate to be charged, the commencing date of the interest charge and of principal and interest repayments, the entrance fee, legal costs, and other fees and charges.

Penalties have been increased in the Bill from a maximum of $100 to $200 with specific penalties being introduced where a director does not make disclosure of his pecuniary interests in transactions with a society.

With the introduction of all of these additional safeguards for investors, borrowers, and society managements, the building society movement will be able to continue and increase its most significant contribution to the total housing situation. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Graham (Deputy Leader of the Opposition).

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Ross Hutchinson (Minister for Water Supplies), and read a first time.

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Water Supplies) [8.32 p.m.]: I move—

> That the Bill be now read a second time.

I believe that the majority of members and the public will be appreciative of the terms of the legislation. The purpose of the Bill is to amend existing legislation which at present lacks power for the Metropolitan Water Supply, Sewerage and Drainage Board properly to control pollution of underground water within its area of control.

The Bill provides for some new definitions but it has one main object—the control of pollution of underground water in such areas as may be proclaimed within the Metropolitan Water Supply, Sewerage, and Drainage Board areas, where underground water will be used for purposes of the Metropolitan Water Supply, Sewerage, and Drainage Act.

The definition of "artesian bore" departs from the general appreciation that the free flow of water to the surface is required. In the past we have relied on the understanding that artesian water is that which flows freely to the surface. It has been found that this definition lacks considerably. If I illustrate this it might serve its purpose.

There is an artesian bore to be found in Mounts Bay Road near the brewery. This water bubbles and flows freely to the surface. There are, however, bores in King's Park which tap the same aquifer as the Mounts Bay Road bore, but the water does not flow to the surface. So obviously the definition upon which we relied in the past is inadequate for our purposes. Members will see that in the Bill the definition of "artesian bore" means a bore in which the level of the water rises above the top of the aquifer on which the water is encountered. In this way we are able to bring under control our artesian water, which formerly we were unable to do, except for that artesian water which flowed freely to the surface.

It might be wise at this juncture for me to read fairly freely from the Bill itself. I think it is of value to do this with all new legislation so that one is able to understand it quite simply.

Mr. Bickerton: You do that in the Committee stage.

Mr. ROSS HUTCHINSON: Yes, but it does add to my second reading, so I hope the honourable member will not mind if I pursue this course.

Mr. Bickerton: Not at all.

Mr. ROSS HUTCHINSON: Clause 4 brings in a new section 57A to the Act. It is headed "The Protection of Underground Water" and this clause constitutes the underground water pollution control areas. It reads—

> 57A. (1) The Governor may, on the recommendation of the Board, by proclamation constitute and declare any part or parts of the Area to be an Underground Water Pollution Area with such name and from such date subsequent to the proclamation as may be specified therein.
>
> (2) The Governor may, on the recommendation of the Board, by subsequent proclamation, extend or reduce any pollution area, change the name of or abolish any pollution area.

The next clause has to do with by-laws and reads in this way—

> The Board may make by-laws for all or any of the following purposes—

Mr. Tonkin: Do you think you would take four years to make these, as did the Minister for Industrial Development?

Mr. ROSS HUTCHINSON: I can assure the honourable member that we will proceed with this as quickly as possible. The clause states—

> 57B. (1) The Board may make by-laws for all or any of the following purposes—
>
> (a) protecting the purity of underground water within any pollution area for the supply of water under this Act;

(b) controlling, regulating, limiting or prohibiting, on lands anywhere within a pollution area or within any specified part or parts thereof, the placing or discharging on, onto, or into the ground therein of anything that is liable to affect detrimentally the purity of underground water in the pollution area either directly or indirectly.

Certain penalties apply, as will be seen. A penalty may be imposed not exceeding $200 for any breach, and in the case of a continuing breach a penalty not exceeding $10 for each day the breach continues after the board serves notice of the breach.

There is also an interesting clause that where anyone feels he is disadvantaged by virtue of a prohibition under this legislation or where the board will not grant any dispensation to him in amelioration of his lot, this person may appeal to a local court established under the Local Courts Act, and the decision of this local court shall be final.

I believe that everyone must be concerned with the prevention or control of pollution as far as is possible. It is at the present time well to the forefront of our thoughts. There is already legislation for the control of air pollution, and what can be done to control pollution of surface waters and oceans is currently a matter for concern and for concerted action in the future.

Thus it will be seen that this Bill fits perfectly into the Government's plans for conservation and anti-pollution measures. It should also be noted that as the water resources of the Metropolitan Water Board which may be provided by way of dams in the hills are being progressively used up, so the need to preserve and use our underground reserves of water becomes more imperative. At the present time the board does use a reasonable quantity of underground water by mixing it with hills water in the various reservoirs, and this happens particularly in the summer months. The board is now preparing to make greater use of water from shallower bores after treatment by way of aeration methods. In so far as we can it is essential that we protect underground water against pollution.

As I have already indicated, the Bill does not provide for a blanket authority over the whole of the Metropolitan Water Supply area, but only over such areas as may be proclaimed from time to time. I would also point out that the areas which are envisaged as being declared are, in the main, in districts which are presently largely undeveloped, lying in the north and south of the Metropolitan Water Supply area.

I am convinced, and I think most members will be convinced, that the board will use any power given to it to control pollution of underground water in a circumspect and sensible manner. I would like to conclude by saying that I cannot stress too strongly the need to prevent and control the pollution of underground water.

Mr. Davies: What would be the main cause of pollution?

Mr. ROSS HUTCHINSON: Industrial effluent and the bio-degradable detergents which are used.

Mr. Davies: Do they go down to artesian depth?

Mr. ROSS HUTCHINSON: They can, and so present a great source of danger. As a matter of fact, this matter has proved to be a great headache to water supply authorities in parts of Europe where it is necessary to cleanse water for domestic reuse. We in this State are most fortunate indeed, and I suppose this is largely because we are a young country and have managed to tackle most of our problems. I do not think that all our problems have been tackled and solved completely; a great deal yet remains to be done. However, we are far in advance in our treatment of water supplies and sewerage.

From time to time any Government will be assailed with requests from people who wish to obtain a greater personal or individual use of water catchment areas. I do not know whether all members have done so, but a number of members have represented the cases of people who wished to build or undertake production of one kind or another on water catchment areas, and it is the policy of the Water Board—and strongly backed by the Government—that this should be avoided at all costs. Wherever possible the board endeavours to purchase land in water catchment areas from the people who own it.

Debate adjourned, on motion by Mr. Tonkin (Leader of the Opposition).

ANZAC DAY ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Sir David Brand (Premier), and read a first time.

Second Reading

SIR DAVID BRAND (Greenough—Premier) [8.45 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to amend the present wording of the Anzac Day Act because the Anzac Day Trust has found that it cannot, under the existing provisions, grant financial assistance to ex-service personnel or the dependants of ex-service personnel who have served in the following areas:—

Operations in Malaya and Malaysia from June, 1950.

United Nations operations in Korea from the 26th June, 1950, to April, 1956.

Operations in Vietnam from the 1st July, 1962.

The limitation stems from the wording of section 10, which, in defining those eligible for benefits, states that personnel must have served "during any War in which Her Majesty or the Commonwealth was or is engaged."

The Crown Law Department has indicated that, in order that a state of war may be deemed to exist, a proclamation to this effect must be made by the Governor-General. In so far as the operations before-mentioned are concerned, no proclamations have been issued.

The Repatriation Department was also faced with this problem and to overcome it the Commonwealth Government introduced a Statute: the Repatriation (Special Overseas Service) Act, 1962-1965. By this Act, any warlike operation, or a state of disturbance in a specified area outside Australia, may be declared a special area. When such a regulation is made, any member of the forces who is incapacitated or killed as a result of service in that area—or his dependants—becomes eligible for repatriation benefits as if he had been engaged in a declared state of war.

I will give some examples of how the Anzac Day Trust is prevented from assisting worthy cases of relief. The State branch of the Korea and South East Asia Forces Association of Australia operates a welfare fund to alleviate distressed members and their dependants. Its membership is open to ex-service personnel who served in Korea, Malaya 1948-1961, Malaysia—including Borneo, Sarawak, and Brunei—during the confrontation with Indonesia, and in Vietnam. Because none of these conflicts was declared to be a state of war, the trust has had to refuse to assist the association.

Legacy cares for the dependants of deceased ex-servicemen who served in these various areas of conflict since 1945. It has enrolled many families of men who served in Korea and several families of men who served in Vietnam. The Anzac Day Trust, under the present provisions of the Act, has had to stipulate that its allocations to Legacy must be confined to assisting dependants of ex-servicemen who served in the 1914-18 and the 1939-45 wars only.

The Returned Services League, in the sphere of relief activities, assists all serving or former, members and their dependants who have served in the various areas mentioned as being declared special areas under the Repatriation (Special Overseas Service) Act. In this instance also, the trust has had to impose the condition that its funds must be utilised only for those eligible under the present wording of the Act.

It is now intended to remedy these anomalies, by amendments to the Anzac Day Act to include the areas in which Australian servicemen or their allies now resident in Western Australia have been engaged in warlike operations in recent years.

The first amendment in the Bill will extend the wording of section 10 (3) of the Act by adding a passage to it. This will extend the eligibility for assistance to ex-servicemen who have served in these various warlike operations.

The second item will amend section 17 of the Act to ensure that the Governor may make regulations to facilitate the operation of the Act and of the trust. This amendment will permit the prescribing of the "special areas" mentioned in the previous clause.

Members will appreciate that in these rapidly changing times it is essential that these prescribed areas of conflict may be amended readily to conform with the areas defined from time to time by regulation under the Repatriation (Special Overseas Service) Act.

These amendments will permit the trust to grant financial assistance to former members of the forces who have served their counry in various areas of conflict.

This is quite a minor Bill, but a very important one to those who are in need of assistance through the trust, and I commend it to the House.

Debate adjourned, on motion by Mr. T. D. Evans.

EDUCATION ACT AMENDMENT BILL, 1970

Introduction and First Reading

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

Second Reading

MR. LEWIS (Moore—Minister for Education) [8.53 p.m.]: I move—

That the Bill be now read a second time.

This is a very short Bill containing only two amendments. The first of these repeals section 7A of the principal Act. This section requires a person to be either a natural born or a naturalised British subject before he may be appointed permanently to the teaching staff of the Education Department. I am unaware of the purpose of this proviso, but I do know that there is a somewhat similar condition appearing in the Public Service Act. However, I am assured by Crown Law that there is no legal bar to

its removal. Until recently the proviso was not of any great concern to the department, but with the increasing movement of teachers between countries it has now become a very considerable handicap to the department in its efforts to attract well qualified non-British teachers into the service.

Recruitment of trained teachers from overseas is a valuable means of increasing the State's teaching force. Every effort is being made by the department to use our local resources. In recent years a new secondary teachers' college has been erected and this, together with the commencement of the new primary teachers' college at Mt. Lawley, has significantly increased its capacity to train both primary and secondary teachers. New colleges are also planned to open in 1973 and 1975, and facilities and equipment in existing colleges are being continually expanded and updated.

However, because of the rapid economic progress of Western Australia and the strong competition consequently being offered by other professions to suitably qualified young people, there is a limit to the State's resources of teachers available and the department is experiencing difficulty in reaching its recruitment targets.

At present approximately 45 per cent. of all students studying in tertiary institutions in this State are following some course in preparation for teaching.

It has been estimated that approximately 34 per cent. of all students passing the Leaving Certificate are recruited into teaching and, considering the needs of a balanced economy, it is to be doubted whether this percentage could be increased to any considerable extent. Members will readily appreciate, therefore, why overseas recruitment is so important to the department.

Following the visit of the Director-General of Education to the United Kingdom last year, 21 teachers were recruited in the six months from the 1st July to the 31st December, 1969. In the two months between the 1st January and the 28th February, 1970, a further 19 teachers joined the department as a result of the department's intensive recruitment campaign.

Mr. Davies: All British born?

Mr. LEWIS: Yes. From a monetary point of view the recruitment of these 40 teachers represents a saving of over $200,000 to the State in cost of teacher education.

In addition to these appointments, 41 applications were received from teachers in the United Kingdom in the period 1st January, 1970, to the 11th March, 1970. These figures are a further indication of the success of the recent recruiting efforts.

However, all of these teachers are British subjects and there has been no difficulty in offering permanency with the consequent prospect of promotion. But, in addition to these, numerous inquiries have been received from teachers in other countries. In the period July, 1969, to December, 1969, 79 inquiries were received from teachers in the United States of America, and a further 68 in the period the 1st January, 1970, to the 11th March, 1970. Many of those inquiring held a university degree, but most were deterred from coming to Western Australia because the department, under the present restrictions, could not offer a permanent appointment.

Furthermore, a number of United States' citizens and other non-British subjects have presented themselves to the department seeking appointments. These people have been offered temporary appointments, but it is unlikely that it will be possible to hold them for any length of time since under the present arrangement they are denied promotional opportunities.

In view of the very valuable addition these American teachers, and the many who would be available from African countries, would make to the teaching staff of the department, it is proposed to repeal the subsection which requires a permanent teacher to be a natural born or a naturalised British subject. Permanency can then be offered to suitable non-British applicants. I have no doubt that this will result in a substantial increase in our overseas recruitment.

The second amendment in the Bill repeals paragraph (e) of subsection (3) of section 37AE. This paragraph enables a teacher to appeal to the Teachers' Tribunal against a superintendent's numerical assessment of his efficiency. In other States, as well as in Western Australia, it has been long-standing practice to have some means of assessing a teacher's efficiency. In some States, including Western Australia, this has taken the form of a numerical assessment, whereas in others teachers have been placed in various categories. It has long been felt that the system of numerical assessment is inadequate and not in the best interests either of the department or the teacher, and therefore steps have been taken to abolish it.

However, the Education Act still provides the Teachers' Tribunal with the jurisdiction to hear and determine an appeal against the assessment. This, of course, is now redundant and is repealed by the Bill.

I should add here that it still will be necessary in certain cases, such as confirmation for certification and for appointment to promotional positions, for the issue of a statement of satisfactory service. This is a form of assessment.

There is also provision for a superintendent to submit a report on a teacher if he considers that the required standard of work or degree of professional development is not being achieved. In extreme cases the department may even find it necessary to dismiss the teacher. However, any decision in this regard would still be open to appeal under other provisions of the Act. The repeal of the aforementioned subsection therefore will not in any way detract from the teachers' existing rights. I commend the Bill to members.

Debate adjourned, on motion by Mr. Davies.

House adjourned at 9 p.m.

Legislative Council

Wednesday, the 18th March, 1970

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

QUESTIONS (9): ON NOTICE

1. EDUCATION

Thornlie High School

The Hon. J. DOLAN, to the Minister for Mines:

What Government Primary Schools will send their eligible students to the Thornlie High School when it opens in 1971?

The Hon. A. F. GRIFFITH replied:

Canning Vale.
Gosnells.
Gosnells West.
Maddington.
Orange Grove.
Thornlie.
North West Thornlie.
Portion of Kenwick on basis of parents' option.

2. *This question was postponed until Tuesday, 24th March, 1970.*

3. EDUCATION

Cannington High School

The Hon. CLIVE GRIFFITHS, to the Minister for Mines:

(1) Is it intended to complete the building of the gymnasium at the Cannington High School during this school year?

(2) If not, what is the anticipated date of completion?

The Hon. A. F. GRIFFITH replied:

(1) and (2) The provision of a Hall at the Cannington High School is listed on the 1970-71 building programme. However, until the Department's loan allocation for the next financial year is determined, it is not possible to say whether the work will proceed.

4. CARNARVON JETTY

Replacement

The Hon. G. E. D. BRAND, to the Minister for Mines:

(1) When will a new small boat jetty be erected at Carnarvon to replace the existing cyclone-damaged jetty?

(2) Was an amount, previously allocated for this purpose, removed from the annual Estimates, and if so, for what reason?

(3) Will the Minister regard the question asked in (1) as urgent?

The Hon. A. F. GRIFFITH replied:

(1) There is no current proposal to construct a new small craft jetty at Carnarvon; however, some repairs and modifications are about to be made to the main jetty which will facilitate unloading operations for small craft.

(2) No funds have been approved on the Loan Estimates of the Public Works Department for the construction of the above facility.

(3) The problems associated with the provision of a suitable jetty for the fishing industry at Carnarvon are being investigated by the Public Works Department.

5. MINING

Backlog of Mineral Claims

The Hon. R. H. C. STUBBS, to the Minister for Mines:

(1) Will the backlog on the processing of mineral claims be completed by the 31st March, 1970?

(2) If not, when is it anticipated the backlog will be overtaken?

(3) Will the normal procedures of the Mining Act, as it now stands, apply when the ban on pegging is lifted?

The Hon. A. F. GRIFFITH replied:

(1) It does not appear likely.

(2) It is difficult to say but the staff of the Mines Department is making every effort. The ban on the Civil Service from working overtime has made matters more difficult.

(3) As the Member is well aware, there is to be an amendment to the Mining Act introduced in this session and it would not be proper for me to reply to the question at this stage.