Legislative Assembly

Tuesday, the 28th April, 1970

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

STANDING ORDERS AMENDMENTS

Approval of Governor

THE SPEAKER (Mr. Guthrie) [4.31 p.m.]: I have received back from His Excellency the Governor his approval of the Standing Orders which were approved by the Assembly on the 21st April and submitted to His Excellency. These will now take effect as from the 27th April.

LIQUOR BILL

Late Trading Permit: Petition

MR. DUNN (Darling Range) [4.32 p.m.]: I have a petition addressed as follows:—

> To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia, in Parliament assembled.
>
> We, the undersigned, residents of the Darling Range district express our complete approval and support for licensed stores being able to apply for a "late trading permit" to allow them to sell liquor in sealed containers in any quantity within the hours of 8.30 a.m. and 8.30 p.m. Monday to Saturday inclusive, but excluding Christmas Day, Good Friday and Anzac Day.
>
> Your Petitioners therefore humbly pray that your Honourable House will take into consideration this petition during the course of the Liquor Bill through Parliament, and your petitioners, as in duty bound, will ever pray.
>
> This is to certify that the above petition conforms with the rules of the House.

The petition has been signed by me and it carries 332 signatures.

The SPEAKER: I direct that the petition be brought to the Table of the House.

BILLS (2): INTRODUCTION AND FIRST READING

1. Milk Act Amendment Bill.

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

2. Port Hedland Port Authority Bill.

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

QUESTIONS (25): ON NOTICE

1. RAILWAYS

Apprentices

Mr. HARMAN, to the Minister for Railways:

How many youths were accepted as apprentices at the Midland Workshops in 1965, 1966, 1967, 1968, and 1969, and to what trades in those years?

Mr. O'CONNOR replied:

The number of youths accepted for apprenticeships at the Midland Workshops is as follows:—

Designation	1965	1966	1967	1968	1969
Blacksmiths	4	9	4	7	7
Boilermakers	32	19	22	29	20
Car and wagon builders	16	5	....	....	....
Carpenters	....	....	....	2	2
Coach trimmers	2	1	2	3	3
Coppersmiths	2	3	6	4	3
Electro platers	....	1	3	....	1
Fitters, electrical	0	6	6	7	6
Fitters, mechanical	35	31	33	35	48
Moulders	5	5	5	8	9
Painters	3	1	4	4	2
Pattern makers	2	1	2	....	....
Plumbers	....	....	....	1	....
Saw doctors	1	....	....	1	....
Sheetmetal workers	2	2	1	2	1
Turner and iron machinists	22	20	28	19	11
Wood machinists	1	1	1	2	1
Totals	136	105	117	124	114

2. RAILWAYS

Railway Houses: Demolition

Mr. McIVER, to the Minister for Railways:

(1) Is he aware that the station master's house at Clackline has been demolished?

(2) Is he further aware that this house was in excellent condition and constructed of brick?

(3) In view of the present housing crisis what endeavours were made to sell or rent this property?

(4) In what other localities have railway houses been demolished over the past 12 months?

(5) Will he advise details of future demolition of railway houses?

Mr. O'CONNOR replied:

(1) Yes.

(2) Although of brick construction, this house could not be classed as being in excellent condition. Its age would have been well in excess of fifty years.

(3) When the discontinuance Act for the Bellevue-East Northam section of line was passed in 1965, land control reverted to the Lands Department. That Department permitted continuance of tenancy of the house at Clackline on a temporary basis, but in 1968 was

obliged to require that the dwelling be demolished when vacated by the tenant in occupation at that time.

(4) Complete information is not available without considerable research. Sales for demolition or removal have occurred at Ghooli, Southern Cross, Muchea, Tenindewa, Eradu, Tardun, Latham, Manmanning, Konnongorring, Jennacubbine, and Meckering.

(5) Sales for demolition or removal are listed for Burracoppin, Southern Cross, East Guildford, and Bruce Rock as opportunity offers. In addition houses are listed for demolition or sale with lease of land, at Brookhampton, and Wurarga.

3. SLOW LEARNING CHILDREN'S GROUP

Training Centre

Mr. WILLIAMS, to the Minister for Works:

(1) What firm has been awarded the contract for the slow learning children's group training centre?

(2) What is the accepted contract price?

(3) When is contract due—

(a) to commence;

(b) for completion?

(4) What are general details of the buildings?

(5) Would he provide a plan or impression of the buildings?

Mr. ROSS HUTCHINSON replied:

(1) Tenders closed Monday, the 27th April. Tenders under consideration.

(2) No tender has yet been accepted.

(3) (a) When contract let.

(b) Six months from (a).

(4) Three classrooms, one of which is double sized.

Administration block.

Toilet block.

Store rooms.

Playground and fencing.

(5) Yes.

4. *This question was postponed.*

5. EDUCATION

Fremantle Technical School Annexe

Mr. FLETCHER, to the Minister for Education:

(1) Is he aware that—

(a) some students complain regarding the intrusion of traffic noise into classrooms at the Fremantle Technical School annexe;

(b) that this is alleged to have an adverse effect on studies in that students have difficulty on occasions in hearing instructors?

(2) Will he have investigations undertaken with a view to—

(a) either alleviating the situation on the site; or

(b) shifting the students and instructors to an alternative site?

Mr. LEWIS replied:

(1) (a) Yes.

(b) Yes.

(2) (a) Investigations have already been made and classrooms reallocated within the building to improve the situation.

(b) See answer to (2) (a).

6. ROADS

Mandurah Road-Rockingham Road Junction

Mr. RUSHTON, to the Minister for Works:

Referring to the road junction where the Mandurah Road joins the new Rockingham Road at Kwinana—

(1) Is it possible to improve the safety of the junction—

(a) by lighting;

(b) improved signs?

(2) When the dual bridge and carriageway across the nearby Jarrahdale-Kwinana railway are completed is it intended to re-design and upgrade this junction?

(3) If (2) is "Yes"—

(a) when will the work be carried out;

(b) at what cost;

(c) will he make available a copy of the design plan for the junction?

Mr. ROSS HUTCHINSON replied:

(1) and (2) Some amendment will be made to this junction in conjunction with the works associated with the duplication of the bridge over the railway. The local authority will be approached to arrange for lighting when the work is completed, and signing will be reviewed.

(3) (a) Work is under way on the bridge duplication and junction.

(b) Total estimated cost is $254,000. Separate figures are not available for the junction.

(c) Yes. I will arrange for the honourable member to be supplied with a plan.

7. ROADS

Nicholson Road: Upgrading

Mr. RUSHTON, to the Minister for Works:

With the traffic volume along Nicholson Road from Albany Highway, Cannington, to Thomas Road, Byford, considerably increased—

(1) What work is programmed immediately and planned in the future to upgrade this busy major road?

(2) Relating to the traffic safety at the junction of Forrest and Nicholson roads, Forrestdale, what immediate and long term safety measures are to be implemented at this junction to hold the already bad accident pattern to a minimum?

Mr. ROSS HUTCHINSON replied:

(1) Nicholson Road is the responsibility of the local authority with regard to planning and programming of works.

(2) The Main Roads Department is investigating the Nicholson Road-Forrest Road junction with a view to suggesting improvements.

8. TRAFFIC

Pedestrian Crossings: Criteria for Assessment

Mr. RUSHTON, to the Minister for Traffic:

(1) What criteria were used in 1960, 1965 and 1970 in assessing and determining the necessity for a fully marked and lighted pedestrian crossing across a motor carriageway, such as the Albany Highway at Kelmscott shopping centre?

(2) If the criteria have changed would he advise the House why?

Mr. CRAIG replied:

(1) and (2) The Main Roads Department when considering submissions by metropolitan local authorities for the installation of pedestrian crossings uses in general the Australia-wide pedestrian-vehicular product of 90,000 as the warrant, together with other related controlling factors. However, in order to guide local authorities in assessing whether any request to them justifies detailed examination it is necessary for them to undertake a preliminary survey to establish a product level of 45,000 and minimum individual pedestrian and vehicle volumes.

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

9. ELECTRICITY SUPPLIES

Charges

Mr. H. D. EVANS, to the Minister for Electricity:

What amount is charged for electricity in—

(a) metropolitan area;

(b) country areas,

by users of the following quantities of domestic electricity per month —100, 200, 300, 400, 500, 600, 700, 800, 900 and 1,000 units?

Mr. NALDER replied:

Domestic Units Consumed per Month	Electricity Charges (a) Metropolitan Area $	(b) Country Area $
100	2.23	3.24
200	4.13	5.94
300	6.03	8.64
400	7.93	11.34
500	9.83	14.04
600	11.73	16.74
700	13.63	19.44
800	15.53	22.14
900	17.43	24.84
1,000	19.33	27.54

The above country area rate will be reduced as from the 1st September, 1970, in accordance with the recent Government announcement.

10. EDUCATION

Denmark Agricultural Junior High School

Mr. H. D. EVANS, to the Minister for Education:

(1) Is the present accommodation for residential students at the agricultural wing of the Denmark Agricultural Junior High School to be extended?

(2) If so, what additional number of students will be provided for, and when will such extensions, if any, be commenced and completed?

Mr. LEWIS replied:

(1) Yes.

(2) It is anticipated that 24 extra students will be provided for.

A date of commencement has not been determined, but will be dependent upon the completion of extensions to other agricultural wings.

11. EDUCATION DEPARTMENT

Advisory Positions

Mr. BURKE, to the Minister for Education:

(1) How many advisory positions of a "temporary" or "pilot" nature have been created in the department in the last three years?

(2) How many are still in existence as "pilot" positions?

(3) What are they?

(4) By whom are they occupied?

(5) What special qualifications do the occupants of these temporary positions hold that they should have been appointed in the first place?

(6) Is it intended that any of these positions will be created on a permanent basis?

(7) If so, when is this likely to take place?

(8) Will these positions then be advertised to enable other suitably qualified persons to apply for appointment?

(9) Is there any limit on the time a person can be appointed to a "pilot" position?

Mr. LEWIS replied:

(1) to (9) No advisory positions are designated by the department as "pilot appointments."

It is the present policy of the department to appoint all persons to the advisory staff in a temporary capacity. These positions can be regarded as 'temporary', but are not 'pilot' positions, which infers that there is some sort of trial being undertaken to assess whether the service should be continued or expanded.

12. EDUCATION

Rossmoyne High School

Mr. BATEMAN, to the Minister for Education:

In view of the continued increase in student numbers at the Rossmoyne High School together with 216 students presently enrolled for third year—

(1) Is it intended that the school will cater for fourth year students in 1971?

(2) If "No" what grade of student will be required to attend?

Mr. LEWIS replied:

(1) Yes.

(2) See answer to (1).

13. POLICE STATION

Cannington

Mr. BATEMAN, to the Minister for Police:

(1) Is he aware—

(a) of the serious shortage of staff at the Cannington Police Station;

(b) that because of such a staff shortage the police station has been on occasions left unattended?

(2) Is the criterion used for the appointment of additional staff—

(a) area of district;

(b) increase in population; or

(c) increase of instances of unlawful activities?

(3) If "Yes" in any of the above questions in (2), what level must be reached before the appointment of additional police officers takes place?

(4) If none of these apply then what criterion is used, if any?

Mr. CRAIG replied:

(1) (a) A noticeable, but not necessarily serious shortage of staff at Cannington Police Station has been apparent.

(b) All police stations, other than large centres manned 24 hours daily, will, by reason of multiple emergencies, be left unmanned at times.

(2) (a) Yes.

(b) Yes.

(c) Yes.

(3) Police requirements throughout the State are subject to constant assessment by ranking police officers, whose recommendations are closely considered. Recommendations from the district officer in whose district Cannington is situated are being currently considered.

(4) Answered by (2) and (3).

14. ROADS

Kwinana Freeway-Manning Road Link

Mr. MAY, to the Minister for Works:

In view of the intention to gazette Canning Highway as a major highway, will he give consideration to the suggestion regarding the extension of the Kwinana Highway at Canning Bridge to link up with Manning Road and alleviate the present congestion and inconvenience to motorists at this intersection?

Mr. ROSS HUTCHINSON replied:

In September, 1968, in answer to a similar question I replied that the most important feature of the present layout of the junction of Kwinana Freeway with Canning Highway is its capacity to handle a heavy right turning movement at the evening peak hours. Three traffic lanes on both the Freeway

and Canning Bridge are available to cope with this traffic movement.

Any modification of the present junction could interfere with this heavy right turning movement and thereby reduce the efficiency of the junction. This situation will not be changed by making Canning Highway into a priority road.

15. TRAFFIC

Canning Highway

Mr. MAY, to the Minister for Traffic:

(1) Was the decision to make Canning Highway a major road discussed with the local authorities concerned?

(2) Was any consideration given to the inconvenience which no doubt will occur to residents in the Como, Manning and other south of the river suburbs?

(3) Will any further traffic lights be installed between Canning Bridge and the Causeway resulting from the decision to gazette Canning Highway as a major road?

(4) Have any protests been received since the announcement regarding the proposed changeover?

(5) Would he indicate from what source the protests have emanated?

Mr. CRAIG replied:

(1) No.

(2) The primary objective of making Canning Highway a priority road was to improve traffic operation and safety.

(3) No additional lights are planned. However, the situation will be kept under observation.

(4) Yes.

(5) From the South Perth City Council.

16. UNIVERSITY OF WESTERN AUSTRALIA

Salaried Officers' Association

Mr. MAY, to the Premier:

(1) Is he aware that the Salaried Officers' Association of the University of Western Australia (Union of Workers) has been endeavouring to obtain recognition with regard to salary and conditions for officers of this association?

(2) Is he further aware that the Association has endeavoured to co-operate over a long period of time with the University relative to conditions, etc.?

(3) Would he agree that the salaried officers employed at the University are a very important and integral facet of the University operations?

(4) Because of this continual procrastination is he aware that the Salaried Officers' Association has made application to refer to the Industrial Commission the settlement of the dispute which exists with the University?

(5) In view of this unsatisfactory position will he give further consideration to the granting of representation on the Senate to this association?

(6) Will he endeavour to arrange an early settlement of this dispute?

Sir DAVID BRAND replied:

(1) and (2) I have been informed that discussions have taken place between the Salaried Officers' Association and the vice chancellor on the form of an agreement to cover salaries and conditions of service for members of the association. Initially, the parties were at divergence on the form of the agreement, but I understand this difficulty has now been resolved and substantial progress has been made in regular discussions towards the formulation of an acceptable documentation. As recently as the 22nd April, 1970, the honorary secretary of the association informed the vice chancellor in writing that the committee of management of the association was grateful for the opportunities it had been given to discuss preparation of an agreement and hoped that satisfactory results would accrue from the negotiations.

(3) As support staff, salaried officers employed at the University are an important and integral facet of the University operations.

(4) I have been advised that there has been no procrastination on the part of the University to enter into an agreement with the association and as far as it is aware the association has not made application to refer to the Industrial Commission the settlement of the relatively few matters in the proposed agreement which negotiations so far have not resolved to the satisfaction of both parties.

(5) and (6) As the association's representatives negotiating with the vice chancellor's representatives on a proposed agreement have expressed satisfaction with the progress that has been made, it is not considered that an unsatisfactory position exists.

17. LOCAL GOVERNMENT

Rate in the Dollar

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

(1) What is the respective rate in the dollar currently being applied by each of the local governing authorities in this State?

(2) How many are rating at the maximum permissible amount?

(3) How many are rating at the minimum permissible amount?

Mr. NALDER replied:

(1) Detailed list was tabled.

(2) 16 on 25c in dollar annual values.
17 on 6.25c in dollar or more unimproved value.
(Note: Rate in excess of 6.25c up to 15c requires the approval of the Minister).

(3) There is no minimum prescribed.

18. WATER SUPPLIES

Rate in the Dollar

Mr. JAMIESON, to the Minister for Water Supplies:

What are the respective rates in the dollar being charged by the various water supply authorities under his authority other than metropolitan?

Mr. ROSS HUTCHINSON replied:

For Domestic Purposes: Presently 7.5c in the dollar with reduction to 6c as from the beginning of the next rating year. Minimum charge is $2.

For Commercial Purposes: Presently 10c in the dollar with reduction to 9c as from the beginning of the next rating year. Minimum charge is $2.

For Farmlands: 2c per acre with a minimum charge of $4.

19. MINING

Bauxite Deposits

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

(1) In what areas, other than the Darling Range, are there known deposits of bauxite in this State?

(2) What information is available as to the quality and quantity of such deposits?

Mr. BOVELL replied:

(1) The only known deposits of bauxite of economic importance other than those in the Darling Range are in the northern part of the Kimberley division.

(2) The only published information on these deposits is in the 1965 Annual Report of the Geological Survey of Western Australia, which describes the area and gives analyses of selected samples.

A company has since proven a sufficient tonnage of an economic grade to propose the establishment of a plant to produce 1,200,000 tons of alumina per year.

20. BUS SHELTERS

Lynwood

Mr. BATEMAN, to the Minister for Transport:

(1) Is he aware that there are no bus shelters in the Lynwood area to cater for residents and, in particular, school children?

(2) If "Yes" will he arrange for an early investigation to be made with a view to providing the necessary shelters?

Mr. O'CONNOR replied:

(1) I am informed that there is one bus shelter in Lynwood, situated in Kenton Street.

(2) Each year the various local governing bodies are invited to recommend sites for erection of bus shelters. The Kenton Street shelter was recommended by the Canning Shire Council in the 1968-69 programme. For 1969-70, the council recommended sites for seven shelters but none of these were in Lynwood.

I am advised that bus routes are only temporary during development of the area and I believe this is the reason the council has not been able to recommend sites for shelters.

I would suggest to the honourable member that requests for shelters be referred to the shire council so that provisions can be included in the programme as soon as permanent bus routes are established.

21. ROADS

Wanneroo Road: Upgrading

Mr. GRAHAM, to the Minister for Works:

What are the terms of the agreement, including financial contribution, in respect of upgrading Wanneroo Road?

Mr. ROSS HUTCHINSON replied:

The agreement covers the widening and upgrading of a four-mile section of Wanneroo Road.

Because detailed plans are not available no firm estimate of the cost of the work has been made, but it could be in the order of $400,000.

The agreement provides for the Main Roads Department and the Perth Shire Council to share the cost on a dollar for dollar basis spread over a two-year period.

22. EDUCATION

Cannington Primary School

Mr BATEMAN, to the Minister for Education:

(1) Has the syndicate which is building the new Cannington Primary School been instructed to provide the school with similar facilities to those which exist at the old school?

(2) Will the syndicate construct a cricket pitch on the oval?

(3) If "Yes" what type of pitch will be provided?

(4) Will the syndicate be responsible for ensuring that the playing area at the new school will be of similar standard to those currently existing at the old school?

(5) Is he aware that the area marked for development in stage 2 is a waste area because of its low lying nature?

(6) Is he further aware that 30,000 yards of filling would be required to lift this area approximately eight inches?

(7) Does the contract provide for this playing area to be brought up to a standard similar to that which exists at the old school?

(8) Is he aware that at the old school the Parents and Citizens' Association provided two large bicycle racks each 20 feet long and two bicycle racks each 12 feet long on a bitumen surface protected by shelters?

(9) Will he give an assurance that similar bicycle facilities will be provided at the new school?

Mr. LEWIS replied:

(1) Yes.

(2) Yes.

(3) To match the existing one.

(4) Yes.

(5) No.

(6) No.

(7) Yes.

(8) Yes.

(9) Yes.

23. USED CAR TRADING

Amending Legislation

Mr. FLETCHER, to the Minister for Police:

(1) Has a decision been made that this State's legislation is inadequate for the penalising of used car dealers who—

(a) wind back speedometers;

(b) conceal from a buyer known defects in a second hand car?

(2) If so, will the Government amend the existing legislation to put the matter beyond doubt?

(3) If "No" to (1) have any used car dealers been charged for such offences and fined?

Mr. CRAIG replied:

(1) No.

(2) Answered by (1).

(3) Yes, one, but the case was dismissed.

24. LAND

Collier Pine Plantation: Plans

Mr. MAY, to the Minister for Lands:

Will he make available a plan of the Collier pine plantation showing existing and proposed institutions for this area?

Mr. BOVELL replied:

A plan showing existing and proposed institutions within the Collier Pine Plantation is submitted for tabling.

The plan was tabled

25. LITTER

Control

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

(1) What action is being taken or contemplated by his department to co-ordinate with the Lord Mayor's committee and local authorities for the control of litter despoiling our communities, tourist attractions, and environment?

(2) What are considered the most effective ways of bringing about satisfactory improvements?

Mr. ROSS HUTCHINSON replied:

(1) and (2) The Premier, in association with the Perth City Council, is calling a meeting of a number of interested parties with a view to creating a permanent organisation to engage in a continuing and State-wide anti-litter campaign.

MILK ACT AMENDMENT BILL

Second Reading

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

That the Bill be now read a second time.

The amendments to the Milk Act proposed in this Bill have been brought forward following advice from the Milk Board of

Western Australia that the board is confronted with certain difficulties that presently exist in fixing a separate price for milk used for cream production, and the granting of Government milk contracts. I will explain the problems that currently exist with regard to these matters.

The present system of cream marketing involving a reduction in the consumer price for cream was introduced in December, 1967. The reduced consumer price was made possible by reducing the price to dairymen for the percentage of their contract milk used for the production of cream. Dairymen were then paid separate prices for milk to be sold as milk and a lesser price for milk used for cream production. Because of doubts relating to the legal position in fixing two separate prices the board, as from the 5th April, 1968, fixed one price to dairymen for contract milk based on the percentage of the contract used for milk and for cream at the separate respective prices applying prior to the 5th April, 1968.

At present, confusion to dairymen is created when any alteration in the price structure for either milk or cream requires an alteration in the price to dairymen. When the percentage of contract milk required for the cream market varies, this also requires an alteration in the price to dairymen. The marketing system involves treatment plants being overpurchased at times and underpurchased at other times on milk and on milk cream. Undesirable complications are created in the trading records which are required to show the balance for each company and totals of milk for milk and milk for cream.

The Milk Treatment Plants Association and the whole milk section of the Farmers' Union agree with the board's recommendation that it be empowered to fix a separate price to be paid to dairymen for milk for cream. Such statutory provision would simplify the internal work of milk treatment companies and prevent misunderstanding and confusion with dairymen.

The other proposals in this Bill relate to the fixing of prices for milk supplied under Government contracts, and the granting of milkmen's licenses in specified districts to supply specified bodies or persons. The Milk Act requires that any person who carries on the business of a milk vendor in any district must hold a milk vendor's —milkman's—license for that district. Milk treatment companies and individuals are licensed for specified districts.

The supply of milk to Government hospitals, institutions, etc., is legally restricted under the Milk Act to persons licensed to vend milk in the district in which the particular hospital or institution is located. The legal problem is not new—it has been with the Government since 1933. The Government is aware of difficulties arising from a milk treatment company submitting the lowest tender for an institution situated in a district for which the company did not hold the necessary license. The needs of that district were met by existing licensed milkmen.

There is a trend for the milk treatment companies, rather than individual milkmen, to serve rounds consisting of milk shops or semi-wholesale trade. In these circumstances an insulated or refrigerated vehicle is used.

Under existing legislation the board cannot restrict a company or person to serving specified trade. The board can only issue a milk vendor's—milkman's—license which authorises household—retail—as well as shop and other semi-wholesale trade to be served. The issue of a milk vendor's—milkman's—license for the purpose of serving institutions or shops, therefore, at present permits a company or person, if they so desire, to compete for household trade, which is much sought after in a growing or developing district. This could lead to the instability and acrimony that existed before the districts in the metropolitan area were subdivided into smaller districts. The board agrees in general that the treatment plants are better equipped to serve shops than the other licensed milkmen. Experience has shown that most milkmen prefer the household sales, which carry the greater margin.

It is necessary that the board be empowered to issue a milk vendor's license restricting the holder to serving a specified trade. This restricted license would permit the servicing of shops or institutions where existing licensees do not elect to supply the trade or tender for contracts.

Members will be aware that the liquid milk industry operates under a system of orderly marketing involving the fixing of prices and margins, and rates for cartage and treatment. Prior to 1968 the companies tendered for Government contracts generally in accordance with the area each serviced and the smaller contracts in outlying areas were left to individual milkmen licensed for the particular district.

In 1968 one treatment company considerably cut the prices tendered and won most of the Government contracts from the other companies as well as gaining smaller contracts from individual milkmen. The board considers that, where prices are unduly cut, the industry must carry the concession. The Government should obtain its large contracts at the most favourable price, but in a stabilised and controlled industry there should be a minimum price commensurate with the goods and services involved.

These amendments will preserve the contract system of milk supply administered by the Government Tender Board while satisfying the limitations imposed on a controlled industry under the Milk Act and avoiding the existing difficulties in the contract system of milk supply.

Should the amendments be approved, it is the intention of the Milk Board to fix for the institutions and authorities concerned a scale of minimum prices varying in accordance with the daily quantity of milk supplied. This scale of prices would be determined in conjunction with the Government Tender Board and would provide a reasonable margin above the wholesale price to enable milkmen and treatment plants to tender. In addition to providing for Government contracts, it is also intended that the scale of prices should apply to appropriate institutions not catered for by the Government Tender Board. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Sewell.

PORT HEDLAND PORT AUTHORITY BILL

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [5.3 p.m.]: I move—

> That the Bill be now read a second time.

Before discussing the purposes of the Bill in general terms it will be of value, I feel, to describe briefly something of the development of Port Hedland Port over the years, as this will provide a background of information which will demonstrate how the situation in Port Hedland differs quite markedly from the development of other Western Australian ports.

The original jetty at Port Hedland was known as the "Stock Jetty" and was built at a cost of $22,000 in the years 1896-1897. As the name implies its purpose was for the shipment, among other things, of livestock. In 1908 a new timber jetty was built immediately north of the stock jetty at a cost of $21,000. The two jetties were joined together in 1911. This, with subsequent extensions, gave a combined berthing length of 739 feet. Both jetties are incorporated in the existing structure, which was reconstructed in its present form in 1958-1960.

Because of the existence of a sand bar outside the harbour and the limited depth of the entrance channel, vessels using the port were restricted to a maximum length of 400 feet and a draught of 19 feet. In essence, then, the port was a small one, the ships using it were of low tonnages, and the town as a consequence was also of small size.

In 1966, under its agreement with the State, Goldsworthy Mining Limited established a loading facility at Finucane Island, inside the harbour, and dredged—at very considerable cost—the channel and turning basin to accommodate vessels up to 60,000 deadweight tons.

Under the agreement with the Leslie Salt Company a new land-backed berth was constructed in 1968. The first shipment of salt was made in March, 1969. The total cost of the berth and dredging works was $2,318,000, of which Leslie Salt Company contributed $1,200,000 and Mount Newman Mining Co. Pty. Ltd. $600,000.

Further costly improvements to channels and waterways were undertaken by Mount Newman Mining Co. Pty. Ltd. during 1968-69.

Mr. Tonkin: Would you speak up a little. I cannot hear what you are saying.

Mr. ROSS HUTCHINSON: It is very difficult; I am doing the best I can, but my sore throat is making it difficult.

The SPEAKER: I think it would assist if members would desist from holding conversations in the Chamber.

Mr. ROSS HUTCHINSON: The construction of an iron ore loading pier by the company was completed at Nelson Point in early 1969 and the first shipment of iron ore was made in April, 1969.

Mount Newman Mining Co. Pty. Ltd. is currently proceeding with a further stage of harbour development, and it is anticipated that by the end of 1970 the harbour will accommodate vessels of 100,000 deadweight tons. As a matter of fact, under certain conditions it is anticipated that this figure could be exceeded by a considerable amount. Work is also proceeding on the construction of a second loading pier.

The area of land presently available for general cargo purposes is approximately 13 acres adjacent to the town. The schedule accompanying the Bill proposes that the area under the control of the port authority shall be considerably expanded, but it will not include the land leases held by Goldsworthy Mining Limited and Mount Newman Mining Co. Pty. Ltd.

So, it can be said that the port facilities comprise the following:—

> A two-berth timber jetty with an overall berthing length of 739 feet. This is used for the export of manganese and also for general cargo.
>
> A concrete and steel land-backed berth 600 feet long by 100 feet wide. This berth can accommodate vessels of 45,000 deadweight tons and is used for the export of salt, the handling of general cargo, and the import of petroleum products.
>
> A steel and concrete loading pier at Finucane Island for the export of iron ore by Goldsworthy Mining Limited.

A steel and concrete loading pier at Nelson Point for the export of iron ore by Mount Newman Mining Co. Pty. Ltd.

In 1964, 50,000 tons of cargo was handled by 103 vessels. The operations of Goldsworthy Mining Limited increased this to 4,462,000 tons by 313 vessels in 1968; that is, in the space of four years. In 1969—that is, the financial year to the 30th June—381 vessels landed 5,897,906 tons of cargo, the main commodities in order of quantity being iron ore, manganese, salt, wool, and general cargo. It is estimated that the quantity of cargo will increase to approximately 30,000,000 tons by 1974. It is also estimated that approximately 800 ships will be necessary to carry this cargo. So it will be readily appreciated that Port Hedland has grown into a port of great magnitude, and its importance to Australia should be appreciated.

Mr. Bickerton: Can I ask you a question? In view of the fact that I had no knowledge of this measure—I was looking at the notice paper earlier and, therefore, had no chance to confer with you—would it be possible to adjourn the debate for one week? Obviously, I cannot ask you after you sit down.

Mr. ROSS HUTCHINSON: As far as I am concerned, I am quite agreeable so long as the Premier agrees.

Sir David Brand: Just leave it over.

Mr. ROSS HUTCHINSON: The largest vessel handled to date in the port is 78,000 deadweight tons and 815 feet in length. Perhaps I might also say that what has transpired in Port Hedland as a result of this tremendous development is a shining example of how the Government has worked hand-in-hand with private enterprise to achieve these things.

Mr. Bickerton: And the local member!

Mr. ROSS HUTCHINSON: I can remember the local member saying at an earlier stage—probably about 1964—that when agreements were brought before Parliament to be ratified they were merely scraps of paper, and he wanted to see the time when one ounce of iron ore would be exported from that port.

Mr. Bickerton: You are partially correct, because the agreement to which I referred was a scrap of paper; it had to be renegotiated. It was the early Goldsworthy agreement.

Mr. ROSS HUTCHINSON: The honourable member made all sorts of statements.

Mr. Bickerton: Furthermore, the company was going to Depuch Island, but it never went there.

Mr. ROSS HUTCHINSON: That has nothing to do with it.

Mr. Bickerton: It might have nothing to do with it from your point of view. I notice your voice is improving.

Mr. ROSS HUTCHINSON: I always improve under attack.

Mr. Court: It is basically the same project.

Mr. Bickerton: I had to talk the Minister for the North-West into concentrating on Port Hedland.

Mr. Court: You did nothing of the sort. It must have been a one-sided dialogue.

Mr. ROSS HUTCHINSON: To provide adequate control of the increasing shipping activity, a new control tower is nearing completion and will cost in the vicinity of $350,000. The 120-foot high tower is made of prestressed concrete and is of unique design. It will have modern V.H.F. equipment and provision has been made for future installation of radar; and, I might mention, this control tower is well worth viewing.

All of these tremendous developments have in a few years transformed Port Hedland from an obscure outport to one of Australia's most important ports which will make a major contribution to the nation's economy.

Now, as is well known, it has been the Government's plan and policy to pass over control of outports into local hands when the ports have reached a sufficiently advanced stage of development. This policy has been carried out and last year two new port authorities were created for the outports of Geraldton and Esperance. Port Hedland, despite its greater complexity, now fits into this pattern; hence the legislation before the House at the present time.

Perhaps I should say before concluding my remarks on this point that this decentralised form of port control has been chosen by the Government as distinct from the form of port control exercised by the Maritime Services Board of New South Wales and from the governmental control exercised by the South Australian Department of Marine. Under the Maritime Services Board—which brings together a mixture of Government and private interests—and the Department of Marine, all ports in those States are controlled by a central authority. We believe in, and have worked towards, a decentralised form of control.

I must say that our form of decentralised port control has worked quite well and efficiently. It certainly has done something in the interests of decentralisation, and I very much doubt whether any Government in the foreseeable future will attempt to alter this decentralised form of port control.

Mr. Bickerton: Do you think the Harbour and Light Department has performed inefficiently at Port Hedland?

Mr. ROSS HUTCHINSON: On the contrary, I think the department has done a remarkable job of work at Port Hedland,

as it has at the other ports; but it has been Government policy to place port control in local hands.

Mr. Bickerton: Would that be the Government's policy regardless of whether you consider it an improvement or not?

Mr. ROSS HUTCHINSON: No, only if we believe that the right steps are being taken. I tend to agree with the implication behind the honourable member's interjection.

Mr. Bickerton: I am only seeking information.

Mr. ROSS HUTCHINSON: I am most appreciative of the query. Anyone who is in a position of responsibility should examine all aspects of a problem before making a decision. It is quite a thing with me that before people jump to conclusions they should study all aspects of any problem. In that way one gets greater depth of thought, and one is able to view the whole problem in its proper context.

Mr. Bickerton: Was the Esperance Port Authority a success?

Mr. ROSS HUTCHINSON: It is still early in its history, but we anticipate it will be a success. One of the advantages of port authorities, of course, is that they bring in additional loan moneys in a different form from that catered for under the Loan Council system.

The provisions of this Bill for the formation of the authority are similar to those in the legislation under which the port authorities of Fremantle, Albany, Bunbury, Geraldton, and Esperance are constituted. There are, however, three notable exceptions; namely—

(a) that two of the five members shall be nominees of the Mt. Newman and Mt. Goldsworthy companies respectively;

(b) that there should be protection against the authority seeking to impose obligations on the developers of the port beyond the conditions to which they have been committed under State agreements; and

(c) that no ceiling be placed on the amount of improvement rate which can be levied, and to allow it to be levied on some users and not others.

Regarding the first exception, it must be appreciated that the Mount Goldsworthy and Mount Newman companies provided more than $20,000,000 to dredge the port to make it available for the export of iron ore. It will also be realised that between them the two companies will be responsible for more than 90 per cent. of the cargo handled at the port. It is therefore felt that it is reasonable that they should have direct representation, especially when it is realised that there will still be a majority of Government representatives on the Board.

The second exception is self-explanatory and covers the company from being made to assume greater obligations than it would have had to undertake under the agreements with the State, with which the State has already dealt.

In explanation of the third exception, it should be noted that a "harbour improvement rate" is a charge sometimes levied against ships or cargo for improvements or facilities which have been provided for a port; for instance, an improvement rate is levied against a ship in the ports of Geraldton and Esperance. Although such a rate has not been in operation at Fremantle it could be levied under section 43 of the Fremantle Port Authority Act.

If the dredging and harbour facilities at Port Hedland which have been provided by the Goldsworthy and Newman companies are to be taken over by the port authority as is intended, then the way of financing such a takeover would be by means of a harbour improvement rate levied on the companies and based on the tonnages handled by those companies. At present it cannot be estimated what this rate will be, and it could conceivably be more than the 10c ceiling provided in the Fremantle Port Authority Act. Consequently it is desired to have no ceiling on the rate incorporated in the provisions of the new legislation, and it is desired that there can be discrimination in the rate to accord with the differing financial commitments of the companies involved.

Also, it will enable some companies to be excluded from having to pay an improvement rate. The Bill, therefore, exemplifies the further implementation of the Government's policy on localised control of Western Australia's ports and, at the same time, it is proof positive of the transformation that has taken place in the Pilbara as a result of the actions of the Government.

Debate adjourned, on motion by Mr. Bickerton.

Message: Appropriations

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

LOCAL GOVERNMENT ACT AMENDMENT BILL, 1970

Report

Report of Committee adopted.

Third Reading

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

TERMINATION OF PREGNANCY BILL

Second Reading

MR. WILLIAMS (Bunbury) [5.22 p.m.]: I move—

That the Bill be now read a second time.

In doing so, I will take the course, unusual perhaps, of explaining why I am moving that the Bill be now read a second time.

The history of this Bill to clarify the law relating to termination of pregnancy is well known to all members of this House. It is, of course, a private member's Bill, so it follows that a private member must handle the measure in this House. It appeared that, because of the prolonged history associated with it, the Bill could possibly lapse for want of a mover in this House. This was to the best of my knowledge; and I believe, if it did lapse, it would be a pity.

There was a great deal of criticism because the Bill in 1968 was not discussed in this Chamber.

Mr. Tonkin: Are you starting to apologise already?

Mr. WILLIAMS: I am not starting to apologise already. Someone had to introduce the Bill into this House, and I am not apologising, as the Leader of the Opposition will find out as I proceed.

Mr. Tonkin: I am sorry if I misunderstood you.

Mr. WILLIAMS: In 1968 the Bill was not discussed in this Chamber, but I have no intention of airing the various arguments and the rights and wrongs of the decision which prevented discussion on the Bill at that time.

Mr. Tonkin: Simply because you dare not; that is why! You would be out of order if you did.

Mr. WILLIAMS: The criticism against the Bill not being debated fell upon the Government. There has been considerable agitation to have this measure discussed in the Legislative Assembly. Many people have approached me in my electorate and in other places, and have expressed the point of view that whilst they are not necessarily for or against the Bill, they believe it should be debated in the Legislative Assembly and a decision made in this House. This, then, is my prime reason for introducing the Bill.

The method I will follow in handling this Bill, Mr. Speaker, might also be a little unusual, and I intend to explain that now, prior to my proceeding with it. This is a private member's Bill, and I believe it is a matter which concerns the individual conscience of each and every member. I will explain the measure as I see it, and leave members to debate and to decide upon it. I will not necessarily answer the various questions which may be raised. There are some in regard to which I may be able to help, but there are others upon which some members in this House will be more competent to enlarge than I. I will move the normal procedural motions associated with the Bill and will vote according to my individual conscience.

Mr. Tonkin: How will that be?

Mr. WILLIAMS: I will let the Leader of the Opposition know. I ask him just to hold his horses.

Mr. Tonkin: I thought you might let us know now.

Mr. WILLIAMS: The Bill has been amended extensively since it was introduced in another place. It is totally different from the one which was originally presented to the Legislative Council. Indeed, it is very similar to the measure which was presented to this House from the Legislative Council in 1968.

In clause 3 the definitions specify that the law relating to abortion means the various sections in the Criminal Code. This, of course, would be well known to members.

I think a comment on the definition of "public hospitals" is in order. Public hospitals, as defined in the Hospitals Act, are those which are subsidised or are declared to be public hospitals by the Commissioner of Public Health.

Mr. T. D. Evans: Why is the inclusion of public hospitals important?

Mr. WILLIAMS: This can all be discussed as we go along, and I will mention this point very shortly. The member for Kalgoorlie will have his chance to speak later during the debate on the second reading.

Mr. T. D. Evans: Do not forget to let us know.

Mr. WILLIAMS: The definition within the Hospitals Act means that a public hospital is, in the main, confined to those which have been built by the State. Hospitals such as St. John of God, the Mount—this type of hospital—are not public hospitals.

Clause 4 is the heart of the Bill. It specifies that if the pregnancy of a woman is terminated by a medical practitioner on the grounds laid down, then it does not constitute an offence. The conditions are that the pregnancy must involve substantial risk to the life of the pregnant woman; that is, substantial risk or serious injury to the physical or mental health of the pregnant woman. This clause is very much the law as it exists now. I would emphasise that it is the law as it exists now, and as defined in the famous Bourne case.

I believe most members would be aware of this case, which has clarified, or codified, the law in relation to the

termination of pregnancy as it existed in England, and as it exists at present in Western Australia. I might add that it is very much in line with the law as it exists in Victoria right now.

In clause 4 (a) (ii) there is a change. It specifies that a pregnancy may be legally terminated if a child is likely to be born with physical or mental abnormalities. It has been said that this cannot be told with accuracy. I am advised that it can be told with ever-increasing accuracy; and certainly in the case of German measles in early pregnancy, it can be told with very great accuracy indeed.

These, then, are the specific reasons which can be deduced by two medical practitioners in the termination of a pregnancy.

In clause 4(b), the conditions under which a pregnancy can be terminated by one doctor are specified. In this regard it must be clearly understood that pregnancies can be legally and morally terminated now; and, in fact, they are. Where it is a question of saving the life of a mother, and a doctor refuses to terminate a pregnancy, he could be criminally liable. This is the law. As I have said, clause 4(b) sets out that where the doctor is of the opinion, formed in good faith, that the termination of pregnancy is immediately necessary, then he can perform the operation.

Clause 5 is an interesting one. It has been said over and over again by various speakers, and by various people writing on the subject, that Bills such as this one constitute abortion on demand. Clause 5(1) clearly states that no medical practitioner, or any other person, is obliged to participate in this treatment if he does not wish to do so. Therefore it cannot possibly be classed as abortion on demand, because anyone has the right to refuse. Under the widest interpretation it is abortion by mutual agreement.

Clause 5(2), however, inserts a very necessary safeguard. When I was explaining clause 4(b) I mentioned that there were occasions when the life of the mother would be in dire peril—I believe that such occasions would include an accident when very heavy haemorrhaging occurs—and this operation should be performed. Subclause (2) of clause 5 specifies that nothing in subclause (1) affects the duty—and the necessary duty—of any medical practitioner or nurse to assist in an operation that is essential for the saving of life as defined in this clause. This provision, of course, is absolutely necessary.

It must be borne in mind that medical practitioners are governed in their ethics and the like by the Medical Board, and nothing should be put in any Bill which stands between the Medical Board and the judgments it has to make on members of the profession. Indeed, members of the profession are at some disadvantage in this, I suppose, because they almost invariably face a double penalty.

Point of Order

Mr. BRADY: On a point of order, Mr. Speaker, I understood you to rule that no member, other than a Minister, may read his speech.

The SPEAKER: I have not observed the member for Bunbury reading his speech, but that is the ruling. The honourable member may not read his speech.

Mr. Ross Hutchinson: Even in introducing a Bill!

Mr. Court: Not on introducing a Bill?

Mr. WILLIAMS: I am introducing a Bill, and seeing it came from another place and it is not of my own making—

Mr. Ross Hutchinson: How tough can you get!

Mr. Brady: He was tough on me the other night.

Mr. WILLIAMS: I believed that I could use notes, as I have been on this occasion. I trust I am in order.

Speaker's Ruling

The SPEAKER: Order! To make the position clear, speeches cannot be read in this place at all. There is an exception in favour of Ministers in introducing Bills, because of their technical details. This is as far as the exception has ever gone. To make the position perfectly clear, it has been permitted in this House —where a member has been introducing a Bill from another place—for him merely to repeat the notes of the member who introduced the Bill in another place: That has been winked at, shall I say. But that, unfortunately, is not the case in this instance.

Mr. WILLIAMS: Very well. I bow to your ruling, Sir.

Dissent from Speaker's Ruling

Dr. HENN: I beg to disagree with your ruling, Mr. Speaker.

The SPEAKER: The honourable member should move to disagree.

Dr. HENN: I move—

> That the House dissent from the Speaker's ruling.

I feel the member for Bunbury is doing a service to the House and to the community. In this unusual situation and under unusual conditions I feel he is in the same position as a member of the front bench or a Minister who is in charge of a Bill.

Although I understand it is your ruling, and that possibly the Standing Orders designate that no private member should, indeed, read his speech, I do feel that on

this occasion the House should permit the member for Bunbury to read his speech dealing with a subject of which he probably knows not very much—just as many Ministers do not know some of the factual matters that are involved in the Bills they introduce.

Without labouring the point, I want, with respect, to ask this House to disagree with your ruling for the purpose of allowing this Parliament and the public to understand what the Bill is all about; and of enabling the member for Bunbury to explain the Bill—as he is better able to—by reading copious notes on this occasion as, indeed, he has been doing.

Sir DAVID BRAND: I regret very much that I do not agree with your ruling either, Mr. Speaker. I feel that the private member in this case is surely justified in using notes in dealing with a difficult subject. He is introducing the Bill; it is a Bill of a contentious nature; and I think he is justified in placing his study of the subject on paper in speech form.

I think it is reasonable that he should be allowed to read a great deal of his notes, and he should not be expected to remember all the details. As the House will note, he has been covering each of the clauses, point by point, in order to explain to the House from the information he has been able to obtain what the Bill is about.

I regret very much that I have to take this stand, but it seems to me to be very reasonable that you, Mr. Speaker, depart from the general principles that we have accepted over the years, and that the private member who is introducing the Bill, which emanated from the other House, ought to be given the opportunity that Ministers are given, to have full notes, the circumstances being what they are.

Mr. TONKIN: The ruling which you, Mr. Speaker, have given is a very important one. If it is disagreed with, then from now on we will have the situation where members will not give the consideration to matters which they are expected to give, and we will have member after member getting up and reading off a speech which somebody has prepared for him.

Mr. Ross Hutchinson: He is introducing the Bill.

Mr. TONKIN: But he is a private member, and other private members also introduce Bills. Surely the Minister is not saying that in introducing a Bill a private member is not supposed to know what it contains, or is not able to explain it without relying upon notes. As a matter of fact, Ministers rely far too much on reading their speeches.

Mr. O'Connor: Why stifle the debate for a second time?

Mr. TONKIN: Who is stifling the debate?

Mr. O'Connor: You are endeavouring to.

Mr. TONKIN: If a private member knows anything about the Bill he is discussing he ought to be capable of explaining it by reference to notes, but without reading the speech.

Mr. Ross Hutchinson: He is closely consulting his notes.

Mr. TONKIN: I hope the House will not agree that from now on any private member introducing a Bill or motion may read his speech.

Mr. Ross Hutchinson: What a leader!

Mr. TONKIN: That is what it will amount to. Make no mistake about it.

Mr. Bovell: What a leader!

Mr. TONKIN: What is the Minister warbling about? I thought his voice was so bad that he wanted to conserve it.

Mr. Bovell: The Leader of the Opposition is the one who is warbling.

Mr. TONKIN: The noisy scrub bird again!

Mr. Bovell: This Government has brought prominence to Australia for its conservation efforts.

Mr. TONKIN: Surely it is not expecting too much for any member who is in charge of a Bill—one which is not full of technical details—to be able to explain it logically to the House, without having to read every word of a prepared speech. No Minister in this House is entitled to get up and explain a Bill by reading a speech that somebody else has written for him unless—

Mr. Williams: Did you say somebody else had written this speech for me?

Mr. TONKIN: I am not saying that at all.

Mr. Williams: It is what you are implying.

Mr. TONKIN: What I am saying is that it will be a sorry day if we establish a situation where members may get up, at will, and read their speeches. I know that would simplify matters a lot. I have known Ministers to come into the House without having given very much consideration to Bills at all, and read their speeches. I can remember an occasion when a Minister in this Government did not know what page he was on in the notes he was reading.

Mr. Ross Hutchinson: I can remember Ministers in other Governments, and in yours too, doing the same.

Mr. TONKIN: Name the Ministers?

Mr. Ross Hutchinson: I would not be so ill-mannered as to do that. There have been many of them.

Mr. TONKIN: All we are asking is that those who have taken the responsibility of introducing Bills should be sufficiently

familiar with them to be able to explain them by reference to notes if they like, but without reading every single word of the speech that they propose to make. That is all we are asking; and I think it is not an unreasonable request.

There is not the slightest doubt that on previous occasions when similar decisions were given in connection with this matter your ruling, Mr. Speaker, was absolutely correct. I want to see whether the Government on this occasion will uphold your ruling, because on every other occasion when you, as the Speaker, have given a ruling the Government has upheld it. You are the Government's Speaker.

Mr. Bickerton: He is Parliament's Speaker.

Mr. TONKIN: So it will be interesting to see what happens on this occasion, because there is not the slightest doubt that your ruling, Mr. Speaker, is a correct one.

Mr. BICKERTON: I must speak in favour of your ruling, Mr. Speaker. I assure the member for Bunbury that in doing this I am not in any way having a shot at him or at the members who disagree with the ruling. I cannot see how you could have ruled otherwise, Mr. Speaker. It is in accordance with the Standing Orders and, as you pointed out, the Standing Orders are quite clear on this matter.

Mr. Cash: What do they provide?

Mr. BICKERTON: They do permit Ministers to read their speeches. When the Standing Orders Committee was discussing this matter there was much discussion as to whether the same privilege should be extended to private members. However, the Standing Orders Committee decided against that; therefore the Standing Orders have remained as they are. In view of that I cannot see how you could have ruled other than you did.

If it was a matter of your contravening the Standing Orders, I assure you I would disagree with your ruling, but I know your ruling is in accordance with Standing Orders.

Dr. Henn: Which Standing Order is it?

Mr. BICKERTON: The honourable member has the book of Standing Orders. It would be very difficult for the Government or for members on the Government side to vote against your ruling, because if they did they would, in effect, be voting against the Standing Orders.

In this particular case the private member probably has a very difficult Bill to introduce, and up to a point he has my sympathy; but I do not think it is too difficult for a private member of this House —after having studied a Bill—to prepare his notes and then to go about introducing the Bill without obviously reading from those notes. That is done by all other private members in the House. You, Mr. Speaker, could hardly rule that one particular member may be allowed to read his speech, when other private members in the House who introduce Bills are not permitted to do so. There have been many private members' Bills introduced, but I have not had the experience of hearing a private member read his speech straight off from a piece of paper. He should have knowledge of it, and he may digress a little.

On this occasion I know the member for Bunbury is not an expert on the subject he is dealing with; I hope he is not! It must therefore be difficult for him to handle the technical aspects of a Bill of this nature. He is not prevented from reading certain sections of his notes, but at least he should deal with the Bill in the normal manner, as private members have for years. If this practice was allowed to continue, we would do away completely with the term which is very often used, "the cut and thrust of debate." Every private member would then be able to read his notes and that would constitute his introductory speech. For that reason I sincerely hope that your ruling, Mr. Speaker, will be upheld. If it is not then some amendment to the Standing Orders will have to be effected.

Mr. BRADY: I want to comment briefly on this matter.

Mr. Craig: The honourable member is reading his speech!

Mr. BRADY: If the Minister can make a speech without having to read it, I think I can do the same. I support your ruling, Mr. Speaker, because I believe if you had not ruled along these lines you would have gone back on a previous decision which you have mentioned in this House several times. I think you went so far as to say that one member had read his speech, but that you had overlooked it for the time being. Now we have a repetition of what occurred in that instance. If your ruling is disagreed with I am fearful that we might develop in this House what are known as Rafferty rules.

The other evening I wanted to speak on a matter which to me was important, just as the member who has moved to disagree with your ruling considers the matter before us is important. On that occasion you, Mr. Speaker, ruled three times that I was out of order. If I was out of order on that occasion then I think the member for Bunbury is out of order on this occasion, in view of rulings which you gave in the past in connection with the reading of speeches. When the Standing Orders Committee revised the Standing Orders recently, we adopted them as those by which we would abide. I think we should support your ruling, and it should be upheld by the House.

Mr. COURT: I can assure members opposite that Government supporters would not willingly want to be a party to a disagreement with a Speaker's ruling. However, I think the matter should be considered in its proper perspective tonight.

Mr. Tonkin: All matters should be considered in their proper perspective; not only tonight but every night.

Mr. COURT: That is fair enough.

Mr. Brady: Well, why didn't a Minister introduce the measure?

Mr. COURT: I will tell the Leader of the Opposition why this matter should be considered in its proper perspective. The member who has disagreed with the Speaker's ruling has done so for no other reason than to try to follow the old Australian rule of a fair go for everybody.

Mr. Tonkin: What rubbish.

Mr. Brady: What about the other night when I spoke to the Nurses Act Amendment Bill?

Mr. COURT: I am absolutely amazed that the member for Swan should take the action he has taken. There are some times when a little bit of the Nelson trick goes a long way further than a slavish adherence to the rules. Here is the case of a member who has, as a public duty, accepted the responsibility of introducing a Bill which, obviously, no-one else was very keen to introduce. He did not want the debacle which occurred previously following a query raised by the Leader of the Opposition with the Speaker.

Point of Order

Mr. TONKIN: On a point of order; we will get this matter cleared up. The Minister endeavoured to pin this on me during a recent appearance on television.

Mr. O'Connor: What is the point of order?

Mr. TONKIN: The point of order is this: I ask you, Mr. Speaker, did you rule the previous Bill out of order on a point that I raised, as has just been implied by the Minister for the North-West?

Speaker's Ruling

The SPEAKER: Yes, I did. The Leader of the Opposition took the point that the Bill did not comply with section 46 of the Constitution Act, and I upheld that point. I happened to disagree with the reasons submitted by the Leader of the Opposition but the point of order taken was that the Bill was unconstitutional, and that was the point of order I upheld.

Debate (on dissent from Speaker's ruling) Resumed

Mr. COURT: After that slight interruption may I just proceed and again make the point that the member for Wembley moved as he did—and I am sure he did so with some reluctance, because he is a constitutionalist—to try to see that a fair go be given to the member for Bunbury. The fact is the member for Bunbury undertook the responsibility of introducing the Bill.

Mr. Brady: Was not the Minister game to take the responsibility?

Mr. COURT: It is a private member's Bill. I will express my views at the appropriate time, just as I wanted to express them previously. On this particular question, if there is any disagreement with a Speaker's ruling it does not mean that for all time everyone can, at will, read his speech.

Mr. Tonkin: Why doesn't it?

Mr. COURT: The practice has been that Ministers, when introducing Bills, are allowed to introduce them from written notes and they can use prepared texts. This applies particularly when a Bill contains a lot of technical data, or a lot of legal facts. As I have said, it has been the practice to allow Ministers to use notes.

Mr. Tonkin: The member for Bunbury is not a Minister yet.

Mr. COURT: However, when a Minister replies he has to reply on his merits to the arguments which have been advanced. Surely it is not asking too much to allow a member to read his notes when introducing a Bill which is very difficult and of a controversial nature, and which contains a lot of technical jargon. I do not think the member for Bunbury was reading his notes *verbatim* from beginning to end. He was endeavouring to ensure that there was reference to each clause mentioned in the Bill.

A Minister, in introducing this Bill, would have used notes and I would hazard a guess that when private members opposite have introduced Bills from the other place, they have used notes so as to pass on the correct meaning.

Mr. Tonkin: I have no objection to the member for Bunbury referring to his own notes. The objection is to reading notes possibly prepared by somebody else.

Mr. COURT: I suggest that when the member for Bunbury is over the introductory part of the Bill he will add his personal remarks.

Motion put and negatived.

Debate (on motion) Resumed

Mr. WILLIAMS: I am sorry this has occurred during the introduction of this particular Bill. I thought I would have had some small measure of co-operation from the House generally in this particular matter. As I said earlier, I brought the Bill to this House because to the best of my knowledge no-one else was prepared to do so. I have no knowledge of anybody from this side of the House, or from the other side of the House, who was prepared to introduce the measure.

There was some implication that the notes, perhaps, were not my own notes. I can assure every member in the House that I prepared the notes myself, and the thoughts contained in the notes are mine and those of nobody else.

Mr. Tonkin: You should not have had any difficulty in expressing them.

Mr. WILLIAMS: It appears that some people like to play politics with private members' Bills. I trust that members will debate the measure, and will vote according to their individual conscience. I commend the second reading.

Debate adjourned until a later stage of the sitting, on motion by Mr. Court (Minister for Industrial Development).

BILLS (2): RETURNED

1. Superannuation and Family Benefits Act Amendment Bill.
2. Perth Mint Bill.

Bills returned from the Council without amendment.

TAXI-CARS (CO-ORDINATION AND CONTROL) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 23rd April.

MR. GRAHAM (Balcatta—Deputy Leader of the Opposition) [5.53 p.m.]: In my view there is nothing particularly controversial in this Bill. In the first instance, the measure seeks to provide machinery to overcome the situation caused when several members of the Taxi Control Board relinquish office at the same time. The Minister, understandably, wishes that there be a staggered process in order to give some continuity to the operations of that authority. The Minister was good enough to discuss with me, and indicate agreement in principle at any rate, an amendment that I propose to move.

The Bill provides that a person, before being qualified to be appointed to the Taxi Control Board to represent the taxi operators shall have been a full-time taxi operator for some two years. As the taxi operators, themselves, make the selection, my feeling is that we should not limit or restrict in any way their right to choose a person of their own preference. It is my intention to move to reduce the period of two years to a period of three months.

There is also a differentiation between a part-time taxi operator and a full-time taxi operator, and it is my intention to bring the period down to three months in both cases, as the qualifying period for them to be permitted to record a vote.

Another clause in the Bill provides that the board may impose certain conditions and with this I have no general objection, particularly as three of the members of the board are, themselves, taxi operators; three out of seven.

There is, too, a proposition that the board can lay down that the drivers shall wear a certain uniform. I do not have particularly strong feelings on this point. However, some feel there is an overriding necessity, such as in the case of policemen and members of the fire brigade, and so on, for the wearing of uniforms, but that it is wrong, in principle, to require that people should dress in a certain way. In other words, this should be a personal decision.

Naturally, I am in favour of taxi drivers being cleanly and neatly dressed and perhaps there is some merit in their wearing identifiable uniforms; I do not know. No-one will be unduly excited about this provision and no doubt the three representatives of the taxi operators will make their presence felt if there is any attempt, on the part of the board, to go to excess in the matter.

Power is also to be vested in the board to require as a condition of a license that the taxi be fitted with a radio which will give it two-way contact with the base. It would be true to say that the overwhelming majority of taxis in the metropolitan area are so equipped. However, I can envisage the operator who has a wide circle of friends and acquaintances, and who operates from his home as a base. He would have no direct association or contact with bases operated by the major concerns, whether they be co-operative or otherwise. Perhaps he has no desire to be associated with them in any way. He is on call to take people from point A to point B. He attends at theatres, balls, and functions of that nature when they are about to conclude and perhaps he gets sufficient business without having a base supply him with orders.

Here again, I presume that the Taxi Control Board will exercise common sense and that where a person is a lone operator it will not insist on those requirements.

Mr. O'Connor: You are not referring specifically to the clause involving special taxi vehicles? You are speaking generally?

Mr. GRAHAM: I am aware of the provisions regarding private taxi-cars. The only other point on which I desire to comment is that in certain circumstances taxi operators will be granted permission to carry passengers at separate fares. The system will be similar to that of paying a fare in an M.T.T. bus, rather than the fee being in respect of the vehicle. I have no objection to this provision whatsoever. Indeed, I see a great deal to commend it under what are described in the Bill as prescribed circumstances.

I am wondering why this should not become a regular feature in order to assist in easing the general traffic problem. For instance, why not, at peak periods, allow

a certain number of taxis—perhaps a great number of taxis—to operate on the basis of 10c or 15c per passenger to be charged from point A in the heart of the city to point B, a mile or two beyond the city. This would ease the congestion in the heart of the city by picking up passengers waiting for M.T.T. buses.

If one envisaged a situation in which these taxis could transport at a fixed fee per passenger from the centre of the city northward, say, to the intersection of Walcott Street and Beaufort Street, westward to the intersection of Thomas Street and Hay Street, and over to the other side of the causeway, where people could catch buses in several directions, one would realise this would reduce the number of people waiting in ever-increasing queues to board buses in the heart of the city. Buses would then be enabled to proceed to those points I have mentioned, by way of example, virtually on a non-stop basis. There would therefore be less interruption to the flow of traffic, generally. It would facilitate the journey for those who live further out, because of the greater speed or rate of travel due to obviating the necessity for stops at various points in order to drop passengers who are travelling only a short distance.

In addition to that, from the point of view of outlay of capital, the M.T.T. would require a smaller number of buses. We find at the present moment that there is a terrific call in the morning and evening peak periods, but for the rest of the 24 hours many of the omnibuses are standing idle in the yards of the operator. If some of the strain could be taken away from the M.T.T. during the morning and evening peak periods, fewer buses would be required. Obviously, too, fewer buses would be lying idle in the yards of the M.T.T.

This is not an attempt to deny business to the M.T.T. I think overall it would receive increased patronage because of the greater expedition with which people who desire to travel from the city to the outlying suburbs could reach their terminuses, as against the slow, snail-like journey which perforce these people must undertake at the present moment.

So I think there are opportunities for meeting not only the odd occasions, such as a grand final football match and things of that nature, but an opportunity for taxis, on a separate fare basis, to make a contribution to easing the congestion, particularly in the heart of the city, and making it easier for people to return to their homes.

It will be seen that I have no objection to any of the provisions. I make comments; I seek a little information; and in one particular case I desire to make some modification of what is set out in the Bill. I support the second reading.

MR. O'CONNOR (Mt. Lawley—Minister for Transport) [6.4 p.m.]: I thank the honourable member for his comments and his general support of this Bill. When I made the second reading speech introducing this Bill to the Assembly I did indicate that as far as the two-year period was concerned I was prepared to accept an amendment of that. The amendment put forward by the honourable member brings it back to a three-months' qualifying period as far as voting and nominating for election are concerned. That is acceptable to me and I will accept the amendment when he puts it forward.

The point made by the honourable member in connection with dress refers mainly to the private taxi-cars or luxury cars, which we are intending to introduce onto the scene now. They will be driven by chauffeurs. We have already received a number of applications for this type of car. Some people involved in the taxi business, and some who are not, have indicated that they are prepared to bring into this sphere Cadillacs and similar types of cars that are above the general standard and will provide a service that is required here today more than it has been in the past. The individuals driving these cars should dress according to the standard of the cars they are driving. We believe they should wear uniforms and have base contacts, and I think the honourable member would agree with this.

The honourable member mentioned multiple hiring. If this amendment is agreed to, the Minister would have authority to approve of multiple hiring at any time. I would ask the honourable member to bear in mind that a couple of problems would come up immediately if we were to say offhand that we would allow multiple hiring of all taxis in the city during peak periods. One of the problems is that we would have an additional number of cars plying for hire in the city at those times; and presumably the points where the taxis would pick up passengers would be near bus stops, which could cause some problems.

As far as the M.T.T. and the railways are concerned, I do not disagree with the honourable member's point, but as we are at the present time having a study made of transport, generally, throughout the State I think it would be wise to leave this matter until the study is completed, which should be in six to eight months' time, when we can take into account the recommendations that are made. Bear in mind that the Minister would have the power to permit multiple hiring at any time, and these points will be taken into consideration if and when necessary.

I think the times when multiple hiring will be most necessary will be in connection with periods such as last Easter,

when we were short of public transport, the Royal Show, various football matches, and so on; but I can assure the honourable member that if multiple hiring is required at other times consideration will be given to it. I thank the honourable member for his support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Connor (Minister for Transport) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Amendment to section 5—

Mr. GRAHAM: I move an amendment—

Page 3, line 20—Delete the words "two years" and substitute the words "three months".

Amendment put and passed.

Mr. GRAHAM: I move a further amendment—

Page 3, lines 27 to 41—Delete all words after the passage "Act," down to and including the word "election" and substitute the following words:—"been an owner, a full time operator or a part-time operator of a taxi-car continuously since a date three months before the seventh day immediately preceding nomination day for the election".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 3 and 4 put and passed.

Title put and passed.

Bill reported with amendments.

LOCAL GOVERNMENT ACT AMENDMENT BILL, 1970

Council's Message

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

Sitting suspended from 6.15 to 7.30 p.m.

BUNBURY HARBOUR (EAST PERTH-BUNBURY) RAILWAY BILL

Second Reading

Debate resumed from the 16th April.

MR. GRAHAM (Balcatta — Deputy Leader of the Opposition) [7.30 p.m.]: The Bill before us embodies two propositions involving spur lines from the south-west railway commencing from about a mile east of Picton Junction. Each of these spurs is approximately three and a half miles long. It is proposed that the northernmost spur will serve the power station at Bunbury, and will also be of use when and if the alumina works, which are proposed, use Bunbury as an outlet.

The Minister informed us that work on this project is to commence almost immediately. Needless to say there is no opposition from this side of the House. In respect of the second proposition, which is to take a spur by a different route to the present Bunbury railway station, we were informed that the intention is to acquire land at this stage and that the building construction will be undertaken at some time in the future. It is my hope that this will be done at an early date.

I do not know whether the Minister is in possession of the facts relating to the general railway complex, but it strikes me that, as the railway line from Busselton and also those from Bridgetown and Boyup Brook will pass within a mile of the proposed spur line, it would be a good idea to link up the whole system so that all rail services enter Bunbury by the proposed spur line. I understand that about 20 train movements in the aggregate occur daily between East Perth and Bunbury, and between Collie and Bunbury; and the aggregate of the services from Busselton, Bridgetown, and Boyup Brook also amounts to approximately 20 every day. So when the two proposed spur lines are constructed, all the train services from East Perth and Collie will take the new route, but the 20 or so services from the south and the east will continue to use the old line.

This would definitely be in the interests of the township of Bunbury—I am open to conviction on this statement, particularly as I look at the member for Bunbury when making it—because I am aware that the people and the civic fathers of Bunbury have been confronted with a problem of major rail movements occurring virtually in the centre of the town with, of course, the accompaniment of road transport. Between Picton Junction and the present Bunbury railway station there are about half a dozen railway level crossings, and if my suggestion were implemented all this country would be opened up. In other words, there would be no need for any level crossings and, further, some road improvements could be effected and some public open space made available.

By using the new route for all the train services, what has grown up like Topsy, in a rather tangled sort of way, to constitute the township of Bunbury, could be improved and straightened out.

To my mind it is a serious omission that the construction of these two spur lines does not involve a proposal to connect the railways from the south and the east so that a completely new rail service in and out of the township of Bunbury will be on the outskirts and will not interfere with the central and business portion of the township. We all know that Bunbury is an extremely pleasant place and that it is rapidly expanding, with the prospect

of further industrial development. It would appear, therefore, that the future of Bunbury is bright.

Needless to say, speaking on behalf of the Opposition, there is no objection to either of the spur lines proposed in the Bill, and I appeal to the Minister to direct his thoughts towards the linking of the lines from the south and the east as I have already mentioned.

In his speech the Minister laid some emphasis on the report submitted by the Director-General of Transport. In this report it is stated that the anticipated revenues from the transport of coal from Collie to the Bunbury power house would be more than sufficient to service the loan moneys involved in making this railway extension. If that be so, I think it proves that there is more than a little justification in the viewpoint expressed by my colleague, the member for Collie; namely, that perchance there is a degree of favouritism shown towards the cartage of certain minerals compared with the harsh treatment that is meted out in regard to the transport of coal.

I say this because it does not require a great deal of analysis to appreciate that, following the expenditure of some $400,000 on the northern spur from east of Picton Junction to the Bunbury power house, the present freight on Collie coal will be sufficient to meet all the extra charges, in addition to the levy in respect of amortisation and interest payments on this new sum. It is readily seen, therefore, that the Railways Department at present is making rather a good thing out of the transportation of coal from Collie to the township of Bunbury.

However, we are aware that much cheaper freights are accorded the transport of other minerals, and we are also aware that the coalmining industry has been working under a degree of stress in recent years. Further, we are conscious of the fact that there is great doubt in the minds of many in the community today about the merits of using fuel oil from Kwinana as against coal from Collie.

One of the issues raised, without being unfair to the Railways Department, is that more favourable treatment could be given to the transportation of coal which is a native product and a native fuel as against the importation of oil. The impact of oil on the local labour scene cannot be compared with that in relation to the mining of coal in our south-west.

As I said earlier, the Government intends proceeding with the proposals outlined in the Bill immediately, particularly in connection with the first spur to the north. It would be a case of God-speed to the second spur, and it is my hope that the Minister will be able to give us some information at an early date on the steps taken in connection with linking the existing railway systems to the south and the east to the new spur in the vicinity of Picton.

MR. I. W. MANNING (Wellington) [7.42 p.m.]: I support the measure in so far as the proposed railway route traverses the electorate I represent. As the Minister pointed out in his second speech, the first section of the line—that linking Picton Junction to the power station for the purpose of transporting coal—will follow a route in more or less open country; through land which has no buildings on it. That seems to be the position so far as I can see and from the information available to me. Accordingly, there is no reason to offer any objection to that aspect.

The second section of the link which is contained in the second schedule to the Bill shows that the route of the line will run through the area of Glen Iris, across the estuary, touching Anglesea Island, and thence linking with the present system in the railway yards at Bunbury.

In this connection there could be a good deal of controversy between the landholders in the area, the Railways Department, and possibly the Bunbury Town Council, because I see from this morning's issue of the *South Western Times*— a paper published in Bunbury—that the council has expressed some concern at the fact that the route of the line is to run through a closely settled area.

I have had a look over the Glen Iris area with two of the local residents and it seems to me that it could be beneficial to all concerned if the proposed route were moved a little in order to take it into more open country.

It is very difficult at this point of time to determine exactly the route of the line on this section, but from what I can ascertain there is a more open route available some 500 yards to the north of the proposed surveyed line.

I would like to express my thanks to the Minister, who, on my behalf sent plans to the *South Western Times*. It seems that this is the only information which was available to the people of Bunbury; it was the only information which advised them of the Government's proposals in this regard. I think it is a very good thing that we should use the news media to get such information to the people as soon as possible in order that we might test public reaction in any area concerned.

I am sure the people of Bunbury and of the hinterland recognise the importance of this railway link to the development in the new harbour area of Bunbury, though they anticipate there might be some juggling going on when it comes to implementing the plans. By that I mean they feel there is bound to be some disturbance to the people living in

the area concerned. If, however, the survey work associated with the planning of the route could be carried out with a view to causing the least disturbance possible, such a sympathetic approach would be of benefit to all concerned. There is no reason why we cannot use considerable care to ensure that we disturb as few people as possible when carrying out the survey work associated with these lines.

There is no doubt that a number of people will be affected. There are a number of market gardens in the area—some very good ones—which could be adversely affected by the proposals. The taking of the railway across the Preston River and the interference within Glen Iris itself could have an adverse effect.

All these aspects should be taken into consideration with a view to causing the least disturbance possible to the areas concerned. The Minister did say that the prime importance of the Bill at the moment is to get the section of the line contained in the first schedule linking up with the power house for the purpose of transporting coal.

I do not think there would be any objection whatever to this aspect, and any desire the Minister might have to press on in this regard would, I am sure, receive the support of the House and of the people of Bunbury.

However, problems arise when we try to implement the proposals contained in the second schedule to the Bill—and I now refer to the route through Glen Iris.

I implore the Government to use all the means in its power to create the least disturbance possible. It can do just that by seeking the co-operation of the people. I support the Bill.

MR. H. D. EVANS (Warren) [7.48 p.m.]: I think the omissions the Minister made were far more eloquent than the points he outlined when introducing the Bill. The ramifications of this measure will be far greater than any speaker has indicated.

Like everybody else I am pleased to learn of the proposed development of the Port of Bunbury. It could emerge as the focal point of the south-west once the tonnages of alumina, coal—as was announced in this morning's paper—and wood chips from the lower south-west ultimately converge on that port.

This trend in development is most desirable and is to be encouraged. I do not think there would be a single member in this House who would not extend his approbation to the overall scheme at this stage. The extension of the Port of Bunbury is indicative of the progress which will ultimately come to this area.

The provisions in the Bill have been outlined by the Deputy Leader of the Opposition. The first section seeks to extend the spur line from a spot on the coastline on the Perth side of Picton Junction for a distance of 3 miles 54 chains where it will be able to service alumina production and also help provide coal for the power house.

The second section will continue from that spur to the existing railway yards. As we have been told, the cost is in the order of $400,000 for stage one, and $200,000 for stage two. The present position of this line is, to say the least, uneconomic. I would ask the Minister to answer with care, when the time comes for him to reply to the second reading debate, the several points of concern which arise in this regard.

The stage must have been reached a long time ago where marshalling yards in the Picton Junction area were required. Marshalling yards in that locality must be essential to the increase in traffic that can be expected. I think the Minister mentioned that the traffic was in the order of 28 trains a day, and the probable development of that traffic would be far in excess of that number.

To illustrate the uneconomic aspect, the situation regarding the transport of superphosphate from Picton Junction is a good case in point. The superphosphate goes from Picton Junction five miles into Bunbury, and from there it is redistributed past its original point. The five miles into Bunbury and the five miles out again must be paid for by somebody. This indicates a lack of economic planning in respect of the operation of the railways in that area.

That is not the only example. All goods and materials from the northern area to the southern part of the State go to Picton Junction. Even though some will be channelled to the lower south, such as to Bridgetown, Manjimup, and points beyond, all these goods and materials are then transported the five miles into the Bunbury railway yards where they are remarshalled, before they are sent out again.

This aspect will have fairly considerable implications in respect of the fruit cannery which will be opened up at Manjimup. The Shepparton Preserving Company will be dependent on rail transport for the supply of sugar, and probably of tinplate. This will increase very considerably the tonnages which are carried on this section of line. Ultimately the tinplate could come from Bunbury, but at this stage the commitment is to transport it by rail from the metropolitan area.

The capacity of the fruit cannery will be in the order of 2,000 tons per annum after it is completed; and by 1973 the capacity will be increased to 5,000 tons a year. It does not, of course, necessarily mean that the annual production of 5,000 tons will be achieved.

The point I make is the 10 miles of dead running from Picton Junction into Bunbury, and out again. This extra 10 miles

of running will represent, in the case of Donnybrook, an increase of 9 per cent. in the distance, and in the case of Manjimup an increase of 6 per cent. If the distance is increased by 6 per cent. or 9 per cent. then the cost to the industry will be increased by some amount, but not necessarily by those percentages.

I am aware that a concession is afforded to S.P.C. in respect of freight to Manjimup. This is transported as M-class freight, and I understand that any increase in this freight will be tied to the percentage increase which applies in Victoria from time to time, in order to place the industry in this State on a parity with that in Victoria.

This section of the line has certainly been upgraded, and a newspaper report in the *Manjimup-Warren Times* of the 20th August indicated that the total cost of upgrading would be $2,320,000. This will certainly be beneficial from the point of view of overall railway efficiency, but surely the provision of the marshalling yards and the discontinuance of the dead running from Picton Junction to Bunbury are other points which must be considered very closely.

The reverse traffic, from the deep south to Perth and the northern areas, does not necessarily go into Bunbury; but it does go as far as Picton Junction. At Picton Junction some of this traffic is held over, and this is dependent upon the amount of night traffic which has accumulated at Bunbury. On the northern trips from Bunbury the freight trains may or may not pick up the railway trucks containing produce, timber, and potatoes which are marshalled in the Picton Junction area. The facilities which the marshalling yards at Picton Junction would provide would improve the existing situation very greatly.

I do not pretend to know the exact degree of efficiency or the saving in money that improved marshalling facilities would effect, but it seems to me that the increase in efficiency and economy would be fairly considerable. The argument for the upgrading of this railway line cannot be refuted. Road transport is becoming more and more intense in its efforts to compete with the railways, and wherever a profitable load can be carted the road transporters are seeking to cart it. This may or may not be beneficial to the State. However, if this competition will completely overshadow the operations of the railways, and adversely affect the amount of capital involved in the running of the lines in the south-west, it should be prevented wherever possible.

Mr. O'Connor: Certainly it is not to the benefit of the railways.

Mr. H. D. EVANS: If the retention of some particular traffic is beneficial to the railways then this retention should be considered very carefully. The section to which reference has been made—that is, the section from Picton Junction to Northcliffe—is one which has sustained a loss of over $1,000,000 in the last financial year; in fact, each part of that section of line has shown a loss, and every part has contributed to the total loss. From that point of view the time is more than overdue when a revision of the position at Picton Junction should be undertaken.

The passenger services could also benefit from some change of this kind at Picton Junction. At the present time the passenger trains and buses from Perth travel as far as Bunbury, before a changeover is made. The passengers travelling to the Boyup Brook, Manjimup, or Northcliffe areas are required to travel the additional 10 miles into and out of Bunbury; if my proposal did nothing else it would save time and distance in having to go into and out of Bunbury. Surely this aspect must be taken into consideration.

What I have said illustrates that there is a case for making Picton Junction a little Kewdale of the south-west where there are modern facilities which, as some measure of analogy, can be compared with the marshalling complex that members of this House inspected not very long ago.

I do not know what are the intentions for the ultimate extension of the standard gauge railway, but eventually it could be extended to the south-west. Even though we in this Chamber may not be prepared to say so, I have no doubt that the extension will ultimately be made to the south-west. Consequently at this stage provision to this end must be made with a degree of foresight.

The second point to which I would draw the attention of the Minister and on which I invite his comment concerns the actual planning of the spurs. Once again the Deputy Leader of the Opposition has put his finger fairly astutely on a weakness that exists. On the plan it will be seen that with the completion of the second spur there will be a complete loop into the existing yards, extending back through the centre of the town. If this does nothing else it will occasion the provision of another three major crossings over highways, with the attendant traffic hazards and the additional cost for installation of traffic lights, to say nothing of the need for land resumptions which will be occasioned.

Whether or not a double line and the extension of the main existing line into the southern areas are practical or desirable I do not know, but certainly from the layman's point of view they appear to be so.

The traffic organisation at the existing yards at Bunbury must be verging on the difficult to say the least. It will not be

very long before an impossible situation is reached. We have not been told to what extent the existing limitations of the Bunbury yards can be tolerated, but it cannot be very long now, to use the vernacular, before they start to bulge at the seams. It is because of sheer overcrowding of facilities that consideration must be given to additional marshalling yards.

I think, too, that Bunbury's role as a wheat port must be due for examination. The existing facilities for wheat certainly do not compare with, for example, the facilities at Albany where the wheat goes into the silos and from there by elevator into the ship. At Bunbury there is the additional step from the silos to the trucks and then to the wharf. This movement in Bunbury is something which must be considered if Bunbury is ultimately to become a wheat port of any consequence. However, this will require railway planning as will the siting of new silos. Therefore, this is a new aspect in regard to which the Minister could make some enlightening comment, especially in view of the interest shown on this side of the House and, indeed, by those on the other side.

Instead of having what was originally in appearance a simple proposition which involved two rail spurs, we find the entire economics of the south-west railway system will be affected. If there is to be any move to obviate future congestion and difficulties which will arise, this is the time it should be undertaken.

Rather fortunately coal freights will pay for the first stage. If this can be expected, surely there is no more appropriate time to consider the overall development than the present. At least the acquistion of the lands that will be required for the marshalling centre should be undertaken immediately, without any delay at all. The longer it is left the more difficult it will become to acquire the land, the more cost will be involved, and the greater will be the difficulties in planning, even though the present Government may not be in office to face those difficulties.

So, while supporting the Bill, I would ask that the Minister elaborate on the three points I have made—firstly, the actual planning so that a circular loop is not occasioned in the town of Bunbury with the consequent town planning problems involved; secondly, the marshalling yards of the Picton Junction area so that a free flow of traffic from Perth to the areas of the lower south is achieved, and the 10 miles travelling into Bunbury and out again is obviated; and, thirdly, the traffic control, stockpiling, and the limitations of the existing yards in Bunbury, with special regard to wheat and the harbour itself. With those requests to the Minister, I support the Bill.

MR. WILLIAMS (Bunbury) [8.4 p.m.]: I rise to support the Bill, and, like other members, to make some comments upon it.

At present, within the town of Bunbury there is, as has been said in this House tonight, serious congestion, particularly between Picton Junction and the Bunbury marshalling yards. With regard to the plan which was laid before us by the Minister when he introduced the Bill, the main spur line from Picton Junction to the power station is quite O.K. in my opinion. What I am concerned with is the spur line which is to be built "at some later stage," as I think the Minister said. This line is to be connected across the Plug to the Bunbury marshalling yards.

At present thousands of tons of rail traffic comes from the north, the south, and the east into Bunbury through Picton Junction. In the light of this spur being taken off at Picton Junction, I suggest the department should look immediately to the future of the marshalling yards and the resiting of the Bunbury yards to acquire land in Picton—I do not mean specifically where the Picton Junction yard is at present, but perhaps a little further east; that is, on the way towards Perth—to redevelop the marshalling yards. As I think the member for Warren said, Picton Junction could become to Bunbury what Kewdale is to Perth.

Besides the rail congestion, because of the necessity for taking the freight from Picton to Bunbury and, in many cases, returning it, after remarshalling, from Bunbury to Picton, there is also the problem of the increasing road traffic within Bunbury. With the number of level crossings which are involved within the town, planning, from the local authority's point of view, becomes very difficult.

If the spur south-west of the port is eventually connected to the Bunbury marshalling yards, I would suggest that the Minister and his department firstly have a good look at how it is connected across what is known at present as the Plug; because, as I see it, with the development of the harbour, in time to come, there could be the possibility of the removal of this Plug to give access to Koombana Bay itself. This would give two forms of access to the bay—one through the present Plug, and the other through the new cut which is to be taken out by the dredge when it starts operations. If the present Plug was removed, it would be necessary to elevate the rail on a bridge to allow small boats to go back and forth from Koombana Bay and the western sections of the estuary.

If the spur to the Bunbury yards does eventuate, I would also suggest that the department look seriously at discontinuing the mainline section from Picton Junction to Bunbury. Once the spur is completed, the mainline section of the present line to Bunbury would be unnecessary. This would allow for better town planning and a generally improved traffic flow through the

town as the traffic increases; and it will increase over the years, and, in the very near future, because of the development and progress of the town.

The re-establishment of the Bunbury marshalling yards in the Picton Junction area would allow the Railways Department to connect the southern line as well as the northern line into one marshalling area. The necessity will arise in the very near future to re-establish the railway's administration offices. This project, I believe, should also be incorporated in the envisaged marshalling yards in the Picton Junction area, because the more development which takes place in the Picton area the greater will be the number of people employed there, to say nothing of the traffic involved in picking up and delivering produce.

In addition, the passengers could be taken off the trains—not so much the buses but certainly the trains—at Picton Junction and thus relieve to some degree the congestion arising from all the extra traffic which would be involved with the work force travelling into the marshalling yards. This would be far preferable to extending the area in the northern portion of the town, which is already a problem area with redevelopment and town planning.

When the time arrives for land to be resumed or purchased for the building of the spur line, I suggest to the Minister that no less than three months' notice be given to the people whose properties will be affected. If possible, a greater period of notice should be given of the fact that the properties will be required. The Minister has told me, and I have conveyed this opinion to the people of the area, that the spur line may not be constructed in the immediate future.

However, since the proposed plan has been published in the local paper, there has been the fear that prospective purchasers of property in the area will not be keen to buy if they know that a railway is to be constructed somewhere in the area. The sooner the proposed route is defined the happier the landowners will be. If a person wishes to dispose of his property his main reason, usually, is to cash in on his assets and use the money in some other field. Perhaps the department could buy properties as they are put up for sale.

Mr. Graham: This is a problem we have many thousands of times in the metropolitan area with the construction of regional roads.

Mr. WILLIAMS: I realise this and that is why I bring the matter to the attention of the Minister. I hope, and I think all members feel the same, that the project will go ahead as soon as possible. Therefore I ask the Minister to give serious consideration to the purchasing of properties when they become available, and to the construction of the line as soon as possible.

A co-ordinating committee has been meeting ever since this project at Bunbury was considered. The co-ordinating committee is made up of representatives from the Main Roads Department, the Railways Department, the Town Planning Department, the Bunbury Town Council, and a couple of other organisations which I cannot think of at the moment. The committee has been considering the problems of realignment and redevelopment. The Main Roads Department is considering the reconstruction of roads, and the Public Works Department is concerned with the harbour development.

I was present at a couple of the very early meetings, and at those meetings the representatives of the Main Roads Department and the Railways Department mentioned that there would be no level crossings in the area. However, the more detailed plans I have seen recently show two level crossings, I think, in the area. I would like the Minister to tell me whether the concept has changed. Perhaps not in the immedate future, but in the long-term planning, overways and underpasses will be constructed to replace level crossings. There is nothing worse in a port area than having traffic held up at a level crossing for some considerable time. Some of the trains which will be bringing the alumina to Bunbury will be of considerable length, and one crossing is to be constructed on the main coast road into Bunbury.

Those are the principal points I wish to raise with the Minister. Firstly, I ask that the maximum notice be given to property owners when it is necessary to resume land, and that the properties be purchased by the department when or if an owner wishes to quit. Secondly, I mention the position regarding overways and underpasses. Thirdly, I point out the desirability of a spur line to the Bunbury marshalling yards by elevating it; and, if the spur line is constructed the desirability of the discontinuance of the mainline section from Picton Junction to Bunbury. Fourthly, I mention the resiting of the marshalling yards in the Picton area. I think that would be far cheaper as far as the department is concerned, because as Bunbury develops the land will be more costly to buy. With those remarks I support the Bill.

MR. McIVER (Northam) [8.15 p.m.]: I join with previous speakers, from both sides of the House, to highlight the points contained in the Bill. I think the measure contains a lot of merit and emphasises the growth of our State railways in line with the expansion of industry in Western Australia.

The traffic density problem on this particular line is nothing new, and the provisions in the present Bill will, to a large degree, eliminate the problem by

expediting the transportation of goods over the spur line from Picton Junction to Bunbury.

My colleague, the member for Warren, detailed and has emphasised certain aspects. I would like the Minister to explain why the plan shows so many curves on the route, and why it should not be a direct route from point A to point B. The trend throughout the world in the construction of railways and roads is to follow the shortest possible route. It it known that this is the most economical method of construction.

Trouble will always be experienced with landowners when land has to be resumed for the construction of railways or roads. This was clearly indicated when the standard gauge line was constructed, and many people are still not satisfied regarding the compensation they received. A considerable amount of damage was caused through blasting operations and the construction of the standard gauge line. One claim for damages was taken to the Supreme Court and, for the information of members, thousands of dollars were awarded to the claimant.

As I mentioned earlier, the traffic density on the Bunbury line is nothing new, and it has always been a thorn in the side of train controllers. In fact, before centralised traffic control was introduced on that line it was a nightmare journey. Many crews have left East Perth for Bunbury, and have seen the sun set and the sun rise again and they have still been miles from their destination.

I would say the spur line will be accepted with satisfaction in the area. I was interested to hear the remarks of the member for Bunbury and the member for Warren in relation to their desire to have marshalling yards established at Picton. It is quite evident that both members are familiar with the area and there must be a lot of merit in what they have put forward. I trust the Government will look at the situation and not spend thousands of dollars on the spur line if it is not to remain there permanently. Changes have proved very costly in the whole concept of the alteration of our railway system in the last few years.

Such a situation was highlighted at Midland where all the steam facilities were transferred from Midland at a cost of thousands of dollars. However, in no time at all, the steam facilities had to be transferred back to Mildland at further cost. To my way of thinking, that was bad planning indeed.

The spur line will meet with satisfaction from the point of view of railway personnel, because it will create further work for them—further local work. I am using the expression "local work" to mean the work involved when a crew starts a shift in Bunbury in the morning and finishes at Bunbury in the night. Today, one factor of dissatisfaction amongst railway men is the time spent away from home.

My only cause for disappointment is that the spur line under discussion is not some other spur line to be laid from the Northam marshalling yards to a secondary industry in my area. However, who knows what the future will unfold?

The measure before the House most certainly receives my support. I consider the spur line will give the railways an opportunity to compete more evenly with road transport, if given the opportunity. Expansion in the south-west over the last several years has increased greatly and I am sure the rail network in this region could be utilised far more than it is at the present time. With those remarks, which are quite sincere, I support the measure.

MR. O'CONNOR (Mt. Lawley—Minister for Railways) [8.22 p.m.]: I thank members for their general support of the Bill and, as quickly as I can, I shall answer the questions they have asked. I might say it is very pleasing to see that, on two occasions tonight, the Deputy Leader of the Opposition has supported Bills which I have brought forward. It does not always happen this way, but I am very pleased to have his support on this occasion.

Mr. Graham: We even make common cause on Saturday afternoons.

Mr. O'CONNOR: This is so, and for a very good cause! The Deputy Leader of the Opposition asked a few questions and, from the comments he made, I felt he was under the impression that the intention of the department and the Government at this stage was to proceed immediately with both stages; namely, stage 1 and stage 2 of the development. Actually, the intention is to proceed immediately with stage 1.

Mr. Tonkin: What will you use for money? That is what is worrying me.

Mr. O'CONNOR: If the Leader of the Opposition will be patient, I will explain the position. Money is a problem, as he knows.

Mr. Graham: The Government could always take it from the State Housing Commission. That has been done before.

Mr. O'CONNOR: I am sure members realise there is only one cake and, if we eat a part of it, we do not have that part for something else. Provision is being made for the money necessary for the first section. I shall give the details to the Leader of the Opposition as I go along. As I was pointing out, the intention is to proceed immediately with stage 1. This will enable fuel to be taken out to the power house. This is a most immediate and urgent problem because, with

the development of the harbour, the present line to the power house will be cut. Therefore, the power house would be excluded from receiving coal unless the spur line is laid. A dump for coal is being established in the area to cover the three or four weeks during which the line will be cut. The Government intends to proceed immediately with the work and the cost involved is $400,000. The money is available for this section.

The second stage which will go around to the southern side of the power house is one that may not be proceeded with for quite some time. I hope that the industries involved will contribute towards the cost of the development of the line. One of the main reasons for the second area is the proposed wood chip industry, including the area at the port from where wood chips would be exported.

Mr. Graham: Is the estimated cost of $200,000 for the second spur line only for land acquisition?

Mr. O'CONNOR: It is the total cost of the rail laying as well as acquistion. It is not believed that the acquisition of land will be extremely costly in that area. As I say, it could be quite some time before this stage is proceeded with, because we do not know definitely what will happen with the wood chip industry or how quickly or slowly it will proceed. I hope it will proceed quickly, thus giving further development, which we all support, to that area.

Mr. Graham: Surely in the interests of the Bunbury township it should be done —wood chip industry or no wood chip industry.

Mr. O'CONNOR: Yes, except that the Government would have to contribute the total cost if it were proceeded with immediately. The Deputy Leader of the Opposition himself asked, "Where does the money come from?"

Mr. Graham: An amount of $200,000 is not much to put Bunbury right.

Mr. O'CONNOR: There is more involved in the whole development of the area. I shall explain this as I proceed. The Deputy Leader of the Opposition also implied that the freight rate on coal is too high. I think this is what he inferred from the comments of the Director-General of Transport, who indicated that the cost of $400,000 for laying this particular line was justified economically.

On this line—as with all other lines which are laid—the department took out all the various costs involved in the laying. Each cost has to be justified economically before approval is given. We all know that the more freight that is carried over a line and the greater use which is made of the equipment concerned means that the freight rate can be less.

Mr. H. D. Evans: Would the carting of ilmenite help?

Mr. O'CONNOR: This is being carted by road and I assume the honourable member is referring to this fact. I have indicated to the people concerned that, if Collie could guarantee a certain output through the Port of Bunbury, the freight rate could be reduced considerably. This has been under negotiation for some time in an endeavour to help the establishment of an export industry of coal from Collie overseas or to other parts of Australia. If the amount of coal to be transported can justify a reduction in freight rates, the Government would be quite happy to look into this. As pointed out, the Government has given to a company at Collie freight rate quotes which will lessen according to the quantity transported.

In the past we have experienced some difficulty, so far as the Bunbury Harbour is concerned, with the area for dumping coal. There is not much land in the Bunbury Harbour area for dumping coal or any other commodity.

Mr. May: Wouldn't you experience some difficulty in giving a substantial reduction in freight rate in view of the short haulage?

Mr. O'CONNOR: It depends on the quantity. Discussions which have been held centred around a quantity of 1,500,000 to 2,000,000 tons a year. Quantities like these and better loading facilities would help economics considerably. I could not give the figures offhand, because the discussions took place some time ago, but a reduction in the freight rate would be possible in these circumstances.

The member for Wellington commented on the fact that the line would go through a closely settled area. As far as I know, the area is not settled as closely as the one through which the line goes at present. In so far as the line will go out the back way, as it were, it will interfere with people —and with Bunbury—less than the present line which goes into Bunbury. The honourable member asked me whether I would give some consideration to local people and to the council in connection with the laying of the line. He also asked me whether I would give ample notice to the people concerned. I think the member for Bunbury also requested this. I can guarantee that certainly not less than three months' notice will be given to the parties concerned, and I hope it will be much longer than that. If there are any difficulties in the area, I would be quite prepared to go down with the members concerned to discuss the problems with the council and the interested parties.

We shall treat sympathetically any difficulties which come along. We know there are difficulties when resumptions are involved and when the laying of a new railway line becomes a reality.

The member for Warren mentioned details in connection with a request that the marshalling yards should be at Picton Junction. I might add that this is being examined by the department and has been in the course of examination for quite some time. I believe that, as and when money becomes available, marshalling yards at Picton Junction will become a reality.

Bunbury is too small to have decent marshalling yards located in the town itself. In any event, I consider this would be undesirable. To my mind Picton Junction is the best place for the marshalling yards and, already, the department has done quite a considerable amount of work on this matter.

The member for Bunbury also suggested that administration should be transferred to Picton Junction. This is a point which I shall take up with the department. For some time, the Government has wanted to establish an administration block in the Bunbury area. Here again, finance is one of the factors which bears on this.

The railways will eat into the Government by way of deficit to an amount of about $12,300,000 this financial year, which is a very large sum. When we look to the Government for further funds to distribute for various railway activities, we find that there are matters such as education that must also receive favourable treatment, and the Government has to farm out the money in the way it thinks best.

While on this point—I am speaking off the cuff now— I think this year the operating profit of the railways is in the vicinity of $6,000,000, but the last freight increase was back in 1965. Since that time there has been an increase in the vicinity of $4,000,000 in the wages of railways employees. We must remember that at the moment country people are not having a particularly good time—I suppose some members would say that is putting it mildly. For that reason we have endeavoured to keep freight rates down and have absorbed the $4,000,000 increase in wages during that period. The unfavourable season as far as grain is concerned cost us $6,000,000 last year, and the increase in interest because of the standard gauge was in the vicinity of $2,000,000.

Because of the three points that I have mentioned, there was an increase in the deficit of about $12,000,000 for the year. This is causing us some concern and we are doing all we can to try to keep the costs down. When we are running at a loss like this, it is not always easy to get the things we want, such as the marshalling yards at Picton.

Regarding the placing of standard gauge on that particular line, I believe there is a good chance of this happening. With Alcoa going into the Pinjarra area, that could justify standard gauge going into that section, and I hope for a contribution from the company towards this.

The stockpiling of wheat at Bunbury was another point mentioned by the member for Warren. I have not looked at this matter closely but I have grave doubts as to whether the wheat output from Bunbury will increase tremendously over the next few years. This is not a large wheat-growing area and I would not anticipate a great output of grain from it. When I say grain, I refer to wheat.

The member for Bunbury mentioned the possible discontinuance of the Bunbury-Picton Junction line. I think this is something that will come about following the finalisation of the second stage of this line. Until the second stage is implemented it will not be possible to take out the present Bunbury-Picton Junction line, but I think if the second stage is proceeded with, it would be illogical to leave the two lines there. If the line was taken out it would be of greater benefit to Bunbury.

Mr. Williams: If that line was discontinued and the department sold the land, who would receive the revenue for the land—the Railways Department or the general revenue?

Mr. O'CONNOR: That would depend on how it was acquired. I think this land would revert to the Lands Department under normal circumstances, unless it was acquired under some other set-up. Normally it does revert to the Lands Department, and the Treasury receives the benefit of it. In the case of Midland, where we acquired another railway set-up, the Railways Department benefited.

If the second stage is proceeded with we will eventually eliminate the present railway line from Picton to Bunbury and put marshalling yards out in the Picton area. In connection with the administration office, I could not say "yea" or "nay," but I will look into it. I can assure the honourable member that at least three months' notice will be given to the people in the area and I shall advise the Commissioner of Railways accordingly.

We do try to eliminate level crossings as much as possible, but overways and underways normally cost $200,00, $300,000, or $400,000.

Mr. Williams: But surely where there is a line going through and a natural fly-over from a road—

Mr. O'CONNOR: In these cases we will endeavour to do so. I will chase this point up. I agree that there will be a tremendous increase in the traffic in the area, and with the wood chip industry, the bauxite, the Shepparton Preserving Company and the various others mentioned by the member for Warren, there could be a tremendous

increase in the output of Bunbury Harbour; and the railways could have a similar impact on the economics of the set-up generally.

The member for Northam also asked some questions about that, and he asked why the route was so curved. I took this up with the department, and it appeared that we could go across much more directly and over a much shorter distance, but I was advised that there is some difficult low land in that area, whereas over the selected route there is less interference, generally. For that reason the engineers have selected this particular course.

I think I have covered all the points that members have raised. If not, during the Committee stage I will endeavour to deal with any I have omitted. I thank members for their general support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

BUILDERS' REGISTRATION ACT AMENDMENT BILL

Second Reading: Defeated

Debate resumed from the 15th April.

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [8.40 p.m.]: This small Bill introduced by the Deputy Leader of the Opposition has some good points to it—

Mr. Graham: Hear, hear—but!

Mr. ROSS HUTCHINSON: —but, unfortunately, it does not by any manner of means fit properly into the framework of the parent Act. Frankly, I am rather regretful that it does not because, as I said, the Bill has some good points.

Basically, the Bill proposes two amendments to the Act: Firstly, the registration of a building jobber who in the past has been permitted to undertake contracts up to the value of $2,400 without being required to be registered under the provisions of the Builders' Registration Act. Under the terms of the Bill introduced by the Deputy Leader of the Opposition he would be permitted to be registered without qualification, except for his being over the age of 21 years—and in years to come when this magic age of 21 might be reduced to 18 then, presumably, 18 years of age—and being of good character. Those are the only two qualifications for the registration of a building jobber within the framework of the parent Act and all that it implies.

The second amendment sought by the Deputy Leader of the Opposition is to give the board power of rectification when a builder has been negligent or incompetent in the discharge of his work performed on behalf of a client. The board may order that the faulty work be rectified. The honourable member goes beyond this and proposes that if the builder who was at fault fails to rectify the faulty work, the board may have the work made good by another builder and recover the costs from the defaulting builder.

The first amendment, relating to the registration of unqualified persons, departs from a principle specifically included in the original Act and virtually abolishes the ceiling of $2,400 by reducing it to $200. The principle to which I refer—apart from the departure from the practice of registering only those who are qualified—is the one where there is a margin of work left to be done by the unqualified man; and throughout the years members of Parliament have insisted that there should be builders who should be allowed to do this type of work up to a certain ceiling.

This has been done in order to provide, perhaps, a means of livelihood for those who are unable to qualify to become registered and to provide another field for potential clients who do not want to employ a registered builder. In any case, the ceiling which was first set in 1939 was the sum of £400. I understand the ceiling originally proposed was £300 but this was lifted to £400 and the Bill passed through both Houses of Parliament with the ceiling of £400, or $800.

Since that time, as members are aware, the ceiling has been lifted periodically according to the cost of living to the present amount of $2,400. So the Bill proposes that we should depart from something that this House has done over the years. Perhaps this is a good thing, because the Deputy Leader of the Opposition has pointed out that a good deal of inferior work has been done by these building jobbers and people have felt cheated and that they have not obtained their money's worth.

Actually, the Builders' Registration Board has from time to time received complaints from people who want action taken against these building jobbers but, because their work is outside the purview of the Act, the board can take no action. I believe there should be some protection for people who suffer by virtue of incompetent work done by building jobbers, but I do not believe that the proposed amendments will fit properly into the Act.

Mr. Jamieson: You didn't seem to think that people should be protected in the case of bad plastering.

Mr. ROSS HUTCHINSON: We already have the Builders' Registration Act, and on that occasion I talked about registration legislation and said that once we get into this field we begin to get into the realms of not knowing where the legislation is going to end. Some people still feel that common law provisions are the best provisions for this type of thing. In any case, in general reply to the member for Belmont, it is not easy by any manner of means to determine just which course to pursue. I have already said that we should consider each case on its merits. I feel there is some justification for the honourable member and for the Government endeavouring to protect people, because we already have the builders' registration legislation. However, to write into the Act what is proposed by the honourable member would create far more problems than the one he is trying to overcome.

Mr. Graham: Would you be a little more explicit?

Mr. ROSS HUTCHINSON: I will try. Let me develop the point, and I will quote some examples. In order to achieve the desire of the Deputy Leader of the Opposition, as contained in his Bill, it would be necessary to insert the words "two hundred dollars" in lieu of the words "two thousand four hundred dollars" wherever they appear in the Act. This, with the two proposed amendments, could result in some difficult situations.

In the first place, I consider it would be necessary to maintain within the Act a very clear distinction between the two types of registered builders to whom the Deputy Leader of the Opposition refers; that is, the qualified registered builder and the unqualified registered builder. It seems to me that in order to make this work we would, in all probability, have to write into the parent Act a completely new section which had relation to the relevant parts of the parent Act, but which was not relevant to the whole of the provisions of the Act.

Mr. Graham: But that is not so under the terms of the Bill.

Mr. ROSS HUTCHINSON: As I will try to point out later, there are so many legal loopholes and legal misunderstandings that could appear in the parent Act.

To my advisers in the Crown Law Department it seems that to write into the parent Act the provisions suggested by the honourable member would create too many problems. I think this is one of the instances when the honourable member has not made sufficient research into the question of marrying the amendments with the parent Act. A clear distinction should be made by, perhaps, a completely new Act. I am not sure and I cannot make up my mind, and my advisers also are at a loss to know how to solve the problem.

Mr. Graham: If that were done, you would be sympathetic to the principles, would you?

Mr. ROSS HUTCHINSON: That is the whole tenor of my remarks; namely, I am not opposed to all the major principles involved. I give the honourable member an assurance that in the new session of Parliament, which will commence later in the year, I will look closely into putting into the parent Act a provision similar to that contained in the Bill.

As I have already said, the provisions could lead to misunderstanding and certainly to the creation of ambiguity and legal loopholes. In the Bill as printed it would not be an offence for a registered jobber—this may seem strange to the honourable member—to contract for work of a value exceeding $200. It would not be an offence, but a breach would be made of the honourable member's statutory conditions of a builder's registration as a jobber.

Similarily, where the Bill seeks to amend the provisions of the principal Act dealing with the duties of a local authority as to the issue of building permits, it would not be unlawful for a local authority to issue a permit to a registered jobber to commence or to proceed with any building, irrespective of its value. This is another instance of where the Bill has not been tied to the Act. If agreed to, it would create ambiguity. Possibly we may find a local authority being in the position that it has to grant a permit to one of these building jobbers. A reading of the relevant section in the parent Act will explain this to members.

Mr. Toms: If he is not registered, a builder has to make a statutory declaration that the building contract does not exceed a certain amount.

Mr. ROSS HUTCHINSON: That is so. It might therefore be argued that, irrespective of the statutory conditions imposed on the value of any building to be constructed by a jobber, under the Act the local authority has a statutory duty to issue him with a permit to construct a building that is valued at more than $2,400. For the information of members I will quote section 4A (1) of the Act which reads—

> It shall be unlawful for any local authority to issue to any person who is not registered under this Act a permit . . .

So here we have a registered, but unqualified, builder being given, perhaps, a permit for work of a value in excess of $2,400. It is unlikely, but it is something that might come about.

Mr. Graham: To what section of the Act do you relate that?

Mr. ROSS HUTCHINSON: Section 4A (1). Actually, section 4 has relevance also. As I said earlier, the Bill does not properly fit into the Act and meet the safeguards necessary for good legislation.

Incidentally, as the building jobber would be registered under the Act, the provisions of a subsequent section relating to the splitting of contracts would not apply to him and it would not be unlawful for him to carry out work to a value in excess of $2,400 by splitting a contract. This is undesirable, because here again it is untidy. As I said before, we should create a new section in the Act to cater properly for people who carry out work of a value between $2,000 and $2,400.

I am also informed that the Bill does not provide any safeguards to ensure that registered jobbers cannot advance their status of registration unless they pass the examination requirements of the board. Surely it is necessary for such a provision to be in the legislation if the competence of those engaged in building is to be maintained and improved.

The owner-builder could be severely affected by the provisions of this Bill. On applying to the local authority for a permit to carry out work on his dwelling house to a value in excess of $200, he would have to furnish to the local authority paperwork in the nature of a statutory declaration which would be in accordance with the provisions of the Act.

Mr. Jamieson: By the way, you are not reading from that document, are you?

Mr. ROSS HUTCHINSON: I am referring closely to my notes.

Mr. Jamieson: I am just wondering.

Mr. ROSS HUTCHINSON: I hope the honourable member does not mind.

Mr. Jamieson: I do not mind, but I was just wondering.

Mr. ROSS HUTCHINSON: Should an owner-builder wish to sell his property within 18 months of obtaining the permit, he would be required to obtain the consent of the board. For example, he could obtain a permit to erect a garage to the value of, say, $500, but if he wanted to sell his house he would have to wait for 18 months after the garage had been constructed. I do not think it is intended that this provision should apply to the owner-builder. Yet here is another example of one of the difficulties that could arise and which would be quite indefensible.

Mr. Toms: There would not be too many owner-builders who would shift out of their houses within 18 months of their being completed.

Mr. ROSS HUTCHINSON: But this does place a restriction on an owner-builder. He would have to obtain permission from the local authority to sell his house.

Mr. Toms: I do not think it would cause much concern.

Mr. ROSS HUTCHINSON: I can well imagine that if I introduced such a clause in a Bill that I brought to this House the honourable member would be one of the first to object to it.

Mr. Toms: You find me rather easy to get on with at times.

Mr. ROSS HUTCHINSON: I find the honourable member more often than not, anyway, using good sense.

Mr. Toms: You will get on!

Mr. ROSS HUTCHINSON: I merely wish to state that the second proposal in the Bill is also one that cannot be supported in full. Perhaps at this juncture I should read part of what the member for Perth said in his summing-up of the second reading debate on a similar Bill introduced in 1939. It is as follows:—

> If the Bill is passed we shall ensure that none but competent and reputable persons will be entrusted with the construction of buildings and other structures.

The member for Perth at that time then went on to make other statements. I know that one can take the honourable member's speech made at that time and perhaps read anthing that one wishes to read into it. This can be done with almost any speech that has been made in the past, and I am not one who always holds with criticising what has been said in the past.

However, one must have regard to the principles in the Bill, and one of the principles of registration status is that the purpose is to lift the standard of tradesmen and craftsmen to a point where it will be of value both to themselves as artisans and to members of the public.

As this legislation departs so very much from the principles of the parent Act, I believe the House should not consider its passage at the present time. One point that springs to mind is that if we write into the Act a rectification clause with the additional proviso that where a defaulting builder does not rectify the job the board may employ another builder to carry out the work and obtain by legal means from the defaulting builder the money involved, it will be fraught with all sorts of difficulties; it will be fraught with hard financial difficulties. The Deputy Leader of the Opposition pointed out that this provision is contained in the Painters' Registration Act, as indeed it is. It is taken straight from that Act.

It is true that over the years the Painters' Registration Board has been able to use the rectification clause to have faulty work corrected, much the same as the Builders' Registration Board has done within its scope. The only time, however, that the Painters' Registration Board ever secured another painter to rectify faulty

work, and the only time it was able to lay charges against the defaulting painter, it failed dismally to secure any money and the board had to meet the costs.

Mr. Graham: In how many cases?

Mr. ROSS HUTCHINSON: On the one occasion it tried to do this.

Mr. Jamieson: That looks to be more the fault of the Legislature than the fault of the organisation.

Mr. ROSS HUTCHINSON: It is due to the practical difficulties involved in obtaining money, and the board is faced with the problem of financing these works. From where does the board obtain the necessary money to finance such works?

Mr. Jamieson: That is because it has not an abundant coverage in the first place.

Mr. ROSS HUTCHINSON: Is the honourable member referring to a bond?

Mr. Jamieson: Either a bond or the knowledge that they are not fly-by-night persons who can do damage to the community.

Mr. ROSS HUTCHINSON: The only qualification is that a man should be over 21 years of age and of good character. Logically there could be a number of people who undertake too many things.

Mr. Graham: The Minister overlooked the fact that while one got away, there were 390 cases where the victims were saved by the Painters' Registration Board.

Mr. ROSS HUTCHINSON: I am not overlooking anything. Had the honourable member been listening he would have heard that I have been trying to break up the rectification clause.

Mr. Graham: I notice you are placing all the emphasis on the single case that has failed. You have not mentioned the 390 that have succeeded.

Mr. ROSS HUTCHINSON: I think the Deputy Leader of the Opposition is being unfair, because as a preface to my remarks I said the Painters' Registration Board was able to have this work rectified in the same way—but in a different sphere—as the Builders' Registration Board.

Mr. Graham: Can you quote any other case where the degree of success is 390 to one? I bet you cannot.

Mr. ROSS HUTCHINSON: I am trying to point out it is unnecessary to include a rectification clause, because of the financial problems involved in such rectification. Surely the honourable member is not so dumb at this stage of the night as not to understand that.

Mr. Jamieson: It is not that light.

Mr. ROSS HUTCHINSON: The Builders' Registration Board asked me early this year—as I informed the Deputy Leader of the Opposition last week—to amend the Builders' Registration Act in certain particulars. I said I would not be able to introduce legislation to amend the Act during the present session, but I would look at the position in between sessions and introduce the necessary amendments during the next session of Parliament.

Mr. Graham: When you say the board asked you early this year, will you admit you were asked as early as the beginning of 1967 and that you have been asked at intervals since then?

Mr. ROSS HUTCHINSON: Yes.

Mr. Graham: You are telling only part of the story.

Mr. ROSS HUTCHINSON: I received a deputation—as I do two or three days in every week asking for amendments to all manner of legislation. I accept some recommendations and reject others. I only accept or reject these recommendations after considering all the aspects of the case. I take many of them to Cabinet after looking at them myself. Now what was the point the honourable member was trying to make?

Mr. Graham: I was protesting because you said you were approached by the Builders' Registration Board early this year.

Mr. ROSS HUTCHINSON: That is true.

Mr. Graham: It may be true but I do not think it tells the whole story, because the Minister had been approached on many occasions during the year by the same board.

Mr. ROSS HUTCHINSON: I do not deny it.

Mr. Graham: Then why not tell us that? You did not say it; I had to tell the House.

The ACTING SPEAKER (Mr. Mitchell): Order! The Minister will address the Chair.

Mr. ROSS HUTCHINSON: I have promised to introduce the necessary legislation provided I am able to overcome the various hurdles that must be overcome; and, as I intimated earlier in my speech, I will give the closest consideration to both the principles contained in the legislation introduced by the Deputy Leader of the Opposition.

This does not mean, however, that I promise to put these provisions into the Builders' Registration Act in their present form; nor do I promise that every facet of them will be included. I do promise, however, to give close consideration to the proposals and from what I have said it should be obvious that I am not at all unsympathetic to the principles enunciated. I must ensure, however, that they are written into the Act in a form that will enable the Act to continue on the same plane as before; and that there will be no damage to the Act or to any new legislation which might have to be introduced.

If the honourable member would like to withdraw his Bill I will give him the assurance I have already outlined. Indeed I might add that I will give him that assurance whether he withdraws his Bill or not.

Mr. Jamieson: He cannot lose.

Mr. ROSS HUTCHINSON: No, he cannot, but I must ask the House to oppose the Bill as it stands at the moment.

MR. JAMIESON (Belmont) [9.10 p.m.]: I think the problem we must consider is whether the community is entitled to protection under the legislation against shoddy work done by contractors. On this occasion we are dealing with general matters in the building industry, and with contractors who undertake odd jobs such as the building of verandahs, concrete patios, and other similar work.

Under the principles which are involved in this issue we might have to consider anything. If we examine the position we might find that dangers exist in not having all doctors properly licensed, or in having hairdressers registered—although I do not see any, and their services are provided at a cost of $1 a haircut. Yet the occupation of hairdressing is covered by legislation, and the master hairdressers are also covered. Under the appropriate legislation a hairdresser must be registered and this provides some form of control. This type of legislation is not unusual.

The Minister, and possibly other members opposite, seem to think that freedom of enterprise and freedom of the individual are questions tied up with regulations, prohibitions, and that sort of thing; whereas, in fact, it is the other way round. It is the protection provided that gives the person concerned a better deal.

We have often referred to the position that exists in the United States of America, which is a great free enterprise nation. One only has to look at the Californian Contractors' Licensing Law to see the situation that prevails in that State; and similar legislation applies in other States. Such legislation works quite well.

It is interesting to look into the legislative intent of the Californian Contractors' Licensing Law. We should bear in mind that this is probably what the Minister was talking about; and he should examine this legislation and encompass its provisions. Frankly I get tired of seeing piecemeal legislation introduced to register painters, builders, plasterers, plumbers, and the like; but this type of legislation has been forced upon us by the attitude of the Government. If the Government were to come up with a comprehensive piece of legislation to embrace all types of contractors I am sure that we on this side, and the public, would be satisfied with it. We often see piecemeal legislation introduced by the Government, whether it be in respect of Cyprus barrel medic seed, clover seed, wheat, barley, or something else.

Mr. Ross Hutchinson: May I say that if ever your party got into Government and you became the Minister for Works you would find that when you introduced legislation to encompass all these contractors you would have a real headache.

Mr. JAMIESON: Of course.

Mr. Ross Hutchinson: I do not know how you would be able to do that.

Mr. JAMIESON: There could be nothing better than a headache that is associated with a principle, such as the one laid down in the Californian contractors' licensing legislation. I would like to quote from the reference book which deals with that legislation. Under the heading of "Legislative Intent" the following appears:—

> The Contractors' State License Board interprets the intent of the legislature in enacting the Contractors' License Law to be the health, safety and general welfare of the public; which includes, but is not limited to, the classification, prequalification and examination of applicants, the licensing of duly qualified applicants to engage in the business or act in the capacity of a contractor, the limiting of the field and scope of the operations of a licensed contractor to those in which he is classified and qualified to engage and the filing of accusations against licensees when it is deemed that the grounds alleged are cause for disciplinary action.

That is quite a reasonable manifesto. It gives everybody a fair go, and it covers all aspects of contracting.

Indeed, the Minister might be surprised to find what grounds are associated with the suspension and revocation of contractors' licenses in California. I refer to the publication of the plasterers in California which includes each month a list of the State contractors' licenses which have been suspended, revoked, or reinstated. The following appears in that publication:—

> Reasons for suspension and revocation of California state contractors' licenses, in accordance with Article 7, Chapter 9, Division 3, Business and Professional Code. Number preceding reason refers to section of code:

I will not refer to the numbers because they are of no import, but these are the grounds—

> Lack of good character.
>
> By court upon proper consolidation of cases.
>
> Abandonment of contract without legal cause.
>
> Diversion of funds.
>
> Violation of plans and specifications.

Violation of building, safety, labor and compensation insurance laws or health and safety code.

Failure to keep proper records for three years.

Misrepresentation of material fact in obtaining license.

Failure to complete job for price quoted.

Aiding or abetting unlicensed contractor to evade provisions of Act or allowing license to be used by unlicensed persons.

To interpolate, these matters come under the Minister's jurisdiction. What goes on in respect of the work done under plumbers' licenses is a shambles, and this has been going on for years. Some of these people have been getting away with it, under the ridiculous situation which requires them to possess some qualification before they come under the protection of the licensing system. We find that in some cases these people do shocking work in the course of their contracts.

I have had cause to deal with a person who resides in the territory of the member for Ascot, and that honourable member knows only too well of an occurrence which arose in the use of a plumber's license to carry out the reconstruction of a septic system. Even a novice would not have done the work in the manner that this person did it. He reinstalled a septic system and placed all the pipes above ground level. The pipes were exposed, and there was the possibility of the pipes breaking with the slightest movement in the ground. This work was performed under a plumber's license, but no protection was available to the householder because of the situation which developed.

It is true that when the licensing board was called in this person was threatened. The board instructed him to engage another person to make good the job. There is no redress to the householder under the law. As the Minister said, this action has to be taken under civil law, but I do know that anyone resorting to civil law is faced with legal costs of $500. Of course, if the claim involves $200-worth of work, the householder who resorts to law might fall on some technicality. Even assuming the householder's claim is upheld the work is not rectified, and the householder will not be any better off. Is it not better, therefore, to have some form of guarantee of work from such contractors?

To carry on with the reasons for suspension and revocation of State contractors' licenses in California—

Failure in material respect to comply with provisions of Code.

Wilful or fraudulent act resulting in substantial injury.

Name style or personnel variance.

Knowingly contracting with unlicensed contractor.

Lack of reasonable diligence.

Withholding money.

Association with suspended or revoked contractor.

Participation in violation.

Conviction of a felony in connection with operations as a contractor.

Plea or verdict of guilty or conviction following plea of nolo contendere.

Insanity or mental illness or voluntary commitment to mental hospital.

I imagine the Minister would be very scared about introducing legislation such as this which is so widespread in its powers. However, those States which are progressing and moving along found such legislation important in order to protect their citizens. It is not unreasonable to request that if there is a proved and tried system in operation such a system be invoked in this State, and invoked before much more development takes place.

One is always a little dubious about introducing legislation when development is at an advanced stage because certain actions have been taken in the past and those responsible have been able to get away with them. They would therefore fight to retain the right to be able to get away with those actions in the future. However, in my opinion in this instance we have a clear case of where we as a Parliament should be prepared to give people the protection they justly deserve in respect of all contractors, whether they dig wells, establish footpaths, build garages or sheds, or whatever they might do. If the public is prepared to pay money for such work, they are entitled to protection from the Government.

In connection with the supply of milk and other foodstuffs, the Government has abundant legislation to ensure that a good standard is maintained. Probably this standard is far in excess of that which those responsible feel is necessary. However, they put up with the legislation and abide by it. Therefore I fail to see what the Government is worried about in respect of the provisions in this Bill, especially when they have been requested. The Government is entitled to protect people's money. That is all we ask: that we have legislation which will protect people, whether they live near the Northern Territory border or the South Australian border, from any underhand methods which may be adopted by contractors of any kind.

The scope of this Bill, of course, covers jobbers and stops there. This might be a very good move for a start. The Minister promises to have a look at some other aspects, but he does not suggest that he will go as far as does the legislation in California. I hope he will. In my opinion

the stage has been reached where all these matters should be incorporated in the one Act. We should have a board such as those which are well established in the United States.

I notice that on the State Licensing Board, thoroughly recommended by the present Republican Governor (Ronald Reagan) and, no doubt, maintained by the Democratic Governors in the past—both parties seemed to get along well with it—the personnel cover a wide selection of trades. A sewerage engineer, a plastering engineer, a plumbing engineer, a heating/air-conditioning engineer, a general engineer, a general building engineer, a general building contractor, a public member—the general public even gets a mention; that is how generous they are there—and another general building contractor comprise the nine members of the board. They are all qualified in various aspects of building and are able effectively to put into operation a code of ethics which is undoubtedly required.

Every few days here we get examples of how someone in good faith has rung a phone number and entered into a contract, either verbally or on a scrap of paper, for some work to be done at a certain price, only to find, when the work is completed, that it has been done in a shoddy manner and not at all as required. To prevent as much as possible this type of incident, we hope that legislation such as that proposed by the Deputy Leader of the Opposition will be accepted by both Houses of Parliament.

The chance of this particular Bill being passed at this time is rather remote, I realise, because of the attitude of the Minister. However, I hope that at some time in the future the Government will look very closely at the situation and provide protection for people so that they will not find it necessary to resort to the courts of law for any satisfaction. That is the salient feature which is objectionable these days; that is, in order to obtain redress of $100, possibly $500 has to be spent. This is not good enough. The Legislature of this State should protect an individual so that he does not have to go to court.

As a consequence of my opinions on this matter, I support the proposition in the Bill.

Mr. Ross Hutchinson: You do not support this legislation as it is?

Mr. JAMIESON: It is a move towards the ultimate goal. The Minister has made some promises about something being done in the future. I say that this Bill is a move towards achieving the goal which is to protect the public. As a consequence I do support the proposition of the Deputy Leader of the Opposition even though it be only of an interim nature so far as I am concerned.

MR. TOMS (Ascot) [9.28 p.m.]: Briefly I want to support the amendments in this Bill. It was most refreshing to me—and I am sure it was to the Deputy Leader of the Opposition—to hear the Minister for Works say that he is sympathetic to the proposals in the Bill. Of course, sympathy will not win the vote, but at least we have some hope for the future.

I cannot help but believe that much of the movement in recent years has been the result of the original Builders' Registration Act of 1939. I do not think the Minister needs any reminding that when the Act was first promulgated it was necessary only for a person desiring to become registered to obtain a character reference from two well-known people, be a person of good standing, and be of mature age. In addition, such a person must have operated in the building industry. Indeed, it was a joke in those days that women and bakers were registered as builders because of the wording of the original legislation.

I believe it is a necessity for this type of legislation to be reviewed constantly, particularly in the age in which we are now living. As a result of the great impetus in the north, many tradesmen are engaged in that area and to a degree this has decreased the number of skilled tradesmen available in the metropolitan area. Because of this many unqualified people have entered all the trades and this has brought about the spate of unsatisfactory work which is carried out from time to time.

Of course, I have been engaged in the building trade myself and in previous speeches I have indicated that these days there is not the pride taken in the work of artisans that there was in those good old days to which we have referred. At least in those days, when a person was getting a house built, he was assured of the fact that the tradesman involved would do a first-class job.

A lot of the fellows who are doing jobs worth less than $2,400 are not properly qualified. I would remind members that $2,400 is not a large amount and a lot of working people have, from time to time, to have additions made to their homes. The fact that a good deal of the work is being undertaken by people who are not qualified prompted the Deputy Leader of the Opposition to try to plug the loophole to protect those people who invest their money in additions and then find that the work has not been properly carried out.

As I said, it is refreshing to know that the Minister is in agreement with the principles outlined by the Deputy Leader of the Opposition and my hope is that even though we might not be prepared to go as far as the member for Belmont has suggested was the case in the State of California—and I have had a look

at the provisions in that particular document—we can improve on the present situation. I doubt whether many of our State Governments would be game to bring forward the provisions contained in the Californian legislation, but I think everyone in this State is entitled to protection by the Government—particularly the people who are unable to engage in litigation because of the costs involved. I believe those people should have overall protection.

I conclude my remarks by saying I hope it will not be another three or four years before the Minister looks into this matter. Of course, by that time he may not be in the position to look at it. However, I hope that before a period elapses something will be done to plug the loopholes and save people from being the victims of the shoddy work which is being carried out around the metropolitan area and, possibly, in some of the country towns. I support the Bill.

MR. GRAHAM (Balcatta — Deputy Leader of the Opposition) [9.33 p.m.]: This Bill was conceived with the intent of protecting people—protecting the public —from those who are unscrupulous. It was largely as a consequence of the attitude of the Minister for Works, when he contemptuously brushed aside the Bill for the registration of plasterers, that, in order to give, as I thought, this simple Bill of mine an opportunity of passing, I included no requirement that any of those who undertook jobbing work and who did not have a qualification at the present moment should be compelled to do so with the passage of this Bill.

I deliberately avoided interfering with that, believing the Minister would ask the House to reject my Bill on the ground that here was some more red tape; here were some more restrictions; here was an attempt to provide a closed shop to stop people from engaging in this type of business if they wanted to do so. That is why the Bill was drawn up in its present form.

My concern was not with protecting the master builders, and their fair name, which, understandably, is something they want; and it was not with seeking to raise the standard of working people who have no qualification by requiring that they become qualified. What I wanted was legislation that would give some protection to the public. The simplest way to provide that protection was to require that builders performing operations costing less than $2,400—but exempting jobs up to $200—be registered, and to make it unlawful to carry out building operations without registration as, unfortunately, quite a number are doing at the present moment.

The Builders' Registration Board could take appropriate action by suspending a builder's registration, in which case he could not continue in business for the period of the suspension. The board could cancel the registration altogether if the offence was of a serious nature.

First of all, these two provisions would, in my view, have a salutary effect upon jobbing builders because their livelihood would be in danger if they did not play the game. The effect would be to uplift not only the quality of the work, but the morality of the people who specialise in taking down unfortunates in the community—and there are numbers of them.

Then my thoughts turned to those who were the victims of these builders, such as the widowed person who had work undertaken at a contract price of, say, $1,000, and it was done in the shocking way I described when introducing the Bill. That widow should not be the victim and left to carry the burden. The Builders' Registration Board would require the jobbing builder to make good his defective work, failing which he would be deregistered. Beyond that he could be ordered to undertake the work and if he failed to do so it could be done at his expense.

It is appreciated that some of these jobbers would do a moonlight flit and it would be difficult to trace them. But is that any argument against the principle involved? In the first place, there is no obligation on the Builders' Registration Board to require the faulty work to be made good or rectified. The board would please itself whether it obtained the services of somebody else, but even if it had to bear the burden in those cases where there was a fly-by-night type of operator, then surely it is better for the Builders' Registration Board, from its own funds, or perhaps partly from its own funds and partly from an allocation made by the Treasury, to bear the burden instead of the luckless woman whose position I have sought to describe.

This is a humanitarian Bill seeking to protect the less affluent section of the community. The people living in Dalkeith and other such areas, and the people who have business training and who are well circumstanced financially, will be able to take care of themselves. However, the people in the category of which I speak are not able to look after themselves and they are being wilfully preyed upon by a certain type of job builder. These job builders are well known to the local authorities and the Builders' Registration Board but those public authorities can do nothing in connection with them.

The Minister told us that this Bill, which I introduced, does not fit into the framework of the parent Act. I may be mistaken but my thought is that the Builders' Registration Act was designed to protect the public, and the purpose of my Bill is

to extend the protection and to cover the operations of the small builders more than is the position at the present time.

The position is, of course, that there is no protection whatsoever for people who suffer at the hands of builders who are not registered. This includes the whole of the State outside the metropolitan area and, within the metropolitan area, where the particular building operation costs less than $2,400.

Significantly enough, the Minister admitted that members of the public have been cheated in a number of cases which have been reported to the Builders' Registration Board but the board could take no action. It could take no action, because there are no provisions in the present Act corresponding to those which I seek to write into the Statute.

When the Minister was speaking, we exchanged a few words on the practical aspects of the controlling board in so far as it is able to require those responsible for shoddy work to make good that work. Since it has been in operation there have been about 50 cases a year, on average, where the Painters' Registration Board has been able to protect the public. It has not protected its own interests or buttressed its own point of view but, by pressure, it has been able, on account of the likelihood of some penalty involved, to get the master painters responsible for the shoddy work to finish it off in a workmanlike manner to the satisfaction of the board and, of course in the long term, to the satisfaction of the person for whom the work was being done.

I was pleased to learn—if it is possible for one to gain any satisfaction—from the Minister's utterances that it is his intention to review the present Builders' Registration Act. When he does so, I trust he will have regard for the pratical side of affairs, and the interests and welfare of the public. Without canvassing anything in detail, in my view there should be three classes of builders. Firstly, there should be the "A"-class builder who would have authority to engage in any sort of building operations whatsoever—a concert hall, a cathedral, a multi-storied building, and the rest of it. Secondly, there should be a "B"-class builder who would be permitted to construct cottages, shops, and simple halls in the metropolitan area initially and, later we hope, elsewhere. Thirdly, there should be a "C"-class builder, to whom I shall generally refer as the jobber.

The third type of builder is the person whom this Bill is designed to cover. I refer to the builder who makes an addition of a room, encloses a back verandah, constructs a verandah, or modifies and alters an existing house.

I made an allowance of $200 with the idea that any job up to that figure could be undertaken without the necessity to worry about this legislation. At the time I was unaware that in our sister State of South Australia legislation had been passed which was far more comprehensive than anything envisaged by myself; it made an exemption of $250.

The Builders Licensing Act, 1967, of South Australia is comprehensive in the extreme and, if I may, I would like to quote a couple of lines—

> (a) the erection construction, alteration of, addition to, or the repair or improvement of any building.

It also means—

> (b) the making of any excavation, or filling for or incidental to, the erection, construction, alteration of, addition to, or the repair or improvement of any building;

This applies to the whole of the State of South Australia in respect of every building and every building operation with the exception of a building intended solely for the business of primary production as defined in the Land Tax Act of that State.

There are not only these provisions in respect of builders, but there is a similar requirement in every section of the building trade—whether it be bricklaying, carpentry, plastering, painting, or anything else.

As I stated, when speaking to another Bill, that legislation was passed by the House of Assembly and also by the Legislative Council in South Australia, where there are four Labor members and 16 Liberal members. It is acceptable legislation in that State, but apparently, a much lesser measure is not acceptable to a predominantly Liberal Government in this State. Surely it is time members of that party got together and made up their minds about the principles for which the Liberal Party is supposed to stand.

I consider the Minister was exceedingly poorly briefed. He made all sorts of irrelevant criticisms of what he construed as being the short-comings of my Bill. In the first place, he was offering gratuitous insult to the Parliamentary Draftsman who prepares legislation for private members.

The Minister did not understand the proposition. I wonder who briefed the Minister because, amongst other things, he referred to the necessity to fill in a statutory declaration. The Builders' Registration Act makes no reference to a statutory declaration. It makes reference to a declaration, either written or verbal, which merely means that a person informs a local authority—on a piece of paper or across the counter—of the nature of the work and the estimated cost of it.

Why did the Minister seek to mislead the House by endeavouring to insist that there was a necessity for somebody to get a statutory declaration filled in to submit to a local authority?

Mr. Ross Hutchinson: I read that in the Act. I was informed by my public works adviser that this was the position and I read it for myself. I cannot imagine it has been deleted from the Act since that time.

Mr. GRAHAM: As I have said already, it refers to a declaration but makes no mention whatsoever of a statutory declaration. Of course, it is impossible to make an oral statutory declaration, and I think that speaks for itself.

Mr. Ross Hutchinson: Has your Act been brought up to date properly?

Mr. GRAHAM: Yes.

Mr. Ross Hutchinson: I will certainly check this out myself.

Mr. GRAHAM: The Minister then told us that the proposed legislation would not cover split contracts. The present legislation does that where the job is in excess of $2,400. All I seek to do is to delete the figure "$2,400" and insert in lieu the figure "$200." If the Minister is suggesting that, through altering the limit, there is no application to split contracts, of course his criticism is equally valid to the existing Statute, but in a higher money bracket.

There were other instances, too, where the Minister pretended—and I use that word advisedly—that certain matters which are principles in the existing legislation and which now apply and have full force and effect, would not have effect in future if my Bill became law, merely because of the lowering of the figure.

Mr. Ross Hutchinson: The owner-builder would be inconvenienced quite considerably.

Mr. GRAHAM: No, he would not.

Mr. Ross Hutchinson: I believe so.

Mr. GRAHAM: When I embarked on this, I did not think it would be necessary to give the Minister a lesson on the impact of this piece of legislation which is under the jurisdiction of the Minister for Works. I thought that he or his advisers would be familiar with it and its operations.

I will read the relevant portion of the Builders' Registration Act, which is section 4A, with the addition of the 1966 amendment—

> (1) It shall be unlawful for any local authority to issue to any person who is not registered under this Act a permit—

That has now become a building license. The section further states—

> —to commence or proceed with any building on any block of ground in any area within which this Act applies . . .
>
> (c) unless the person to whom such a permit is issued is proposing to construct the building to which the permit relates—

In both cases that has now become a license. It continues—

> —for himself, and not for the purpose of the immediate sale thereof, and—
>
> (i) the building to which the permit relates is a dwelling house or a building comprising two dwellings on ground level, each being complete and self-contained . . .

So it will be seen that it is unlawful for any local authority to issue a license unless certain things—and one of the "unlesses" is a building which is a dwelling house or a building comprising two dwellings on ground level—apply. How, therefore, is the Minister able to say that hereafter, if my Bill is passed—and I am not interfering with this in any respect whatsoever—it will debar a person from erecting a home for himself, for his own purpose, and with his own hands?

Mr. Ross Hutchinson: You did not listen to me.

Mr. GRAHAM: I listened to the Minister, who was making it up as he went along. However, there is some consolation to be drawn from the fact that the Minister has given an intimation that he sympathises with the two principles embodied in this Bill; that he will undertake a review of the Builders' Registration Act; and that he will investigate the possibility of giving effect broadly to the principles set out in my Bill, by some different manner or means. I say to him at the same time that there are also many other aspects to which he could give his attention.

I am aware of the approaches that have been made over the years to the present Minister for Works. I have copies of proposals submitted by those who are directly associated with the building industry, by the Master Builders' Association; and I fancy—and I must not give too much evidence here—that I have some submissions from the Builders' Registration Board. There is no mention of who is the author, but I have reason to believe that I have here some submissions that were made to the Minister.

Be that as it may, the member for Belmont—in his piece of legislation—and I, and indeed the member for Ascot, have endeavoured to emphasise the necessity for some action being taken, not for the purpose of making more involved or more difficult the operation of building, but to ensure that when a building is erected it

has been competently erected, and to ensure at the same time that there is some redress available to the unfortunate victim —that he will not be called upon to go to court to take civil action, involving himself in an outlay of some hundreds or perhaps thousands of dollars, and perchance on a technical point or on some other consideration have the case go against him.

It is known that the people who are the victims of those who do odd-jobbing work, those of that category who are unprincipled, are people who are fearful of approaching a court of law in any circumstance whatsoever. They are people who, when they receive summonses to attend for eviction from their houses, are in fear and trembling. This is something that has never happened to them before; there is some shame or disgrace about going to court, apart altogether from the economic considerations that I have mentioned.

It appears that the fate of my Bill has been sealed by the attitude of the Minister. If that be the will of the House, one has no alternative but to accept it; but from the ruins it appears that the Minister does give some ray of sunshine, in contradistinction to his complete and utter hostility to the proposal to introduce a plasterers' registration Act. Perhaps, therefore, this Bill in the long term will have done some good. Unfortunately, in the interim there are people who will suffer at the hands of those who have no particular scruples. I hope and trust that the House will agree to the passage of this Bill.

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

Ayes—18

Mr. Bateman	Mr. Jamieson
Mr. Bertram	Mr. May
Mr. Bickerton	Mr. McIver
Mr. Burke	Mr. Moir
Mr. H. D. Evans	Mr. Sewell
Mr. T. D. Evans	Mr. Taylor
Mr. Fletcher	Mr. Toms
Mr. Graham	Mr. Tonkin
Mr. Harman	Mr. Norton
	(Teller.)

Noes—23

Mr. Bovell	Mr. McPharlin
Sir David Brand	Mr. Mensaros
Mr. Burt	Mr. Nalder
Mr. Cash	Mr. O'Connor
Mr. Court	Mr. O'Neil
Mr. Craig	Mr. Runciman
Mr. Gayfer	Mr. Rushton
Dr. Henn	Mr. Stewart
Mr. Hutchinson	Mr. Williams
Mr. Kitney	Mr. Young
Mr. Lewis	Mr. I. W. Manning
Mr. W. A. Manning	*(Teller.)*

Pairs

Ayes	Noes
Mr. Davies	Mr. Ridge
Mr. Lapham	Mr. Dunn
Mr. Jones	Mr. Grayden
Mr. Brady	Mr. Mitchell

Question thus negatived.

Bill defeated.

HEALTH ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th April.

MR. HARMAN (Maylands) [10 p.m.]: The intention of this amendment to the Health Act is to provide for the formation of a local health authorities analytical committee. Such a committee has been functioning for some considerable time, particularly in the metropolitan area, and in the main has been used by the Perth City Council and the Shire of Perth. Those two local authorities have been contributing to a scheme whereby samples are forwarded to an analyst who provides reports to enable the shire or council to determine whether or not to prosecute.

To an extent some of the other shires in the metropolitan area also use this facility, but to a lesser degree. It has been found that in the country areas this facility has not been well supported by local authorities. It is intended, therefore, that legal coverage will be given to this scheme so that shire councils, generally, in Western Australia will enter into it and so contribute towards the overall cost. It has been claimed that the Shire of Perth and the Perth City Council are at present paying for most of the services.

The Opposition supports this measure, and I wish to make some comment upon the scheme. The Minister for Works afforded me an opportunity to go further with a little exercise on this matter when he told us this afternoon of his philosophy, or approach, towards problems. His approach is quite a logical one and one that I hope other Ministers and, indeed, every person here would adopt; that is, to look at the problem in the overall situation. I assume that the Minister's colleague, the Minister for Health in another place, also adopts this philosophy because in Western Australia we already have the Government Chemical Laboratories which is an organisation under the Minister for Mines dealing with samples not only of an industrial nature but also samples of foods and drugs. We also have the Public Health Laboratories under the Public Health Department, and that organisation conducts analyses on samples of food and drugs.

In his second reading speech the Minister said that the new local health authorities analytical committee would formulate its own scheme to provide analytical services. He said it could employ its own staff and set up a laboratory or it could conclude a contractual arrangement with a private firm such as that operating at present. The Minister did not say exactly what would happen and it is no doubt going to be left to the 10 representatives who shall comprise the committee to formulate the policy.

However, I merely ask the question: Has the Government considered this matter right through to determine whether it is

really necessary to set up another laboratory service in this State to analyse, in the main, food which is forwarded to it by the local authorities when already it has organisations—the Government Chemical Laboratories and the Public Health Laboratories—which are equipped to perform this function? Both those laboratories are staffed with trained personnel, and both are in a position to obtain further and sophisticated equipment to carry out analyses with a greater degree of sophistication. Therefore, should we be considering the allocation of funds—and I would assume they would be Government funds —to set up a further organisation? If the Minister practices his philosophy in considering these problems on this occasion he will be able to provide the answer.

The second purpose of this Bill is to give legal effect to the term "health surveyor." In the past health inspectors have been referred to as such, but for some years now the Institute of Health Surveyors—an organisation which, I understand, was formed 35 years ago in New South Wales—has been attempting to arrive at a common, uniform name for health inspectors. For some three years the organisations in the various States have been considering an appropriate name and an appropriate definition for these officers. I understand various names were considered: hygiene officer, health officer, hygiene adviser, health and medical officer, and so on. But for some reason each name had an associated problem and, if used in the community, might not give the correct and necessary identification.

So the institute finally hit on the term "health surveyor" to which I have no objection. In this context, perhaps, "surveyor" does sound a little odd, but it is the name which that organisation has agreed upon, and the Opposition supports this particular amendment.

I have a great respect for health surveyors. In past years I have come into contact with a great number of these officers both in local authorities and in Government departments. Those men have an onerous task; they are not always the subject of bouquets from the community, and in many cases they are the subject of brickbats. However, they have endeavoured to do their job where they saw it was necessary, and have withstood criticism—indeed, personal criticism in some cases which has reflected on their families. But, to their credit, they have stuck to their task.

I have always said that this is one occupation in which I would not like to be engaged. I must congratulate the 250-odd health surveyors in this State for their dedication to their task, and I hope that in the years to come the Government—whichever Government it may be—will find ways and means of giving more support to these men both in terms of finance and in terms of encouragement to go out into the community with the intention of raising to its highest standard the health of the community in this State.

MR. FLETCHER (Fremantle) [10.10 p.m.]: Noticing that the City of Fremantle is mentioned in the Bill I have made a brief analysis in regard to the impact it will have on that city. According to its bulk, it would seem that the Bill seeks to make a greater impact on health than the Act does at the moment.

As pointed out by the previous speaker, the Bill intends to deal only with two aspects. One of its objects is to create a committee of 10, of whom five are to be nominated by the major local authorities within the metropolitan area; three to be selected by the Minister to represent the other 20-odd metropolitan local authorities; and two, to represent country areas, who will also be selected by the Minister.

I am wondering whether the country local authorities will be requested to submit the names of individuals for selection, or whether a panel of names will be submitted from which the Minister can choose his nominees. Perhaps the Minister can clarify this point when he replies to the debate. Unless the country local authorities have some say in selecting their representatives they may take exception to having representatives on that committee foisted upon them by the Minister. I repeat, therefore, that I hope he will clarify that point when he replies to the debate.

For many years officers of metropolitan local authorities—and I assume officers of country local authorities also—have taken snap samples of food and drugs that are offered for sale. These samples, in order to ascertain their wholesomeness, are then analysed by analysts chosen by local authorities. It will now be the prerogative of the proposed committee of 10 to choose its analysts. As the member for Maylands pointed out, it would be rather superfluous to inaugurate another sampling service by qualified personnel. I hope the principal local authorities will participate without their being compelled to do so by the Commissioner of Public Health.

The manufacture and sale of wholesome food is a matter which is of vital concern to ratepayers and to the public, generally. Manufacturers and purveyors of food are generally scrupulous in the handling of any product, but vigilance is necessary if we are to maintain high standards. No doubt members will have noticed from Press reports that from time to time people are fined for placing additives and colour into food, or for having manufactured food which is below the required standard.

I notice that those officers who were previously known as health inspectors throughout Australia are, in the future, to be referred to as health surveyors. In passing, I might mention that there seems to be a trend among local authorities in these times to change the titles of their officers. For example, the officer employed by the City of Fremantle, who was formerly referred to as the Town Clerk, is now known as the City Manager. No doubt this adds something to the prestige of the city. If the City of Perth has not already emulated the City of Fremantle in respect of the naming of the City Manager and the health surveyors, I hope it will soon do so with the passing of the Bill.

When introducing the measure to the House the Minister said, in effect, that the committee could formulate its own scheme to provide analytical services. He said it could employ its own staff and set up a laboratory, or it could conclude a contractual arrangement with a private firm, such as that which operates at present. Like the member for Maylands, this caused me some concern because I notice that the following appears in the parent Act:—

> "Analyst" means and includes the Government analyst and any person appointed or registered as an analyst for the purposes of this Act.

It will be noted that specific reference is made to the Government analyst. Therefore, as this department already exists for the purpose of analysing food samples, like the member for Maylands I am wondering why we need to duplicate a department that is already in existence and capable of coping with the situation.

The local authorities may find it necessary to indulge in the expense of setting up their own laboratories, staffing them, and finding the necessary equipment, and the ratepayers of those local authorities would be saddled with the expense. As has been pointed out, such facilities and equipment are already available, and I cannot see why this work should be sent to a private contractor. There are enough private contractors performing work now that could be done by Government departments. To me this seems to be giving to a private contractor work that is already performed by the Government analyst.

Mr. Ross Hutchinson: The people who work in that establishment could carry out the analyses.

Mr. FLETCHER: Perhaps the staff of the Government analyst could be increased to cope with any additional work rather than that there should be any indulging in unnecessary expense by duplicating the facilities and equipment which already exist. I make this point to ensure that no burden will be placed on the people of Fremantle to meet any additional expense in this respect.

This is the extent of my contribution to the Bill. I support it at the moment and I look forward to the Minister replying to the various points I have raised.

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [10.17 p.m.]: I thank both the members who have spoken to the Bill and supported it. The speeches sounded so sweet to my ears that I wonder why they do not support more Bills in this fashion. It would not only be of value to them, but also in regard to the legislation we are introducing.

Mr. May: It could be reciprocal, too.

Mr. ROSS HUTCHINSON: The member for Maylands asked whether it was necessary for the proposed analytical committee to set up its own laboratory with its own staff. It is true that in my introductory speech I mentioned that this was a possibility. However, as I pointed out, and as the member for Maylands also stated, there are a number of organisations which can deal with the analyses of food that is brought before them. I refer to the Government Chemical Laboratories, to the laboratories of the Public Health Department, and to a private contractor.

In answer to the honourable member's question, I do not think it will be necessary for the committee to set up its own organisation; indeed, I think it most unlikely. In any event, the proposed analytical committee, when constituted, will no doubt examine this matter and make the right decision, which I believe will not be to set up its own organisation, because I do not think there is any necessity to establish another one; provided, of course, that the present organisations can handle the services that are required of them.

The member for Fremantle wanted to know how the Minister would go about the matter of selecting the last mentioned five of the 10 persons who will make up the analytical committee.

Mr. Fletcher: And the two country representatives.

Mr. ROSS HUTCHINSON: Th. last five are the ones about which the honourable member is asking. There will be three from the outer metropolitan area, as it were, and two from the country regions. I have no doubt the Minister will consult with the various local governing bodies and probably with the Local Government Association and make inquiries about which representative would be best suited to take his place on the analytical committee. I am sure this is just what the honourable member would do if he were to become the Minister for Health, a post of honour which I think he would fill very well.

The member for Fremantle did mention that he did not want additional expense to be imposed on his Fremantle ratepayers. I

should imagine that the 10 people on the analytical committee would also be watching this very closely as it will be one of their prime responsibilities to ensure that the committee functions as efficiently as possible within its objective.

I thank members for their support and commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr. Ross Hutchinson (Minister for Works), and passed.

ELECTORAL ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st April.

MR. TONKIN (Melville—Leader of the Opposition) [10.24 p.m.]: Because of the rolls being computerised it is necessary to make some alterations to the electoral law in connection with procedural matters. These are fairly straightforward and we agree they are desirable and necessary.

The Bill also makes provision for the copying of certain procedures already in operation in other States. I regret, however, that the Government did not go a little further and copy a very worth-while procedure—and I refer to having joint rolls.

There seems to me to be no reason why the State should not attempt to save money in this direction. We know how short of funds the Treasurer is, and we know he is likely to be shorter of funds than he is now. One would imagine, therefore, that any prospect of saving money would be attractive.

I cannot see any reason against the adoption of joint rolls. This has been done in other States, no doubt with advantage, and the same advantage could be obtained here. Why should we have separate State rolls and Commonwealth rolls for the same voters? It has been quite a simple matter in other States to use joint rolls, so why should Western Australia stand out when money could be saved by the adoption of this idea?

Mr. Bovell: The divisions of the Commonwealth are different from the State electoral districts.

Mr. Jamieson: That has nothing to do with it.

Mr. TONKIN: If that were a valid argument it would have prevented the adoption of joint rolls in other States, but it has not.

The other provisions in the Bill are simply a number of incidentals, such as the positioning of the names on the ballot paper, an alteration in the issuing officers for postal ballot papers, and a provision for the destruction of rolls after an election.

As can be seen, those are quite worthwhile provisions and I think they are worthy of adoption. We have been assured that the printed rolls will continue to be available for sale even though there will be computerised rolls. The maximum penalty for non-enrolment is brought into line with the Commonwealth provision.

This again makes one wonder why the Government does not go that extra step and have joint rolls with the Commonwealth. If it is desirable to have uniformity with the Commonwealth in regard to penalties for non-enrolment, surely it is just as logical to be in tune with the Commonwealth and have uniformity with regard to the rolls!

This idea has been suggested on a number of occasions from this side of the House, particularly by the member for Belmont, but the Government continues to disregard the suggestion without giving a single valid reason for rejecting it.

The Bill also contains amendments which provide for the balloting of names for position on the ballot paper. I have been one who invariably has his name on the bottom of the ballot paper, so I do not think it can be said that I owe my position in any way to the donkey vote.

I think the provision is desirable because it has been calculated that anything from 5 per cent. to 10 per cent. of the votes are cast by people who go straight down the paper. It seems unfair that people who have the advantage of a name starting with a letter early in the alphabet should always get these votes. The Government has at last recognised that something should be done in connection with this aspect, so it proposes to adopt a method which has been in operation in the Commonwealth for some time. It proposes to ballot for positions on the ballot paper.

I think we should go a step further. I notice *The West Australian* in its leading article for tomorrow has said that the proposal for a circular ballot paper will, in its opinion, result in more informal votes or more donkey votes being cast.

Mr. Bovell; That is pretty right.

Mr. TONKIN: It could be; but is it not a fact that the Royal Agricultural Society adopts a circular ballot paper?

Mr. Gayfer: It has dispensed with it.

Mr. TONKIN: It did use a circular ballot paper.

Mr. Court: For two years it adopted it.

Mr. TONKIN: I have been advised that the society used it, but I did not know that it had rejected it. It would be interesting to know why it rejected the use of a circular ballot paper.

Mr. Court: I think members complained about the inconvenience.

Mr. TONKIN: Complaints by members of the Royal Agricultural Society? It does not say very much for their intelligence.

Mr. Court: One needs a lot of intelligence to cast a vote. I have brought along a sample. The society used the system for two years, but it was found to be too inconvenient.

Mr. Jamieson: What about the A.M.A.?

Mr. TONKIN: As the honourable member asked, "What about the A.M.A.?" It apparently uses this system.

Mr. Jamieson: It has been doing that for a long while.

Mr. TONKIN: Trade unions have adopted that system. We on this side feel it is a step further to establish some sort of equality of chances between the candidates. There would still be an advantage to the person whose name is drawn first in the ballot, because the amendment which I propose to move provides that this will be the first name to be printed on the ballot paper having regard to the position of the directions which are printed on the back of the ballot paper.

It is perfectly natural that, if a person has the ballot paper upside down so that instead of looking at the names of the candidates he is looking at the printed directions, he will turn the ballot paper around until he can read the instructions. Having read them it would be natural for him to turn the ballot paper over in the normal way. When he does that he will be confronted with the name which has been drawn out first in the ballot.

Mr. Lewis: What if the person turned the ballot paper over upside down, in this manner, as many people do?

Mr. TONKIN: If he turned it that way, he would obviously be confronted with a different name. It may then be necessary for him to twist the paper around. If there are two or three candidates, then the advantage will lie with the one whose name will be first observed when the paper is turned over in the natural way. Surely the number of people who turn the ballot paper over in the manner I have indicated, after having read the instructions, will be greater than the number who turn it over in the other way. It is true, as the Minister for Education says, that a person might read the instructions and turn the ballot paper over in the opposite way; but I suggest that would happen less often than when a person, after reading the printed instructions, turned it over in the natural way.

In any event it would average out in a reasonably satisfactory way. As things stand, the person whose name starts in the beginning of the alphabet gets the advantage. I can remember an occasion when the Labor Party turned this method to great advantage and was successful in having all its senators elected. When the Labor Party held the selection ballots it deliberately selected candidates whose names commenced with "A." Those candidates were all successful. That led the way for the Liberal Party to decide for positions on the ballot paper.

Sir David Brand: It was good tactics.

Mr. TONKIN: I would not be unfair to suggest that is the reason why this Government has decided to ballot for positions.

Sir David Brand: Not in respect of my case.

Mr. TONKIN: I have not looked into this, but it could well be that the majority of members on the Government side have names starting well up in the alphabet. It would be an interesting exercise to work out how many of their names are. I have no doubt there is a reason for the Government's proposal, but it is not apparent.

Mr. Cash: It is fifty-fifty.

Mr. Bovell: If you take the members of Cabinet we are well in the beginning of the alphabet.

Mr. TONKIN: In view of the idea which has permeated the minds of Ministers I think it would be reasonable to go a step further by adopting a circular ballot paper. When the time comes I propose to move in this direction to test the feelings of the Committee.

Mr. Lewis: The majority of names begin with letters in the first half of the alphabet.

Mr. TONKIN: I think we should assist the electors further, if they are not sure of the party to which canditates belong. We could assist them by putting the party designations on the ballot paper. All the campaigning is done on the basis of the Liberal Party, the Country Party, the Labor Party, or the D.L.P. candidates. In the campaign it is the party that is emphasised, but there are some exceptions. I can well remember when the late Mr. Roberts won the Bunbury seat. The Liberal Party felt it was better to campaign on the basis of a vote for Roberts, rather than on a vote for the Liberal Party. I do not blame it for doing that. It realised there was a big personal vote to be obtained, because of Mr. Roberts' popularity in the town; so the Liberal Party was wise enough to capitalise on that. The propaganda and the big posters did not make much of the fact that Mr. Roberts was the Liberal candidate; they simply advocated "Vote Roberts."

I think that generally it is reasonable to assist the people by letting them know the party designations of the persons for whom they are asked to vote, and to indicate that, for example, Brown is the Liberal candidate, Simpson the Country Party candidate, Thompson the Labor candidate, and somebody else the D.L.P. candidate. What could be wrong with that? Why not tell the electors? Because in this party system of Government it is the parties for which the people are voting. For that reason the people should be told for whom they are voting.

For some reason or other the Government parties resist this change. Is it a desire on their part to keep the electors in the dark, or do they feel there is some advantage accruing to the Liberal Party and the Country Party by not letting the people know the parties for whom they are voting? I have not placed an amendment on the notice paper in order to achieve what I have advocated, but I would like to hear from the Minister in reply as to whether he is prepared to give the idea consideration. I can see no argument against it.

Surely it is reasonable that the people should be fully informed; and if we adopt this system we might have fewer donkey votes and more really effective votes which indicate the intentions of the electors who are voting.

I have no objection to the alteration to delete the provisions which enable certain officers to issue ballot papers, because I think the proposal in the Bill is adequate. Under the Act quite a number of issuing officers do not issue ballot papers at all; and if the officers proposed to be deleted from the provisions have issued these papers they are very few. The proposal in the Bill will meet the general requirements.

Although we cannot do anything about it in this Bill, I think the Government might very well repeat its representations to the Commonwealth with regard to broadcasting. It seems to me to be absolutely ridiculous that the radio stations and television stations must stop handling election propaganda on the Wednesday when the newspapers can go on printing it on Thursday and Friday, and even on Saturday. The ridiculous situation has arisen, because a by-election has taken place in Queensland; the radio stations have had to stop referring to an election current in Western Australia within three days of the by-election being held in Queensland.

The Government is in a position to make direct representations to the Commonwealth on this question and I think it should do something about it. If the Government is striving for uniformity, this is a further step towards achieving it. I repeat that I can see no valid reason for this differentiation between the news media. If it is all right for newspapers to print advertisements and directions to voters on Thursday, Friday and even Saturday, then I think it is right also that television and radio stations should put over messages of propaganda on those days. However, I repeat it cannot be done under this Bill because this is dealing with State law and the other is a Federal law.

With the suggested amendments to which I have referred, the Bill would be a very good one; in fact a better one than it is at present. However, whether or not the amendments we have suggested are included we are prepared to vote for the Bill because we believe its amendments are necessary and desirable.

MR. CASH (Mirrabooka) [10.42 p.m.]: I would first of all like to say that the position of the candidates on the ballot paper has always been a very important matter, and to some members more important than to others, depending on the position at the time of the ballot.

The Leader of the Opposition has said that it has been assessed that from 5 to 10 per cent. is the difference that such a position on the ballot paper might make, but in the opinion of the research experts in this field—commonly known as psephologists—it is very difficult to ascertain the percentage advantage that can be gained by the position on the ballot paper. The percentage varies from 2 per cent., or more, but certainly it is not as high as quoted by the Leader of the Opposition. As is the case with all statistics, arguments can be produced to show that the figure is down as low as 1 per cent.

As a matter of interest I would like to indicate the situation regarding our own House of 51 members. Let us take the letter "K" as being the centre position of the alphabet. I suggest this because if we look at the electoral rolls and the telephone book, we find that the end of the letter "K" entries seems to approximate on the electoral roll half the voting population, and in the telephone book half of those who have a telephone installed. So, taking the letter "K" as the half way mark, in this House we have 27 members in the top half of the alphabet and 24 in the lower half.

In the top 27, there are 14 A.L.P. representatives, and 13 Government members, while in the lower half of 24, there are nine members of the Opposition, and 15 members of the Government side. I am sure that if the figures in the Legislative Council were examined, it would be found that they are somewhat similar. This would indicate that the position of the names of candidates on the ballot paper has not, to a great extent, affected the representation of the parties in this House.

In regard to the ballot papers themselves, the Leader of the Opposition referred to an amendment he has on the notice paper. It involves simply one of the suggestions put forward from time to

time in connection with the shape of ballot papers. Until recently the Royal Agricultural Society used the type proposed by the Leader of the Opposition. Quite a number of University studies have been conducted on this matter and until some years ago some universities were using that system.

The Leader of the Opposition has distributed a sample of his proposed ballot paper. I would say that when a great number of candidates are involved, there might be some benefit in a circular ballot paper, but when more than two candidates are involved, I am certain that the number of informal votes would rise.

Mr. Bickerton: How would that come about if there were only two candidates?

Mr. CASH: Because the position is very confusing. I have looked at this card, and as the Leader of the Opposition has said, people will hold it, read the instructions, and turn it in a certain way.

Mr. Bickerton: That would not be an informal vote. The way you turn it over—

Mr. CASH: I am talking about when there is a multitude of candidates.

Mr. Bickerton: What would be the position when there were only two?

Mr. CASH: When there are two, if a voter gives his first preference to the candidate whose name appears more prominently, then obviously if the voter places no number at all against the second candidate's name, the vote would not be informal. When a number of candidates are involved, there could be a duplication of numbers, and other things which would, to a degree, raise the number of informal votes. With three candidates the position would still be confusing.

I see no benefit in the suggested amendment. If six or more candidates were involved, perhaps the suggestion could be studied. However, as most elections in this State involve only two or three candidates for each electorate, I do not think a change in the style of the ballot paper would serve any great purpose, particularly as at the last election this would have applied to only 18 seats. To pick up a circular ballot paper and hold it in the correct way—

The SPEAKER: Order! I think this is a matter which will come up in Committee. It is fair enough for the Leader of the Opposition to foreshadow the amendment, but the amendment is not in the Bill, and we do not now, during the second reading debate, want to go into a detailed Committee debate which will be repeated later on. It is fair enough for members just to indicate their ideas generally.

Mr. CASH: Thank you for your guidance, Mr. Speaker. On that basis I indicate that I will oppose the amendment of the Leader of the Opposition, and make that my contribution to this debate.

MR. JAMIESON (Belmont) [10.48 p.m.]: A considerable time ago—as a matter of fact, as long ago as 1907—when the legislation was first enacted, a provision was included as follows:—

> The Governor may arrange with the Governor General of the Commonwealth for the preparation, alteration, and revision of the Assembly rolls, in any manner consistent with the provisions of this Act, jointly by the State and the Commonwealth, to the intent that the rolls may be used as electoral rolls for Commonwealth elections as well as State elections.

The section then goes on with certain other provisions.

When a certain Prime Minister was asked why Western Australia voted a certain way, he said it was because Western Australia was usually two to five years behind. It is obviously that, in this matter of joint rolls we are a lot further behind than that. Just because joint rolls are kept, it does not mean the boundaries are the same. Habitation indexes are kept by all electoral departments and, indeed, in the case of New South Wales, the Commonwealth Electoral Department makes up the individual rolls for the boundaries of the local authorities, for the State boundaries, and for the Commonwealth boundaries, at an arranged cost for the State and for the local government elections. Such a system saves a lot of problems in the community. No doubt when this provision was included in 1907, there was an appreciation that this would take place.

There are all sorts of different conditions and the Minister for Lands indicated that the boundary condition is the main problem. I think it has been said previously by Ministers that this is the only problem, and this is an insurmountable one.

In Victoria the boundaries do not conform to the Federal boundaries and, what is more, the Legislative Council boundaries do not conform—or have not until the most recent election—to the Legislative Assembly boundaries. Yet. that State has no trouble in making up the rolls. It seems absurd to say that we will have all this trouble when no trouble is experienced in the more populous States.

Then we come to South Australia where the conditions of enrolment for the Legislative Assembly are different from those applying to the Commonwealth. The main difference is, of course, that enrolment is voluntary and there is provision on the enrolment card for an elector to opt out of enrolment for the House of Assembly.

All those problems have been easily overcome by the other States, except Queensland, which State keeps its own rolls. I

am indebted to the Commonwealth Electoral Officer for supplying me with the information that the reason for Queensland keeping its own rolls is that the job is the responsibility of the Police Force. Evidently, under the provisions of the Electoral Act in that State, each policeman is allocated a certain district in which he must keep the rolls as part of his service. I imagine that the members of the Police Force in this State, or in any other State, would not agree to such an imposition being placed on them in the future.

So obviously, the circumstances prevailing in Queensland do not exist in this State. We are the one State which still persists in the preparation of its own rolls separately! It is obvious that this is a cost to the State. It will be recalled that I took this matter up with the Grants Commission and the commission pointed out to me, very strongly, that this was one of the expenses which it felt was causing the high incidence of total expenditure on administration in this State by comparison with other States, and that in the future the commission would be watching it. Of course, the Premier has escaped from that watchful eye because we no longer come under the jurisdiction of the Grants Commission.

Information is available to show that this is obviously an unnecessary expenditure. I ask: Could one see any expenditure which is more unnecessary than the keeping of registrars in this State for Commonwealth enrolments, for State enrolments, and for local government enrolments, although the franchise is somewhat different in the latter case?

To me it seems to be quite unnecessary to go on arguing this matter. The argument raised is the boundary problem. I feel that the Minister controlling this department has probably used that argument time and time again without any justification, but the boundaries do not exist so far as the departments are concerned. The departments merely keep the habitation index. They know the boundaries set out for local government, for the Assembly, for the Legislative Council, and for the Federal Government enrolments. They are able to compile a roll quite sensibly when requested by the State, by the local authorities, or by the Federal Government to do so.

So do not let us fool ourselves that we are getting away with any mighty effort, because we are not. We are spending State finance—goodness knows how much; I would not hazard a guess. We have to maintain an expensive electoral office by comparison with Victoria. I think I mentioned that in Victoria only a handful of men are required. There is a chief electoral officer and two or three other men who merely co-ordinate the work of the returning officers.

At the present time, in this State, we have a fully-equipped electoral office with its registrars, with its habitation index, and with its multiple card system, which is duplicating the efforts of the Commonwealth departments in the various areas of the State. For what it is worth, that is the situation. That is the situation which, in 1907, the legislators thought should be cured; which, in every other State, has been cured by amicable arrangement between the two bodies.

Dealing now with telegraphic nominations, I think we have reached the stage where all sorts of problems could occur when telegraphic nominations are left until the last minute. The onus should not be placed on any official to make sure that the information is available so that a nomination can be verified as correct. Surely people do not make up their minds at the very last minute of the nomination period that they will nominate! If they do, then they do not have much chance.

The member for Darling Range might disagree with me on this point because I understand that when he was elected to this Parliament he nominated about three minutes before closing time on the day of nomination. and he was successful. However, his nomination was probably directed to the returning officer at the place of nomination so there was no difficulty associated with that.

A person who receives a telegraphic nomination on the last day of nomination could face a complicated situation and I think that is unnecessary. The requirement now, as I understand it will be with the proposed amendment, is that instead of paying a deposit into the Treasury and receiving a receipt for that deposit, it will be necessary to pay the deposit direct to the returning officer either some time before or on the day of nomination. That will not always be easy. The returning officers are usually civil servants employed in various avocations.

I recall at the last election in Belmont my opponent was successful in arriving at the place of nomination three minutes ahead of closing time because he had been advised by the department that the officer concerned worked at a certain place. He had been doing another job before going to the place of nomination for the receipt and determining of nominations for the election.

So it would appear to me that it may not always be easy to catch up with the returning officer for the purpose of paying the deposit. Perhaps this provision should be a little more pliable. It should be possible to pay the deposit to the Chief Electoral Officer at the Electoral Office rather than to the returning officer. The returning officer may have some difficulty and somebody might have to take his place. I think that by requiring the nomination fee to be

paid to the returning officer, it narrows the situation down far too much. The payment is limited to one person and anything could happen when one put all one's eggs in one basket. As I said, this provision could be made a little more pliable than is proposed by the Bill.

It is proposed that the rolls may be altered to allow for the renumbering of houses, and this is a very good proposition. It has been found, in the past, that quite often people have been enrolled under a lot number, and years later they are still enrolled under that lot number.

This means very little to people who are chasing them up for various purposes and, indeed, it means very little to the Electoral Department, which may be checking the roll. Of course, at times the department can cause a check to be made from house to house to see whether the enrolments are correct, but it certainly cannot locate lot numbers, which are so often duplicated in one street. It is not unusual to see a row of street numbers and one lot number for the whole street. It is very hard to judge whether a certain person still lives in the same location. The department cannot take a name off the roll, because it has no evidence that a particular person no longer lives in the same place. Consequently there is no reason for the department to send the person an objection for still remaining on the roll. On the other hand, frequently someone has shifted, not enrolled elsewhere, and has remained on the roll although he is not entitled to be on the roll. The proposal in the measure should clarify the situation to some extent.

A person who had a lot number previously and who receives a street number is very loath to fill in another set of cards, which is necessary to accommodate an alteration from a lot number to a street number. I should imagine that this position is one of the "like circumstances" referred to in the measure to enable the department to adjust enrolments to the exact situation which a canvass of the rolls might indicate.

The State Government does not engage in a great deal of activity so far as canvassing is concerned. As a matter of fact, it relies considerably on the Commonwealth in this respect. Prior to a Federal election, the Commonwealth Department employs many casuals for the purpose of canvassing the rolls. It is true that employees of the Commonwealth department take only the Commonwealth card and are not obliged to look after the State's interests. It is also true, however, that if a person went into the office of the Swan electoral division at Victoria Park, the officer behind the counter would fill in both cards or would see that both cards were filled in. One would then be transmitted to the State enrolment authority.

When a canvass in the field is undertaken by employees of the Commonwealth department, they have no such responsibility nor do they seek it. Consequently the State roll is merely checked against the Commonwealth roll to see whether there is any variation. Certainly, a considerable number of discrepancies are picked up in this way, but the system is not nearly as effective as the substantial canvass which is undertaken by the Commonwealth.

I realise that people associated with the passing of this measure have said that this does not take place, but I know it does take place to a substantial degree on the part of the Commowealth department in the canvassing of areas. This applies particularly to new areas. A thorough canvass is made when there is about to be an election. The State is able to make some form of comparison, as I have said, after the Federal cards have been filled in.

I know that people—particularly those from Great Britain and other countries who come on to the roll for the first time—are quite confused if they are sent a "please explain" letter asking why they are not on the roll. The general reaction is, "Of course I am on the roll; I voted at the last election." For this reason, they take no notice of the request from the Electoral Department. Unless the department has a considerable staff which is able to chase up notices, the people concerned will still not be enrolled. Finally, they go to a State election and they find they are not on the roll. They simply cannot work it out.

One finds this out by canvassing homes. The people concerned know they have filled in one card or another and that they have voted at some election in the past, where they were given another card. Because they have not been able to clarify their subdivision, or for some other reason, the card has gone on top of the refrigerator and that is as far as it goes.

The confusion which is caused by the two-card system should be eliminated. Even if the State Government requires its own rolls, surely it could come to some arrangement with the Commonwealth in regard to the enrolment card. This should be done if only for the sake of simplicity. Through the use of the computer, there would be no problem in accumulating all the information quickly and transmitting it at regular intervals from the Commonwealth registrar to the Electoral Department. In this way, the State would have an up-to-date roll.

The penalties are to be brought into line with Commonwealth penalties. It is a pity, as my leader said, that we have not altered our thinking in other regards to line up with the Commonwealth.

To digress for a moment, I should like to refer to the matter of circular ballot papers, which we can discuss fully later on. I notice that the Press is not too keen on this idea, because it thinks that the number of informal votes would be increased considerably. This is doubtful. If there is a donkey vote—and I am sure there is—in a community such as this we should make sure that it is applied as evenly as possible to all the candidates in an election. I see no way of overcoming the donkey vote except by drawing for positions on the ballot paper and providing a circular paper.

Estimates on the donkey vote have varied at times, and one can only instance certain glaring examples where it was obvious. I refer firstly to the Federal electorate of Lalor in the election before last which had 114,000 to 115,000 people on the roll. Mr. Speaker, you may recall that five airmen nominated for the seat. Apparently, they were having trouble with the Commonwealth and it was one way of getting out of the Air Force. One happened to be on top of the ballot paper and he received something like 3,700 votes. The others received a few hundred votes. None of these candidates had put out how-to-vote cards or literature of any kind.

Mr. Cash: What percentage was that?

Mr. JAMIESON: That should be easy for a computer, such as the honourable member, to work out. I said that between 114,000 and 115,000 people were on the roll. I should imagine it would be 3 per cent. or thereabouts. This indicates that there is a donkey vote. Indeed, it is not unknown that people who have contested elections for a long time go chasing this vote.

It is worth recalling the case of a man named Murray, who regularly contested Federal elections in Victoria. Prior to the election before last he had his name changed, by deed poll, to A'Murray. His vote increased tremendously. Previously he had polled 800 votes or thereabouts but, on that occasion, he polled into the thousands—for no other reason than that he was on top of the ballot paper. Perhaps some people thought he was smart in changing his name and were prepared to support him for that reason. If they thought this way, probably they are the ones who would cast a donkey vote in any case. I have pointed this out to illustrate that the donkey vote does make a difference when certain circumstances are examined.

I think the proposals in respect of postal votes represent an improvement. The State has much more trouble than the Commonwealth on religious grounds. In my early days in the Parliament I had a great deal of experience with Seventh Day Adventists, who observe the Sabbath from Friday sundown to Saturday sundown. In summer time, this is very close to the time when the poll closes. The number of absent votes which were cast to accommodate people resident in Advent Park was nobody's business. These votes were cast at the nearest polling booths when the people arrived in trucks as soon as the sun went down. They would be locked in the school rooms at Queens Park until at late as 9.30 at night after completing the taking of votes.

If there happened to be at the same time as an election a Seventh Day Adventist camp at Maida Vale, which the member for Darling Range represents, he would possibly strike the same problem. This has caused a lot of problems for the local returning officer in adjusting his staff to look after this terrific surge of voters at a late stage of the polling. If there is some religious prohibition for a substantial part of the day, provision could be made for people to have the opportunity of voting by post beforehand, and this would overcome a lot of the difficulties.

The changing of the provision for absentee voting to a distance of five miles from a polling booth will bring the Act into line with the Commonwealth, and I think this also is a good idea.

As to the matter of alphabetical order having a bearing on the situation, the member for Mirrabooka used this Parliament as a basis for his assessment, which showed that it did have some effect, although not a marked one. A research officer who made an investigation of the Federal Parliament found that the name Jansen was about halfway through the Sydney telephone directory, and that two-thirds of the members of the Federal Parliament were above that position and one-third below it. So it appears to have some effect, even in the figures given by the member for Mirrabooka.

Perhaps it is not so marked in the less populous country electorates as in the metropolitan electorates. The bigger the electorate, obviously the bigger the donkey vote, and this occurs for physical reasons. The candidates are possibly not as well-known in the bigger electorates as they are in those of lower numerical strength. There are physical limitations on candidates as to just how many people they can know in an electorate and how many they can be personally associated with. The larger the numbers, of course, the more times this possibility is multiplied.

To my way of thinking, the ballot for position on the paper is a very good idea, although I must admit that on each occasion I have found myself in the top position on the ballot paper I have had a considerably greater majority than when I was in a lower position. I do not know whether I can claim that to be the result of my own efforts or the efforts of the donkey voters. However, it has been statistically proven to me that I have been

better off. I have only been on the top of the ballot paper twice, and on the other occasions I have been either in a lower position or at the bottom. I have always fared much better when I was at the top of the paper. I suggest that I might at least get an even crack of the whip with this donkey vote if I drew for position, and generally this seems to me to be a much fairer method.

I notice there is a provision in connection with the production of rolls. Members are aware that after an election they may inspect the rolls within a prescribed time on the payment of a fee. I think, too, it is high time we adopted a system similar to that of the Commonwealth in regard to making the details of postal voting available to the candidates after an election to enable them to assess where the votes are coming from, what the general nature of the application is, and why there might be more in one area than in another. It has been the standard practice with the Commonwealth for a number of years to allow a candidate, if he so desires to inspect the papers within a prescribed time after the election.

I think we should adopt that practice in addition to allowing access to the rolls. In effect it does of course give one access to the rolls when the postal votes are marked off, but it is a much more difficult procedure to indulge in inspecting all the rolls.

Regarding the ban on amplifiers, I think probably the less noise we have the better. I have known of some election days many years ago when amplifiers were probably used excessively with the idea of whipping people in for voluntary Legislative Council elections. I favour the abolition of all forms of activity on polling day, including how-to-vote cards and everything associated with them. I say this advisedly. I have had long experience of polling and I have found that if there was any variation of opinion between political personnel it often occurred as a result of problems at polling booths. If we can prevent this occurring at the zenith hour of election, the better it will be for us. It does not seem to have a great deal of effect.

It may or may not be known that how-to-vote cards are banned in Tasmania on election days. Under the peculiar system for conducting State elections in that State—the Hare-Clark system—all the candidates are jumbled together in alphabetical order, and voters have to pick out the Labor team, the Liberal team, or whatever is the team of their choice, from all these jumbled names. They do it successfully without the aid of how-to-vote cards. There is no more difficult type of ballot than that, yet it is effectively carried out. No doubt the how-to-vote cards are published in newspapers before the election and are delivered to the homes, but on election day they are prohibited and as a consequence I think the elections are much quieter.

I do not know whether it still prevails, but in recent years in New South Wales on election days, both Federal and State, the hotels were closed all day. Heaven forbid this! Surely we should be able to celebrate after the election.

Another matter I would point out to the Minister handling the Bill is the problem of signs outside booths on polling days. It has become an increasingly popular practice either to take up the last position alongside the entrance to the booth with a great trailer or caravan, or to put up large signs in some way. I do not think they affect the result of the election at all. They certainly annoy the canvassers of the other parties. If the Labor Party does it the Liberal Party canvassers are hostile about it, and *vice versa*, and it does not produce good feeling.

At the last Federal election I saw at a booth in my territory an instance of large signs being tacked on the street trees, which was quite unlawful, of course. They could not be removed by the local authority, because its employees would not be there on a Saturday. Action was taken to have them removed, which did not suit all parties, I might say, and it could have caused acute disagreement if the matter had not been handled carefully. However, it did cause many policemen to be called to that particular booth. I was questioned on an occasion when I happened to be racing around in my car, but everything was squared up fairly well.

I suggest there is no necessity for those signs on polling day and, if we are to have anything at all, the most we should allow anywhere near the entrance to a polling booth should be how-to-vote cards. If we go any further I think we will only invite trouble because one person will try to outdo the other and we will have terrific problems.

The Premier will recall—because I saw him there—that at a by-election in Bunbury when the present member for Bunbury was elected to Parliament, the D.L.P. had a large trailer parked right across the entrance to the polling booth. This caused an inconvenience to the public, and the party achieved nothing from it: it did not get any more votes. I think we would achieve a lot by doing away with this sort of thing, and we would have fewer frayed tempers on the part of canvassers, who seem to be affected more than the actual electors.

I would like the Minister to give me some clarification of the wording of the provision which states that no person shall make any public demonstration having reference to the election on election day. This provision seems to be very wide

and does not appear to have any definition. On looking through the parent Act it would seem that it is not able to be defined at all. What is regarded as a public demonstration having reference to the election? I do not know whether wearing a sandwich board and walking down the main street advocating one's choice would be regarded as a public demonstration; it probably would. But I would suggest that that is surely not the intention; or, if it is, it should be clearly stated because we do not want people arguing about it afterwards.

Another matter I wish to mention is that I think we are getting to the stage where we need to have the party designation on ballot papers. It has been said that this is against the fundamental principle —whatever that means—of democratic voting. However, I cannot see that it breaches any fundamental principle. As I understand it, the fundamental principle in a democracy is to vote for the person one wants. If a person does not know who is the candidate he wishes to vote for, surely he is entitled to find out when he gets to the polling booth; and if he is a party supporter he is entitled to find out to which parties the candidates belong.

I am indebted to a former Director-General of Education, Mr. Murray Little, for some information on Indonesian affairs. Many years ago when he was in Indonesia giving instructions on the matter of organising the school system of that country, he was rather impressed with the voting that took place at an election. He pointed out that a very small percentage of Indonesians were literate, yet they cast a most intelligent vote, not because they knew the candidates, or could read their names, but because of the signs placed alongside the names on the ballot paper—a bull's head, an alligator, or something like that. Those signs were associated with particular parties and the Indonesians cast their votes by placing a thumb print against the name of the person for whom they wished to vote. The formal vote was very high, even among the people who were unable to read or write.

Those people were able to determine their candidate as a result of conversations between one another—"If you put your thumb next to the bull, you will get the bull." We probably get a lot of that here without putting a thumb mark next to it!

Mr. Bovell: That system is for uneducated people.

Mr. JAMIESON: I thought the Minister was asleep. I would never have said that had I known he was awake. Another matter with which I wish to deal is that I think there should be some responsibility on local authorities to have uniform by-laws concerning the positioning of election signs. It seems to me that it suits some local authorities to allow some people to put up signs, and to refuse to allow others to do so. If we are to tidy up this matter of what can and cannot be displayed, I think some attention should be given to uniform by-laws.

I do not think electoral signs are necessarily untidy, nor are they like a screaming hoarding that lasts forever. Indeed, the backings of signs cost so much that most candidates take down the sign quickly, although not all do so. To this extent I think local authorities should follow the practice of the Melville City Council which, I understand, has a regulation requiring a deposit. Once the deposit is paid signs may be put up so long as they are not to the detriment of people using the streets. Signs may be placed on public land for the purpose of advertising a political candidate so long as they are removed within a certain time after the election.

Local authorities have power under the Act to prohibit all forms of signs except some which I will mention in a moment. They use that power literally and prohibit the erection of any sign in front of any person's private house—in the garden, or what-have-you. I think this Parliament should legislate to make the position clear, because we have done so in regard to "for sale" or "to let" signs. How often have we seen on a block of land a number of "for sale" signs by a dozen different vendors? They are most unsightly and ugly, and stay there almost indefinitely.

The SPEAKER: The honourable member has five more minutes.

Mr. JAMIESON: Those signs look quite out of order. I think we should amend the Act to give the individual the right to allow a sign to be placed in his front garden without his being intimidated by a local authority, as has been the case in the past.

Those are my comments in respect of the proposed amendments to the parent Act. I feel the amendments are an improvement and, to that extent, as my leader indicated, we are pleased with them. Many problems are associated with electoral legislation reform and I think the parent Act is one which the Law Reform Committee should have a thorough look at before long so that it might bring down an enlightened Act which is up to date and consolidates all these piecemeal amendments which we have had over a number of years and which are now combined in the 107 pages of the Act. I support the second reading.

MR. COURT (Nedlands—Minister for Industrial Development) [11.28 p.m.]: I thank both the Leader of the Opposition and the member for Belmont for their support of the Bill and also for the thorough study they made of it and the constructive points they put forward.

With regard to much of the detail mentioned by the member for Belmont, I assure him that this will be studied, as have all previous utterances he has made on the electoral laws. I know he takes a keen interest in this legislation. It is not always possible to clear up all the loose ends in this type of legislation at the one time. One always hopes one will take advantage of experience and bring down a Bill covering many of those matters that are known best to those who work actively in elections and have day-to-day experience of canvassing and seeking absent votes, etc., and then, of course, working on polling day.

I shall deal more specifically with a few of the points raised by the Leader of the Opposition and the member for Belmont. I will endeavour to do so briefly; it is not intended to go through the Committee stage tonight, but to get through the second reading and deal with the Committee stage at another sitting.

The Leader of the Opposition, as did his colleague, placed great emphasis on joint Commonwealth-State rolls. I know this has been canvassed on many occasions. It was canvassed by the Leader of the Opposition in the Upper House and replied to by my ministerial colleague in that place. At this point in time the Government does not see fit to go along with the idea of a joint roll, but I would not like to convey the impression that it has been abandoned; that as a proposition it will not be kept under review. In fact, it is our desire to keep all these matters under review. We have moved towards some uniformity with the Commonwealth in respect of several electoral matters.

I still recall how long it took for us to go from the three month to the one month qualifying period, but eventually we achieved our objective; and sometimes in these matters, particularly when dealing with the electoral law, there are local problems which are different from those that are met with by the Commonwealth, so it pays to make haste slowly. However, I can assure the honourable member and his leader that the question of joint rolls will be kept under consideration. At the moment it is not the intention of the Government to turn to the joint roll and I think, particularly as we intend to adopt this new computerised system, it is as well that we operate separately under it, still keeping the matter of a joint roll under review.

The question of party designations has been before this House on many occasions. I think it was the Hawke Government that brought a Bill before the Chamber to establish a mechanism necessary to provide for party designations. There was some criticism levelled against it but I cannot remember the fate of the Bill; whether it passed this House and did, in fact, reach another place before being put aside. However, the same objections exist today as existed then.

It would be nice if we could do away with how-to-vote cards and the irksome distribution of them, and provide that when people enter a polling booth they could see ballot papers showing "Court—Liberal" or "Tonkin—A.L.P." as the case may be. However, to achieve this, one would have to be 100 per cent. certain that any genuine political party, under any form of Government, could in fact obtain registration. If we face this matter fairly and squarely we will admit that there could be extreme difficulty. There would be a great deal of jockeying for position.

It would be very pleasing if one could obtain the letters that one particularly wanted and tried to get ahead of the Opposition. For example, I can imagine someone wanting to get in ahead of the D.L.P. The letters "D.L.P." could stand for all sorts of things. I quote those letters only as one instance of what could happen, but there could be problems in all of the parties; A.L.P., D.L.P., Liberal and Country League, Country Party, and so on.

Mr. Jamieson: I think you have got ahead of the D.L.P. by drawing for positions on the ballot paper. The Treasury will not get nearly as much money as it used to.

Mr. COURT: I believe that the risks involved in such a situation are too great for any party to accept. The arguments that would develop would be tremendous, and if one tries to think of some machinery under which this system could operate one can readily appreciate that the situation would become absolutely impossible. Therefore it is the opinion of the Government that it cannot proceed with this proposition. I want to say, quite frankly, that the idea has been put forward by the organisational side of my own party. Some people think it is the obvious way of dispensing with how-to-vote cards, but on reflection they all ask the same question: How will we set up the machinery that will ensure there is no jiggery pokery so far as jockeying for the initials of a party and for the registration of that party are concerned? The alternative is to go through the very irksome procedure of writing in the full name of the Australian Labor Party, Democratic Labor Party, the Liberal and Country League, the Country Party, or whatever the party name may be, alongside each candidate's name on the ballot paper.

The point raised by the Leader of the Opposition about broadcasting is pertinent. Quite obviously, it is an anomalous situation. There appears to be some discretionary power now placed in the hands of the Commonwealth Minister which I can never quite follow. This is used on

occasions, but the Leader of the Opposition can be assured that we will look at this question to see if some discussion can take place on a Commonwealth-State level to achieve uniformity. If my recollection is correct, comment on radio and TV several days before the election was cut out because of the complaint by the political parties that it was more difficult to deal with the malicious spoken word than it was to deal with it in print.

For this reason it was decided at the time—perhaps in a different atmosphere from that in which we are discussing the question today—that the broadcasting and televising of electoral material would cease about four days before an election. However, the main point is to get some uniformity and a more practical approach to bring the time closer to the actual election day.

The matter of canvassing the rolls, raised by the member for Belmont, is also pertinent. I can assure him there is very close co-operation between the Commonwealth and the State in respect of canvasses that are made by the Commonwealth. I agree it makes a more thorough canvass of the rolls than does the State, but there is close co-operation between both authorities which does achieve substantial benefit to the State in regard to the care of the rolls.

The question of one enrolment card has also been brought before this Chamber on a number of occasions. The Government is working towards achieving this objective, but as yet it does not consider the time opportune.

The member for Belmont raised the point of a public demonstration having reference to an election. It is on the last page of the Bill and is a point to which I cannot, this evening, supply an answer for the benefit of the honourable member. However, I will have some research made on it before we get into the Committee stage. There could be a great deal of argument on the definition of a public demonstration; whether it constitutes a brass band, or whether it means a person travelling down a street shouting at the top of his voice. However, I will have the point clarified before we meet again.

The Government does not support the idea of a circular ballot paper. The suggestion has been closely examined. The Royal Agricultural Society was quoted as one body which had tried this system of voting. I have had a look at that society's circular ballot paper. It tried this system for two consecutive years, but it proved so cumbersome that it was abandoned in favour of a system of voting straight down the ballot paper. Incidentally, in using its new ballot paper, the positions on it will be decided by ballot, as was the case with the circular ballot paper. The society had a system whereby one, first of all, had to be in a ballot to determine the order of the names on the ballot paper, following which one's name went on to the circular card. However, having tried to vote in one of the Royal Agricultural Society's elections, I would hate to see the day arrive when we had one of these circular ballot papers, especially for a Senate election. I found that if one wanted to be selective in one's vote, the circular ballot paper was most cumbersome and almost impossible.

Mr. Burke: How many names were on the circular ballot paper issued by the Royal Agricultural Society?

Mr. COURT: I think there were 12.

Mr. Burke: There would not be that many in a State election.

Mr. COURT: No, but even with only half a dozen names the same principle would still apply. I can understand people jockeying for position in the hope of securing some advantage as against the disadvantages, perhaps, from the donkey vote. However, no matter what one does there will still be disadvantages. I can assure the member for Belmont and the Leader of the Opposition that there will still be a donkey vote, whether it is the straight up and down form or the circular form. We seem to be in agreement on the need for a ballot for position. I give notice that the Government does not give support to the circular form, because it would not achieve that which it sets out to achieve. If the intention is to defeat the donkey vote, we think the reverse will be achieved with the circular ballot paper.

Question put and passed.

Bill read a second time.

House adjourned at 11.40 p.m.

Legislative Assembly

Wednesday, the 29th April, 1970

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

LIQUOR BILL

Late Trading Permits: Petition

MR. JAMIESON (Belmont) [4.32 p.m.]: I have a petition addressed as follows:—

> To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia, in Parliament assembled—
>
> We, the undersigned petitioners, express our complete approval and support for licensed stores being able to apply for a "late trading permit" to allow trading to 8.30 p.m.