Clause 8 provides for the closure of the various undeveloped roads on the western side of the No. 2 Rabbit Proof Fence, the maintenance of which has been discontinued by the Department of Agriculture which has sold various sections of the fence to the holders of adjoining properties.

Debate adjourned, on motion by The Hon. W. F. Willesee.

House adjourned at 10.25 p.m.

Legislative Assembly

Tuesday, the 26th November, 1963

CONTENTS

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

TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL (No. 4)

Message: Appropriation

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

QUESTIONS ON NOTICE

HIGH SCHOOL HOSTELS AUTHORITY

Purchases: Procedure and Delays in Delivery

1. Mr. W. A. MANNING asked the Minister for Education:

   (1) Is it a fact that the High School Hostels Authority has to channel authorisations for utensils, such as kitchen needs, fly doors, electrical goods, etc., through the Public Works Department?

   (2) If not, what is the position?

   (3) Is he aware that items already authorised for Narrogin by the authority dating back as far as June last are still outstanding?

   (4) Can some other procedure be adopted which will save delays?

   Mr. LEWIS replied:

   (1) Yes.

   (2) Answered by No. (1).

(3) Yes.

(4) Alternative procedures are being investigated.

CRAYFISHING

Pots Permitted under Regulations

2. Mr. KELLY asked the Minister for Fisheries:

(1) Is he aware that there is a growing feeling among crayfishermen that the current regulations tend to favour large operators and eliminate the small men?

(2) Is it a fact that the maximum number of pots allowed is three per boat foot with a boat length minimum of 18 feet?

(3) What rate of pots is permitted in the following boat lengths:—27, 36, 45, 54, 63, and 70 feet?

(4) Are these maximums designed to conserve crayfish stocks or satisfy the demand of large operators?

White Cray Season

(5) Is the current white cray season showing signs of an average catch?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) The notice limiting the number of craypots states that no boat shall use more than three pots for each foot of its length. No boat may use more than 200 pots, but no minimum length of boat has been prescribed, as suggested.

(3) 27 ft.—81 pots; 36 ft.—108 pots; 45 ft.—135 pots; 54 ft.—162 pots; 63 ft.—189 pots; 70 ft.—200 pots.

(4) To conserve stocks.

(5) Yes—the crayfish have started to run earlier this year.

OWNERSHIP OF LAND

Alday Street-Albany Highway Corner

3. Mr. JAMIESON asked the Minister for Lands:

(1) Is the area of vacant land on the corner of Albany Highway and Alday Street, East Victoria Park, now owned by any Government Department?

(2) If so, which Department?

Mr. BOVELL replied:

(1) The land at the corner of Albany Highway and Alday Street, Victoria Park, is Crown land.

(2) This land has been reserved for use by the Department of Education, subject to town planning requirements to widen the highway at that point.

IRON ORE: MT. GOLDSWORTHY AGREEMENT

Alteration: Financial Advantage to Company

4. Mr. TONKIN asked the Minister representing the Minister for Mines:

(1) After tenders have been invited on a basis which involves a very substantial expenditure by the successful tenderer in consideration of benefits to be obtained, is it not amoral for the Government to relieve the successful tenderer of a substantial part of the obligation such as is now proposed in connection with the Mt. Goldsworthy agreement?

(2) Is it reasonable to assume that under the proposed alteration to the agreement the successful tenderer for Mt. Goldsworthy rights to mine and export iron ore may benefit to the extent of up to eight million pounds?

(3) If "No," what maximum financial advantage to the company is made possible under the changes in the agreement which it is proposed to make?

Mr. BOVELL replied:

(1) The successful tenderer is not being relieved of his obligation and has complied with same up to date to the extent of expenditure of nearly a million pounds on investigation of all aspects of the Mt. Goldsworthy project.

(2) and (3) As a result of investigations, there now appears a doubt as to the entire suitability of Depuch Island as a port location and in the event of a change becoming necessary and desirable, at a time when Parliament is not in session, the parties to the agreement desire the authority of Parliament to enable them to proceed without delay to negotiate any alteration to the existing agreement which may become necessary.
It is quite impossible to assess any financial advantage or disadvantage which might follow any change of plans. This will depend upon the possible choice of a new site and the economics attached thereto.

LOTTERIES COMMISSION

Commitment Account and Contingent Liabilities

5. Mr. TONKIN asked the Chief Secretary:

(1) What is the amount of the commitment account of the Lotteries Commission at present representative of donations approved but not paid?

(2) Of the total of contingent liabilities, what amount, if any, has not been provided for?

Granting of Agencies

(3) Has there been any relaxation of the commission's policy of not granting more than one agency to any one person except in cases where the holder of an existing agency purchases another?

(4) If "Yes," in how many instances has general policy been varied, and for what reasons in each case?

Mr. ROSS HUTCHINSON replied:

(1) £415,645 6s. 6d. as at the 31st October, 1963.

(2) No funds have been set aside as yet. The commission, however, has approved of grants totalling £510,500. This is a contingent liability for future hospital expenditure and will be progressively set aside out of profits during the financial years of 1963-64, 1964-65, and part of 1965-66.

(3) and (4) No. Each application for an agency is treated on its merits, and a second agency may be granted to an applicant where advice has been received of the possible demolition of his premises or notice to vacate, so that the applicant may obtain alternative premises, re-establish, and carry on his business.

PYRITES FROM NORSEMAN

Railage to Metropolitan Area, Rebates, and Mileage

6. Mr. KELLY asked the Minister for Railways:

(1) What tonnage of pyrites has been railed from Norseman to the metropolitan area in the years 1958 to 1963 inclusive?

(2) What amount was paid to the Railways Department for haulage, etc., in each of the years?

(3) What was the value of rebate or concession in each of the years?

(4) What is the total mileage between Norseman and point of discharge?

Mr. COURT replied:

(1)

Year to 30th June.	Tonnage.
1958	40,690
1959	41,980
1960	41,121
1961	42,355
1962	41,036
1963	37,192

(2) Amount paid to Railways Department—

Year to 30th June.	£
1958	129,916
1959	134,119
1960	131,288
1961	135,988
1962	131,588
1963	119,165

(3) *Value of rebates or concessions—

Year to 30th June.	£
1958	32,255
1959	33,278
1960	32,597
1961	57,205
1962	58,348
1963	52,862

*Amounts shown in answer to No. (3) include the following payments received by the railways from the Department of Industrial Development:

Year to 30th June.	Amount. £
1958	32,255
1959	33,278
1960	32,597
1961	35,071
1962	32,530
1963	29,482

(4) 458 miles.

SLOW LEARNERS' CENTRE, ALBANY

Existing and Alternative Sites

7. Mr. HALL asked the Minister representing the Minister for Housing:

(1) Has the State Housing Commission made claim to the site set aside for the erection of the slow learners' centre at Spencer Park area, Albany?

(2) If so, what alternative site has been made available to the slow learners' group, Albany?

Mr. ROSS HUTCHINSON replied:

(1) and (2) The State Housing Commission at the request of the Albany Slow Learning Children's Group, offered an area of 3.53 acres adjoining the Spencer Park primary school site, but this offer has been declined by the group because an alternative area has now been made available adjacent to the high school site.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

In Committee

Resumed from the 21st November. The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Nalder (Minister for Agriculture) in charge of the Bill.

Clause 5: Section 113 amended—

The CHAIRMAN: Progress was reported after the clause had been partly considered.

Mr. FLETCHER: Progress was reported last Thursday to give me an opportunity to frame certain amendments to section 113. I do not propose, as a consequence of further discussions in certain quarters, to proceed with the amendments I outlined last Thursday. However, I thank the Minister for the courtesy he extended to me by reporting progress.

Mr. TOMS: I wish to move an amendment to insert the words "entitled to be" before the word "enrolled" in line 1. It might be necessary to read paragraph (j) of section 113 which commences with the word "enrolled".

The CHAIRMAN (Mr. I. W. Manning): Order! I think there is something wrong here. I can only accept an amendment to a clause in the Bill, and not to the parent Act. Therefore the honourable member must fit his amendment into the clause in the Bill.

Mr. TOMS; We are amending paragraph (j) of section 113. The amendment in the Bill proposes to delete certain words from that section. I thought we would be dealing with the section as a whole.

The CHAIRMAN (Mr. I. W. Manning): You would have to fit your amendment into the clause in the Bill.

Mr. TOMS: The amendment in the Bill is to delete certain words from paragraph (j).

The CHAIRMAN (Mr. I. W. Manning): Whereabouts in the clause do you wish your amendment to come in?

Mr. TOMS: Before the word "enrolled" in the Act. We are changing the whole concept of paragraph (j).

The CHAIRMAN (Mr. I. W. Manning): I can only accept the amendment if it fits into the clause in the Bill.

Mr. TOMS: You, Sir, are now making it difficult, inasmuch as we are amending a particular section.

The CHAIRMAN (Mr. I. W. Manning): I realise that; but an amendment from the honourable member must be to something in the clause. If you can indicate whereabouts in the clause you wish your amendment to go, I can see if it will fit.

Mr. TOMS: Apparently the difficulty you are trying to overcome is that I am trying to insert words before the words to be deleted?

The CHAIRMAN (Mr. I. W. Manning): Yes.

Mr. TOMS: Perhaps it would be better for me to move to delete paragraph (j) with a view to inserting the words I have mentioned.

The CHAIRMAN (Mr. I. W. Manning): I cannot accept an amendment designed to amend the principal Act. The amendment you move must fit into the clause in the Bill.

Mr. TOMS: We are amending the Act now.

The CHAIRMAN (Mr. I. W. Manning): Yes; but your amendment must be to the clause in the Bill.

Mr. Bovell: Or you could submit a separate Bill of your own to amend the Act.

Mr. TOMS: The clause states "the principal Act is amended by deleting the passage commencing with the word 'who' ". Once that passage is deleted, would it be in order for me to add further words to the section by including the words "or who is entitled to be enrolled"?

The CHAIRMAN (Mr. I. W. Manning): We will have a look at that for a moment. To assist the member for Bayswater and to test the situation, I suggest he move to delete all words after the word "amended" in line 2 with a view to inserting a new paragraph to be called "(a)". If the honourable member is successful, we will carry on and try to fit his amendment in by deleting all words after that.

Mr. JAMIESON: Before going any further, the Minister ought to give this matter serious consideration because, unfortunately, as this is framed it is not doing what the Minister anticipated it would do to make the position easier.

There are some 200,000-odd people enrolled on the Legislative Assembly roll, and it would be a colossal task for the returning officer in any one area to go through them to check to see if a particular signature was that of a person who was on the Legislative Assembly roll. What the member for Bayswater is attempting to do is obvious; namely, to provide the same right as applies to Commonwealth and State absent voters. In those instances, if anybody is entitled to be on the roll, a check does not have to be made. But if a person has to be on the roll it is a different proposition. The returning officer would need to have at least 50 rolls in his office to check to see if any particular person was enrolled on the Legislative Assembly roll. I do not think it is the intention of Parliament to make elections conducted under the Local Government Act complicated to that extent. I am sure the Minister will agree with me, and he may possibly wish to delay the progress of the Bill to obtain some further advice from the Crown Law Department.

Mr. NALDER: I wanted to allow the member for Bayswater to achieve his purpose, if possible. The honourable member gave me notice of the amendment a few minutes before the Committee met, and I was unable to get any information from the department. I agree with the member for Beeloo that if we accept the amendment it will make the situation more complicated and place a terrific amount of responsibility upon the returning officer; and we do not want that to

happen. If it is the wish of the Committee that the clause be deferred I am prepared to agree that progress be reported to allow the member for Bayswater to have another look at the provision.

Progress

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

RESERVES BILL (No. 2)

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Bovell (Minister for Lands):—

That the Bill be now read a second time.

MR. KELLY (Merredin-Yilgarn) [4.55 p.m.]: This Bill represents a hardy annual which is introduced about this time every session. In this instance, the measure deals mainly with Class "A" reserves and other pieces of land which are to be excised from those reserves. They represent, of course, an accumulation for the past 12 months in most cases, because there is another Bill introduced that deals with current affairs at the end of each session.

Most of the reserves which are the subject of these annual Bills are sought to serve a very useful purpose. It is interesting to realise that each clause deals with a separate item and the clauses cover a wide variety of needs in fulfilling the applications that are made from time to time for various purposes in all parts of the State.

Among the pieces of land dealt with in this Bill, reserves are sought for kindergartens, parks, camp sites, picnic sites, public education endowment land, and conservation of historical buildings. We are, of course, accustomed to having similar reserves brought before us each year, but I have noticed one that has appeared for the first time since I have been a member of this House; namely, a reserve for a national television transmitter site. That could make history in the type of Bill we now have before us.

Reserves are also sought for one or two school sites, and the one that pleases me is that which is to be granted to Southern Cross. For some time we have been negotiating with the Education Department to have improvements made to the Southern Cross school buildings, and the passing of this Bill will set the ball rolling to effect these badly-needed improvements.

There is nothing objectionable in the Bill as far as I can see, and members have had an opportunity to peruse the provisions contained in it. I support the second reading.

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. Bovell (Minister for Lands), and transmitted to the Council.

IRON ORE (MOUNT GOLDSWORTHY) AGREEMENT ACT AMENDMENT BILL

Receipt and First Reading

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

ROAD CLOSURE BILL

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Bovell (Minister for Lands):—

That the Bill be now read a second time.

MR. KELLY (Merredin-Yilgarn) [5.5 p.m.]: This is another Bill which comes under the same category as the one just dealt with. It has similar functions—except that this Bill deals exclusively with roads—and has, for its purpose, the closing of, widening of, or dealing in some form or other with roads.

There is one other feature which seems to come under this type of Bill from time to time: it is the closure of rights-of-way. Whilst I am in complete agreement with the purposes of this Bill, the time is long overdue when a complete revision of all rights-of-way should be undertaken.

There are throughout the metropolitan area in particular, and in very many country centres, literally hundreds of these rights-of-way which at the present time serve no useful purpose. They are repositories of rubbish, and are places where sometimes misdemeanours are committed. In almost every instance the police would be very happy to see something done to eliminate them. In introducing a Bill of this kind it would be possible to include very many of these rights-of-way, with a view to eliminating or stamping out something that, in most cases, is unnecessary and undesirable.

I support the second reading of this Bill, which contains eight clauses. There is nothing of great importance in any of them, but they are necessary to fulfil the requirements of the department.

MR. JAMIESON (Beeloo) [5.7 p.m.]: I agree with the remarks of the member for Merredin-Yilgarn in support of this Bill. It is high time action was taken by the Lands Department to overcome the problems created by rights-of-way, one or two of which are being dealt with under the provisions of the Bill.

We all realise that for several years, since the new Local Government Act was passed, it has become much more difficult for local authorities to eliminate rights-of-way; whereas previously they had rather clear powers given to them under the Road Districts Act and the Municipal Corporations Act to deal with this matter. It is desirable in the interests of all concerned that something should be done, because a terrific amount of buck-passing occurs in looking after these rights-of-way. Most householders are not interested in cleaning up the rubbish which generally accumulates in these access ways.

Before a similar Bill is introduced next year, the Minister should have a thorough examination made of the position, so that rights-of-way which are of no further use could be compulsorily allocated to the adjacent landowners. If such land is not compulsorily allocated, and owners of adjoining land are given an option, some will want the land, while others will not. If some measure of compulsion is brought about by an Act of Parliament the majority of the adjacent landowners will want the land now forming rights-of-way.

Mr. Graham: Do you think the land should be sold to the adjacent landowners?

Mr. JAMIESON: It should be given to them at no cost, and free of transfer fee. This should all be a matter for action by the Government. With the allocation of £10,000 to £15,000 it would be possible to clean up many of these rights-of-way by tranferring the title to adjacent landowners, and this would be a worth-while move on the part of the Government, to tidy up the whole of the metropolitan area, and some country centres, such as Kalgoorlie, where rights-of-way were provided under old subdivisions, which nowadays are sewered; and there is no further need for them.

Rights-of-way invariably are places where undesirable people congregate, and where refuse is dumped. Nobody owns the land, and nobody wants it. Unfortunately the Perth City Council has a considerable number of these access ways in its district. When householders request the council to do something to clean up back lanes and rights-of-way, it refuses to take action, because that is not its responsibility.

If we were to examine the title deeds we would find that these rights-of-way had been allocated to the owners of the adjacent lots as access ways; and they are not owned by anyone, except the original title holder. The position is made ridiculous, because many of the original title holders have long passed away. At the present time nobody can be proceeded against; nobody looks after these rights-of-way; and nobody wants to assume that responsibility. Consequently, they remain in an untidy and unkempt state.

In one instance an elector in my district was tired of looking after the land which formed the right-of-way adjacent to his property, because continually he had the responsibility of removing the grass. He did what was, in effect, quite an illegal act by removing the fence, and extending his lawn across the laneway. Now, to all intents and purposes, the laneway appears to be part of his property. I think it was a very good move on his part. The land is now well kept and tidy.

Adjacent landowners should have the land comprising rights-of-way included in their title deeds free of cost; in fact, they should be paid a bonus. Those who do not want such land should be compelled to take it, because they have some responsibility in this matter as they have inherited a portion of the land which made up the original lot. I hope the Minister will take notice of my comments on this matter; and when his department draws up a similar Bill next year, I hope we will see one as large as the Local Government Bill which was passed several years ago, to close up as many rights-of-way in the metropolitan area as possible.

MR. DAVIES (Victoria Park) [5.12 p.m.]: I wish to make a few brief comments on rights-of-way, particularly on the cost to adjacent property owners of acquiring such land. There was one right-of-way in my electorate which eventually was included in a road closure Bill. When it came to disposing of the land comprising the right-of-way, the amount was determined at £10 a foot, plus incidental fees and survey fees associated with the sale of land.

Although the department may hope to derive some revenue from the sale of the land comprised in laneways and rights-of-way, the tendency is for the people who are interested in acquiring the land not to bother, because in very many cases the additional land will not add a great deal to the value of their properties. Generally it is only because of the untidy appearance and the unkempt state of rights-of-way that adjacent landowners desire to have them closed. If, as suggested by previous speakers, the Minister could arrange to transfer such land to the adjacent landowner, possibly by the payment of the incidental fees only, many streets would be tidied up, and many bad fire hazards which exist in back lanes would be eliminated.

I realise there are difficulties in cases where laneways abut a number of properties; but in many cases—as in the one I referred to—they run into dead-ends. They serve no useful purpose at all; but the cost involved in acquiring the land comprising the laneways is so prohibitive that the adjacent landowners are reluctant to take over the land. In the instance I referred to the cost was £10 a foot; that is a total of £70 for a seven-foot strip on one side, and £95 for a 9½-

foot strip on the other side. This is a very great expense, and the land will not be of very great advantage to the adjacent landowners.

The case about which I made representations to the Minister in 1962 has not yet been replied to officially. This person pointed out that he had to make considerable alterations to one boundary line, and he would have to pay some additional expense in adjusting his other boundaries. This laneway cannot at any time be built on, because it is over a sewer. For those reasons that land is not of much use to him, although it will add some value to his property. The local authorities concerned will derive a greater amount in increased rates and taxes. Here is an area of land which cannot be used to any great advantage; yet the Government wants to charge £10 a foot for it. That is scandalous. It is holding the owners to ransom. As a result, this laneway is still an eyesore in a nice street. It is serving no good purpose to anybody, and I think the department could well have a look at the position with a view to making it available to adjoining tenants free of cost, apart from any incidental fees.

I noticed the department wanted to charge something like £50 for survey fees; whereas a private surveyor could do the survey for something like £7 10s. On the same question, I remember that, earlier in the year, when there were a number of scares and panics during the series of murders, the Police Commissioner advocated the closing of lanes and suggested they were serving no good purpose, because the original purpose for which they had been provided had now disappeared. I think his suggestion for closing them was supported by other local authorities. I believe some easy method of closing lanes should be evolved by the department; and, in common with other speakers, I look forward to a Bill being brought down next year that will give effect to such closures.

MR. BOVELL (Vasse—Minister for Lands) [5.17 p.m.]: I have noted with interest the comments made by the member for Merredin-Yilgarn, the member for Beeloo, and the member for Victoria Park with reference to the closure of rights-of-way. I think my predecessor in office—the member for Merredin-Yilgarn—will realise that a great percentage of these rights-of-way are not Crown land; and the Minister has no jurisdiction over land that is not Crown land. I answered a question recently which I think was asked by the member for Beeloo or the member for Victoria Park—

Mr. Davies: I think it was the member for Balcatta.

Mr. BOVELL: —regarding rights-of-way, and I explained that conferences had proceeded between the officers of the Lands Department and the Town Planning Department, and it was considered that the only legal way the problem could be overcome was by means of a minor town plan, which would be the responsibility of the Town Planning Department. I will say this: The Lands Department will co-operate in every way possible to resolve this problem, but it has now been under consideration for several years and a satisfactory solution has not been arrived at.

For instance, take a private right-of-way. It would appear to me it would have to be compulsorily resumed and then compulsorily reallocated; and people may not want portions of it. I think I explained in my answer to the member for Balcatta that whereas one landholder might say he wanted an additional part of land in the right-of-way and extend his fence accordingly, the adjoining landholder might say, "I do not want it and you cannot force me to take it." Therefore, in those circumstances, that part would be a greater hazard than the right-of-way would have been had it remained untouched.

Mr. Kelly: I think it would have to be compulsory.

Mr. BOVELL: I do not know if there is any law.

Mr. Kelly: We can churn them out here.

Mr. BOVELL: It may not be palatable to the public. It is all right to say we can make anything compulsory, but we believe in a little bit of freedom.

Mr. Kelly: Very little.

Mr. BOVELL: The problem is one that has been exercising the minds of the respective departmental officers, but no ready solution has been forthcoming so far as private rights-of-way—and the great majority of them are private—are concerned. However, a minor town plan may be evolved under the Local Government Act.

Mr. Davies: How about the question of costs?

Mr. BOVELL: I do not think there would be much difficulty about the cost of the land; but it would appear from the comments that have been made this afternoon that this could be a big problem and might involve the Treasury in the ultimate, because that is where the money would have to come from. The Land Act provides that the proceeds from the sale of any Crown land must go into general revenue; and there is no other way in which we can obtain funds than by an allocation from the Treasury. Nevertheless, as I have said, the matter is under consideration. I am sure it is not one that could be provided for in a Bill of this nature. It would have to be some overall policy agreed upon between local government, the Local Government Department, and the Government and no solution has yet been found.

I have received deputations from the Shire of Perth and other local authorities in this regard, and nobody has been able

to submit a plan which is acceptable and workable as far as the closure of private rights-of-way is concerned. I will certainly give attention to what has been said today and continue my investigations with my colleague, the Minister for Local Government; and I will ask the departmental officers concerned to see if the suggestions made this afternoon are capable of implementation.

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. Bovell (Minister for Lands), and transmitted to the Council.

AGRICULTURAL PRODUCTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th November, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. KELLY (Merredin-Yilgarn) [5.26 p.m.]: This small Bill deals chiefly with two amendments, and each covers a separate practice. I thought the first amendment had been already provided for in the Act, and it is a very necessary inclusion. I refer to the branding of wool in its every quantity, irrespective of bales, bags, packages, or anything else. I consider this to be necessary in order to preserve the identity of the individual producer as it will undoubtedly safeguard him throughout the whole period of producing his wool on his property up to the time and place of sale.

As a matter of fact, the majority of wool producers brand their wool now; and no compulsion is required for them to do this. I think most wool producers are zealous in regard to the brand which they have registered, because it is a very good identification when the wool reaches the markets. They are also very zealous to market at all times under the same brand. I think, too, that in many cases it provides an indication to buyers who prefer to purchase their entire wool requirements bearing the brand of a specific grower. They do this, because they have reached the stage where they feel they can rely on that particular grower's method of classing and his grading generally. Therefore they are prepared to buy purely on the hallmark of quality that has been established by virtue of the brand used.

The amendment is designed to safeguard against theft, losses in transit, and any other unlawful method of handling that may take place. I would say that this amendment has become necessary, particularly since the advent of the buying of wool by many hawkers who are going around the country, and woolbuyers of different kinds who go on to a person's property and finally take away a number of bales or packages of wool that do not show any brands at all. It is impossible to trace this wool afterwards; so it is a wise precaution that wool in its entirety be marked. I do not think there could be any objection under any circumstances from the growers; because, after all, it is for their protection that the legislation has been brought forward.

The second amendment proposes to continue a provision that was introduced into this Parliament 12 months ago for the purpose of giving it a trial for a period of 12 months. On looking up the debates, I found there were quite a number of speakers to the original Bill and quite an amount of controversy raged around certain aspects.

The amendment now before us seeks to extend the provision for a further two years; whereas originally it was passed on a trial basis of 12 months. At that time the Minister told us the Bill was purely of an exploratory character; and I think he said it had been requested by the Western Australian Fruitgrowers' Association. Apparently that is the organisation which is now seeking an extension of this Bill. We have not heard much about it in the intervening time. Very little has been mentioned at any time about the operations of this legislation, what it has achieved, or anything else. It is rather difficult to determine what advantage there is in the measure, because of the position that we can see every day of the week.

The original legislation was instrumental in bringing into being tne Apple Sales Advisory Committee. That committee has not completely utilised the power that was given to it by the Minister. Reviewed through the eyes of the general public, we cannot see that the original legislation has achieved anything very much on the local scene, although it may have achieved something in connection with the export of apples. However, there has been no indication that that is the case.

The only alteration which has taken place in the last 12 months is an appreciable lifting of the price of apples on the Western Australian market. The legislation was originaly designed to bring about a position where the Western Australian market should enjoy a very much better class of apple; and to completely eliminate the sale of undesirable types of apples. Because of the Bill, which was before the House during the past fortnight, I brought

with me bags of apples on several occasions, but had to take them home again. I had wanted to show them to the Minister, to give him some indication of what were being sold, and the prices that were being paid. However, I was obliged to take them home, and to eat them or give them to the chickens. The situation was not very satisfactory, as my spending money was diminishing. The Bill is before us today and I have not got the apples with me.

Mr. Hall: If you had shown them last week, we would have thrown them at each other.

Mr. KELLY: I was frightened of that, so I kept them out of sight.

Mr. Nalder: Have you been in touch with the Metropolitan Markets in West Perth?

Mr. KELLY: I am speaking of the market as we know it—the consumers' market. The consumers are just as important as the growers. We have entirely married ourselves to the growers' point of view in the original legislation. The provisions of the Act will apply for another two years.

Mr. Nalder: I was referring to those people who distribute the apples throughout the metropolitan area.

Mr. KELLY: I have spoken to some of those people. In some instances the chain stores have a detrimental effect on the marketing of decent quality fruit. I obtained a number of samples of apples which I had hoped to show the Minister. I am certain the Minister must know that apples of poor quality are going on to the market in exactly the same quantities as previously. They can be obtained in exactly the same quantities. I could take the Minister to half a dozen stores and show him poor quality apples.

Mr. Nalder: They are all graded by the advisory committee.

Mr. KELLY: But they are not of the grade which the Minister was endeavouring to achieve.

Mr. Nalder: I would like the honourable member to take me to any of those stores to which he is referring.

Mr. KELLY: I could do the Minister a service by bringing him two or three quantities of apples from various shops along the route I travel to get to Parliament House.

Mr. Nalder: Make a note of the names of the shops.

Mr. Hawke: Hasn't the Minister seen poor apples?

Mr. Nalder: Not in shops.

Mr. KELLY: Then the Minister has not been about.

Mr. Nalder: I buy a considerable quantity of apples every week.

Mr. KELLY: This measure was thrown into the ring as being something which was not contentious; something with which we could agree quite easily; something which would improve the lot of apple growers, and improve the quality of apples sold to consumers. We were told that it would eliminate the poor type of apple. The only thing that has prevented me from showing samples of the poor type of apple is the fact that I did bring samples on many occasions but had to take them away again. There was no doubt about the quality of the apples being sold.

Among the several lots that I brought along there were two lots of Granny Smiths, and they were blemished all over. Some people say that it does not matter if there is a blemish on the outside of an apple, because the blemish does not extend inside the apple and it is not detrimental to the fruit. I could agree with that up to a point. I looked at one case of apples in the Metropolitan Markets. I could have had 20 such cases had I wanted them. A 40-lb. case was being sold for 15s. If those apples had been mixed with apples that had been purchased from somewhere else, one would not have known the difference. There appeared to be no line of demarcation in the quality. Those apples were being sold at 10d. per lb. retail. The Minister could have bought a case of apples for 15s., or a case of apples of even lower quality for 13s. 6d.

Mr. Nalder: I will accept your invitation.

Mr. KELLY: The Minister should do so. If he goes along to the far side of the Metropolitan Markets he will find three or four retailers there. Also, if the Minister went to the chain stores in the suburbs he would find that these apples are obtainable for 10d. per lb., or three lb. for 2s. 3d.; or he would find other catch lines.

The member for Stirling is looking hard at me. When he was speaking about apples in support of this measure he stated that we should not forget the fact that apples are a luxury. I did not have an opportunity of telling him that I wholeheartedly disagreed with him; but I do so now. Apples are no more a luxury than potatoes or any other commodity that is sold on the market.

I would also tell the Minister that at present a lot of Yates are being taken out of cold storage. They are undersized and no bigger than apples we have known in the past as being suitable for toffee-apples. Within 60 hours of being taken out of cold storage they are completely rotten, although they are sound when they are taken out. It is ridiculous to occupy storage space with apples of that type, when we have a measure before us which seeks to provide the public with good-quality fruit.

It would be worth while if the Minister had a look at the Metropolitan Markets and at those people who are vending fruit at the side entrances. He should also take a look at the chain stores and pick out a few apples for himself. He would be able to buy better quality apples for from 1s. 3d. per lb. to 1s. 9d. per lb.; but those prices are beyond the purse of the average basic wage family, and at those prices apples would be a luxury. Whilst I have no intention of going against the Minister's desire to bring about better conditions for the marketing of apples, the points I have mentioned are worth considering. I support the second reading.

MR. HALL (Albany) [5.41 p.m.]: This measure is commendable in connection with the branding of wool containers. It will be of help in tracing the wool that is diverted into many channels, many of which are illegal channels. The measure will also have some effect on private buyers who purchase wool lots for individual markets; and it will help in the tracing of mixed blends of wool and will provide a degree of justice for the wool producer from the point of view of private selling. The producer sells wool at a certain price and he does not know whether it has reached the market in a disguised form.

The branding of wool containers, and the necessity to supply details of where the wool was produced, is an admirable step from the point of view of the farmer, who will be made aware of any faults that exist and will, if necessary, be able to change his farming methods.

Another matter concerns the number of sheep that are stolen. The pelts of such sheep cannot always be identified after the wool is stripped from the animal. If this problem could be tackled, it would be of benefit to the farming community. Figures have revealed that there is a certain recoverage rate of the number of sheep stolen. If the problems connected with the tracing of wool could be solved we would be dealing with the serious business of controlling our sheep production.

The measure before the House seeks to add the following provision to the Act:—

> consign or remove, or cause or permit to be consigned or removed, from the property on which it is produced, any wool that is intended for sale or has been sold unless prior to the consignment or removal the wool is first packed in a bale or package that is marked, branded or labelled in such manner as to clearly and legibly indicate the identity of the producer of the wool.

I would ask the Minister whether that provision is to be accepted as the ordinary standard of marketing.

In regard to apples, my thoughts are not in harmony with those of the member for Merredin-Yilgarn. I saw the specimens of apples that he brought to the House and I remarked that in view of the Industrial Arbitration Act Amendment Bill debate it would be a good idea to bury them for a day or two. However, the specimens looked rather diseased and were, in patches, very soft. Where they came from I do not know. The apples that I have seen in my area are usually of a very high quality. No doubt the difficulty would apply to those apples that are taken from cold storage. Such fruit deteriorate very quickly. If apples from the Metropolitan Markets were kept by a retailer for any length of time, they might deteriorate; but it would not be the fault of the people handling the apples, or the suppliers. I have known refrigerated apples to go off in a matter of a few hours. Perhaps the Minister could look at this aspect.

There is everything to commend the Bill, and I give it my utmost support. I think it will bring under control many bad features which exist in the agricultural industry.

MR. MITCHELL (Stirling) [5.45 p.m.]: I would like to add one or two words to the remarks made by members on the other side. When I spoke on similar legislation last year I did so with the sincere belief that it would improve the position as far as consumers were concerned, and would make it no worse so far as the producers were concerned. I also said then, and I repeat it now, that I believe a measure such as this can be successful only if tried out over a period of two or three years.

Last year we had a very heavy crop of fruit and, perhaps, so far as the producers were concerned, too much fruit was put into cool store. The complaints made by the member for Merredin-Yilgarn about the poor quality of fruit today is unfortunately due to the fact that producers kept too much fruit, and by the time it was sold it was not bringing sufficient to meet the cost of production and also pay the storage costs. Unfortunately the producers kept the fruit a little too long, and it is admitted that much of the fruit that is coming out of store today is not in very good order. It was kept too long because the producers thought that by keeping it a bit longer they might reap the benefit of higher prices.

Mr. Rowberry: What was the committee doing about it?

Mr. MITCHELL: I was just going to make that point. I feel that last year the committee did not do what it should have done. It should have set a figure of fruit that the local market could consume at a reasonable price, and sufficient fruit should have been put into the store to meet that demand.

This coming year we will have a very short supply of fruit, and coloured apples will be almost unprocurable. I feel that

the committee should be given an opportunity to prove its worth in the coming year, and it will be up to the committee to say that the local market can consume, say, 400,000 cases of fruit for a figure, and to keep that quantity of fruit for the local market. It is quite evident that unless some control is put on the export of fruit there will not be sufficient this year to meet the local demand.

I agree that last year too much fruit was kept in cold storage and it did not bring the price for which the producers were looking; but if the consumer is paying too much it is not the producer who is reaping the benefit; it is the in-between people who are getting it. We all hope the House will give the committee another two years to see whether the proposition will work out successfully. I quite agree with the Opposition that we are not here to boost prices for the producers; nor are we here to exploit the consumers —certainly not as far as I am concerned. But I do want to see a reasonable quantity of fruit placed on the local market so that consumers will get good quality fruit at a reasonable price.

I agree with the member for Merredin-Yilgarn that the quality of fruit today is not as good as it should be. He also said that he had seen Yates apples used as toffee apples, and that they were cold storage apples. I would remind him that the size of the Yates apple accepted by the Department of Agriculture for export overseas is 2 in., which is very small indeed. One sees this size Yates apple about, and it is not flouting the regulations to put it on the local market.

I hope the House will give the committee another two years to prove its worth, and I also hope the committee will look into the matter very seriously and make sure that next year sufficient fruit will be put on to the local market to supply local needs at a reasonable price.

MR. ROWBERRY (Warren) [5.50 p.m.]: I was interested to hear the Minister interject when the member for Merredin-Yilgarn was speaking during the debate and say he would accept the honourable member's invitation and go down and inspect the fruit at the markets. I was also interested to hear from the member for Stirling that the reason for the inferior fruit was that too much of it was put into cold storage.

One of the functions of the committee that was set up last year was to assess the possible home consumption demand and advise the Minister along those lines. I see by the Minister's introductory remarks that the provisions in this Bill were requested by the Fruit Growers' Association. In my district the local branch of the Fruit Growers' Association wants the committee to be continued for one year only. I am not saying I agree with that proposition; but I want to know why there has not been some discussion about it, and why it is that one section of the Fruit Growers' Association appears to be in conflict with the state executive of the association.

Could it be that reports are made available to the State executive which are not made available to the whole association? I think this is a point that should be cleared up. Among other things, members of the association in my area want to know whether the committee has ever met; whether it has ever made any recommendations to the Minister; and, if so, what they were. I hope the Minister will give an answer to these questions when he replies to the debate. The branch in my area also wants to know whether the chairman has made any report to the Minister; and, if so, what was it? Has this report been made available to the various branches of the Fruit Growers' Association, such as the Hills District Branch, the South-West District Branch and the Great Southern District Branch?

This committee was to have a chairman appointed by the Minister, three members to represent the Fruit Growers' Association from the three districts I have just mentioned, one member from the shippers, one member from the retailers of fruit, and one to represent the consumers. That makes a committee of six presided over by a representative of the Minister. Last year I brought to the Minister's notice a request from the Manjimup area that there should be greater grower representation on the committee. I do not say that I subscribe to that idea, because the committee as it is now constituted appears to be loaded in favour of the growers. There are three growers' representatives as against three other interests represented on the committee.

I wonder why it is necessary to extend the operations of this committee for another two years if, as it appears, the committee has not done much since it was appointed? It could be argued that it would not do very much in another two years; and, if we multiply nothing by any number we still get the same answer—nothing! So I will be interested to hear from the Minister exactly what this committee has done and the recommendations it has made in regard to quality.

Under the legislation which brought this committee into being the committee was required to do certain things. For instance, it was required to inquire into the sizes of the anticipated apple crop, and the quality, grade, and types of apples being harvested, or that it was expected would be harvested. The committee was supposed to investigate and assess the demand for apples to be consumed within the State. If that had been done, I imagine that only as many apples as would be required within the State would have been

confined to cold storage, and there would not have been a carry-over to allow them to go bad.

Had the committee investigated the position and made proper recommendations, they would have been to the effect that only those apples that would stand up to cold storage should have been so stored. Had that been done those apples that break down in the process of cold storage would not have been placed in storage. If there is no such apple, then we are wasting our time putting any apples into cold storage. But I am certain there are some apples in Western Australia which will stand up to cold storage, and which could be made available to the public and not, as the member for Stirling said last year, as a luxury food.

Further obligations upon the committee were to make recommendations and submit proposals to the Minister from time to time with respect to the grades of apples that should be marketed in the State, and the grades of apples of which sales should be prohibited, and to vary those recommendations and proposals from time to time when circumstances require; and to exercise and perform such other powers and duties as the Minister may consider necessary or advisable relating to the better marketing of apples.

I wonder whether the Minister can tell us that all those things have been done by the committee; and, therefore, because it has been such a success, it is necessary that its activities be extended for another two years. In the light of the revelations by the member for Merredin-Yilgarn about inferior fruit, section 3B (1) of the amending legislation last year makes interesting reading. That subsection states—

> The Minister, on the recommendation of the Committee, may at any time and from time to time by notice published once in the *Government Gazette* and once in a daily newspaper published in Perth, prohibit the sale for consumption within the State of apples of any prescribed grade either entirely or during such period or periods as the Minister specifies in the notice.

Had the committee in fact been operating and making recommendations as required by the Act which gave it power, the Minister could, by publication in the *Government Gazette*, have prevented those apples from being sold. Therefore the public would have been getting value for its money. It is a matter for regret that apples of inferior quality are still finding their way on to the market.

It could be said, and it has been said by my people, that this advisory committee has no teeth; it has no statutory powers to take action against people who are found with inferior fruit in their possession. But it should not be forgotten that way back in 1914 legislation was enacted which provided powers to appoint inspectors, and it could be that this committee would have the statutory powers to take legal action, or advise the inspectors to take such action, as was thought necessary under this legislation.

The Agricultural Products Act Amendment Act of 1962, assented to on the 11th December, 1962, states—

> A person shall not sell, except for the purpose of export from the State, any apples of a prescribed grade of which the sale is pursuant to the provisions of this section prohibited,

That is a strange thing. Are we to assume we can prohibit the sale of apples within the State because of inferior quality, and that these apples may be sent overseas for export? The legislation appears to read like that. It says, in effect, that a person shall not sell, except for the purpose of export from the State, any apple which is forbidden to be sold within the State. Is it the purpose of the Act to prevent people in Western Australia, and in Australia, from getting good quality apples because they are reserved for export? The Minister may be able to tell us what it does mean when he replies to the debate.

By and large I think the idea of a sales advisory committee is a good one if it does indeed do the things it is set up to do: if it does indeed make inspections of apples, and make pronouncements of apples to be sold in Western Australia, and those to be exported; or if indeed it does assess the number of apples to be grown and required for consumption in Western Australia, and makes recommendations to the Minister concerning the grades of apples. If that is the purpose behind the Minister seeking an extension of two years for this committee then the legislation has my support.

MR. HAWKE (Northam—Leader of the Opposition) [6.2 p.m.]: I only want to say a few words on this Bill. By interjection the Minister gave me the impression he considers no inferior quality apples have been sold to consumers this year. Individual members of this House, and individual members of the public, can only speak as they find things. My experience in more recent weeks has not been nearly as satisfactory as the experience of the Minister. I have seen inferior apples in my home, some of which have not been eaten.

The member for Stirling clearly indicated that inferior apples had been sold to consumers, and he gave us reasons why that had come to pass. I should think the last of the apple crop to be picked from the trees would have been picked some six months ago, or perhaps a bit longer. Clearly, if those apples are now being sold to the public they would need to possess very good storage qualities. It seems to me this might be the heart of the problem. Every one of us would know that some apples, by and large, possess better storage qualities than others. I should think

the Granny Smith variety would easily have the best keeping quality, either in or out of storage.

I do not know how much attention was given by members of the committee to this phase of the problem. If the committee merely allowed apples, irrespective of their keeping qualities, to be put into cold store, and to be kept in store month after month, obviously the apples with poorer storage qualities would deteriorate. The member for Stirling told us some growers had hung on to their apples before sending them on to the markets to be sold to the consumers, because they wanted to get a better price for their product.

If this committee is really to be successful, then it would not only need some legal power to deal with such a situation, but it would need to be composed of men who would be prepared to take action, and to ensure that the different varieties of apples were not kept in cold storage longer than it was safe for them to be kept there.

I hope the Minister will get down to this problem in a practical and vigorous way; because it is not a fair thing to ask Parliament for its approval to set up a committee of this kind, and, after having obtained that approval for Parliament to set up a committee, for the whole thing to be allowed to drift along. The consumers are entitled to protection, if we are to have legislation of this kind. If the legislation is not to be operated effectively, then it might as well not be on the Statute book. We might as well go back to the easy-going times when people purchased apples without any legislative control or protection, and when consumers had to take what they got, and make their complaints to the storekeeper who sold them inferior fruit, if such fruit was in fact sold to the consumer.

However, when we have legislation, and that legislation is supposed to do certain things, and allow certain things to be done; and when it seeks to give adequate and reasonable protection to the public against the sale of inferior fruit, it seems to me that such legislation should be made effective in practice. If for some reason or another it cannot be made effective, it should be abandoned, and the public should be told where it stands.

MR. NALDER (Katanning—Minister for Agriculture) [6.8 p.m.]: I thank members for their contributions to this debate. After hearing what has been said I am sure a lot of valuable information can be passed on to the committee. I would inform members at the outset that this legislation was brought down as trial legislation. I think I made that clear when I introduced it 12 months ago. There is still a lot to be done with respect to this matter, and that is why I come to the House and ask that the legislation be continued for another two years.

The committee has been in operation for only a few months, and it has had quite a big problem on its hands. It has endeavoured to assess the needs of the consuming public in Western Australia. It is not the committee's job to interfere with the rights of the individual grower, and it has sought to avoid doing that. The committee has assessed, as near as possible, the quantity of fruit that should go on to the market; and in assessing that quantity, of course, it has had quite a number of problems to overcome, particularly with regard to the amount of fruit being kept by growers on their own farms, and in their own storage units.

As members know, quite a number of growers have their own storage plants on their farms, and they are obliged to inform the committee of the approximate quantity of apples they are holding. A number of growers sell their fruit on the farm. Many members, including myself, have, from time to time, visited apple orchards where growers have cold-storage facilities. Even today it is possible to go down to the apple-growing areas and purchase fruit from the grower who has stored his fruit in his own cold storage.

The chief objective of the committee was to keep from the market the inferior type of apple—that is, the small inferior apple which, in years gone by, came on to the market, and for which the consumers criticised the growers and the retailers, because they felt they could not get good quality fruit.

Mr. Kelly: The point is the high price asked for inferior quality fruit.

Mr. NALDER: Earlier in the season the committee's actions were commended to me by a number of storekeepers. I recall going into a retail establishment—the retailer did not know I was the Minister for Agriculture—and asking for some apples. While I was there the person behind the counter said, "We do not know the reason for it, but this year we have had the best lot of apples we have ever had to retail." I found that statement very interesting indeed, particularly when I considered the source from which it came.

Mr. Kelly: That could apply early in the season, not now.

Mr. NALDER: I said to the honourable member by way of interjection that if he can show me poor and inferior quality apples, and give me the name of the people from whom he purchased them, I will see that an inspector goes around and visits the people concerned. That is the inspector's job.

Mr. Kelly: He can get his information from the markets.

Mr. NALDER: That is interesting; because you know, Mr. Speaker, of a case brought to my notice where a grower had complained about what he termed good

quality apples being picked the day before, packed that day by himself, and sent to the market for sale. This having been done he received a notice to say the apples were rejected by the inspector as inferior apples. We have these inspections carried out at the markets, and the inspectors visit the various stores and retailers; and if they find the apples are below the grade nominated by the advisory committee they can be withdrawn from sale.

Mr. Kelly: They must be kept pretty busy.

Mr. NALDER: The information given by members this evening will be very helpful to me and to the committee; but if members believe the position is not satisfactory we might perhaps take the opportunity to amend the Act again next year to give the committee greater powers. I would welcome this not only as it relates to this legislation and to this committee, but to any other committees that might be set up to protect the general public. One that comes to mind readily is in connection with the sale of poor quality meat. I feel I would have a lot of support in this direction. There are, however, a number of difficulties associated with this matter, and I would hazard a guess that we would have a problem on our hands if we tried to legislate for such an eventuality, because the responsibility for purchasing these commodities is in the hands of the purchaser.

If the purchaser knows what he or she wants and says, "I want a certain type of apple, or a particular type of meat at a certain price," it is then up to the purchaser to decide whether or not he, or she, will purchase the commodity in question. That must not be lost sight of. When we think of the work the committee has been asked to carry out, we must first consider that this is being presented to the State as trial legislation. I emphasised that point when I introduced the measure last year. We must give the committee a further opportunity to look at this matter. This has been recommended by the Fruit Growers' Association and, I understand, by every section of the industry in the great southern and the south-west. They have all agreed to this being put forward.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. NALDER: Before the tea suspension I was talking about the quality of apples coming on to the local market, and some criticism had been levelled at the committee for, perhaps, not taking the action which it should have taken under the legislation introduced last year. However, I would like to inform the House that the committee was appointed, has met regularly, and has submitted reports to me, and action has been taken—as suggested by the member for Warren—and publicity given in the local Press. Also, information was published in the *Government Gazette*, as to the minimum size of apple to be allowed on the local market.

As I indicated in the first instance, this legislation was introduced more or less as a trial to see how it would work; and the Western Australian Fruit Growers' Association—on which there are representatives from all of the apple-growing areas in the State—recommended that the legislation be continued for a further two years. If we find it works in the way we hope it will, legislation will probably be introduced for this specific purpose, and the provision will be taken out of the Agricultural Products Act.

I indicated to the House last year that the measure was only introduced into this Act in order to give it a trial run. I admit there are difficulties. The committee had to appoint inspectors. It did not know how many inspectors it would require, and it stipulated in the first instance that the inspectors would operate in the metropolitan area. There has been some criticism—and this may answer the question put forward by the Leader of the Opposition—that in some country districts poor type apples had been offered for sale. That criticism has come from Bunbury and other country districts; and it is a recommendation by the Western Australian Fruit Growers' Association that next year, if this legislation is agreed to by Parliament, more inspectors will be put on so that they can also operate in the country areas.

It is quite apparent what is happening. In some cases retailers have been going on to the farms, buying a truck of fruit, and taking it back into other country stores and selling it from there. That could be one of the reasons why the legislation has not worked effectively all over Western Australia. I admit that initially it was considered it would operate in the metropolitan area. However, as I have already mentioned, it has been agreed that next year more inspectors will be put on and they will operate in the country as well.

I hope the House will agree to this legislation. It is a fair and reasonable request; and if by our experience this coming year we find it is necessary to amend the Act to give the advisory committee more power and authority; and if it is necessary to step up the fines for people who continue to offer poor quality apples for sale, then legislation will be brought before the House next session.

Mr. Kelly: I think it will be like undersized crays; it will be hard to get on to.

Mr. NALDER: Yes; but we have had cases reported to us. Inspectors have seen inferior fruit, and it has been withdrawn from the market. I mentioned a case earlier—the Speaker knows of this instance—where a grower sent apples down, and after the inspector saw them they were withdrawn from the market.

Mr. Kelly: Are they confiscated under those conditions?

Mr. NALDER: Yes; the apples are not allowed to be sold. There is no need for the House to be reminded; but I would mention that this Act is the result of a Royal Commission appointed to investigate the whole problem of apple sales in Western Australia. Because of some of the recommendations made by that commission, the Western Australian Fruit Growers' Association recommended we try this out in an effort to take away the undesirable fruit that was going on to the market.

I know quite well that two or three years ago very small, inferior apples were being offered for sale. I believe this committee has carried out its work honestly under conditions that were not easy, because it had had no previous experience in this matter. Therefore we would be well advised to allow this legislation to continue for another two years when we will be in a position to assess the whole situation clearly; and in the light of evidence and knowledge at that time we will be able to see what suggestions come forward as a result of experience gained.

I would like to thank members for their support in regard to the branding of wool bales. I think this is most important; and, as the member for Merredin-Yilgarn said, it does give the owner of the wool an opportunity to follow his product right through to the export period when it is shipped. As was suggested by the honourable member, this provision is not for the grower who sends his wool annually to the sales. He always brands his wool. It is to cater for those people who go on to farms and buy a few bales or bags of wool, put it on to their utilities, and head for the nearest town, or wherever they intend to go. It has been reported quite a number of times this year that wool has been seen on dealers' trucks without any brand or identification mark on the bales; and it is difficult to pin-point where such wool has come from.

There have been quite a number of reports that wool has been taken from wool sheds. I know of one case which occurred only a few weeks ago. A farmer and his family went away on a Sunday afternoon. I think they were in the middle of shearing. On the Monday morning they checked up and found that a bale had been taken from the shed while they were away. The bale had not been marked, because the farmer concerned had not completed his shearing. A number had been run over the bale with chalk; and the farmer would probably do the stencilling when he completed his shearing. If the police or anyone else saw that bale of wool on a truck they would have every right to check the person on whose vehicle the wool was found. Therefore, by this means, it would be possible to locate the place from which the wool had come; and it will also tighten illegal sales of wool. It is a very good move and I know it has the support of the Farmers' Union and the Pastoralists' Association.

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. Nalder (Minister for Agriculture), and transmitted to the Council.

ELECTORAL DISTRICTS ACT AMENDMENT BILL

Receipt and First Reading

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

FACTORIES AND SHOPS BILL

Council's Message

Message from the Council received and read notifying that it did not insist on its amendment No. 7 to which the Assembly had disagreed.

FRUIT CASES ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. ROWBERRY (Warren) [7.44 p.m.]: This Bill is complementary to the legislation just dealt with. Members will recall that last year the Fruit Cases Act was amended by including certain additional definitions such as "direct buyer", who was a person who bought, either before or after the commencement of the 1962 Act, an everage annual quantity of over 100 bushels of apples. It could be that this average annual quantity of over 100 bushels is the reason the inferior fruit is getting on to the market. A direct buyer who buys over 100 bushels annually has to be registered under this Act. But what happens to the person who buys less than 100 bushels?

Of course, the Minister could say that because of the pronouncement of grades, the situation would be covered; but apparently it is not. Therefore there could be reason for investigation along these lines to see if this is the loophole through which the inferior fruit is getting on to the market.

Last year's amending Act provides the following definition of a grower and of prescribed grades:—

"grower" means a person by whom or on whose behalf apples are actually grown or produced for sale,

and includes a person who carries on the business of processing apples and a person who operates a packing shed for apples.

"prescribed grades" means when used in relation to apples the grades of apples prescribed by regulations made under the Agricultural Products Act, 1929.

Of course, these people have to be registered and are under the provisions of the Act. As has often been stated in this House in connection with other legislation, the purpose of registration is identification. Because these people must comply with the provisions of the Act, their packages and containers are numbered and therefore they are easily identifiable.

As I have said, this Bill is consequential on the previous one in that it extends the date of operation of last year's amending legislation to 1955. Having heard the Minister's assurance that if he found it necessary he would give the advisory committee further powers to police the sale of unsatisfactory apples, I have much pleasure in commending the Bill to the House.

MR. NALDER (Katanning—Minister for Agriculture) [7.48 p.m.]: I just want to thank the honourable member. With regard to the point he made that it could be those not registered under the Act who are supplying the under-grade apples, I would indicate again to the House that I believe the criticism in regard to this matter has been coming mainly from the country areas. This is, I believe, because the committee did not have the inspectors to operate in the country during last year. It had the inspectors in the metropolitan area. However, I will pass on to the committee the point the honourable member raised, and the committee will be able to go into the matter more closely.

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. Nalder (Minister for Agriculture), and transmitted to the Council.

LAND ACT AMENDMENT BILL

Council's Amendments

Amendments made by the Council now considered.

In Committee

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

The DEPUTY CHAIRMAN: Amendments Nos. 1 to 3 made by the Council are as follows.

No. 1.

Clause 7, page 4, lines 19 and 20—Substitute for the passage "during the Governor's pleasure" the words "for a period of five years".

No. 2.

Clause 7, page 4, line 22—Add after the word "determines" the passage "and shall be eligible for re-appointment".

No. 3.

Clause 7, page 5, line 4—Add after paragraph (d) a new paragraph to stand as paragraph (e) as follows:—

(e) Notwithstanding anything contained in this subsection, an appointed member of the Board may be removed from office at any time by the Governor; and in the event of the death, resignation or removal from office of an appointed member the Governor may appoint a successor who shall hold office for the unexpired period of the term of office of that member.

Mr. BOVELL: I move—

That amendments Nos. 1 to 3 made by the Council be agreed to.

Under the existing legislation, the members of the board are appointed for an indefinite period—at the Governor's pleasure. The purpose of the first two amendments is to provide that the members will be appointed for five years, at the end of which they will be eligible for reappointment if the Governor so approves. The third amendment provides that if a member dies, resigns, or is removed from office, the Governor may appoint a successor who shall hold office for the unexpired period of the term of office of that member.

Mr. NORTON: These amendments tidy up this clause in a very satisfactory manner. Under the Bill there was no definite term set down.

Mr. Bovell: There is none in the Act, now.

Mr. NORTON: These amendments will provide a specific term of five years and also give a member the right to be reappointed. The third amendment is very worth while too. I support these amendments because the appointment will be made for a definite term and we will know now long tne board's personnel will be in office.

Mr. KELLY: I also believe these amendments are an improvement. They are in conformity with the normal provisions of

this type. They will provide a safeguard in many instances which will arise. For these reason I support them.

Mr. RHATIGAN: I, too, agree with these amendments, as they are worth while and tidy the clause up considerably. I would like the Minister, if it is possible at this stage, to advise the Committee how many inspectors will be appointed to police this very important Act.

Mr. BOVELL: There is at present one inspector, Mr. Johnson, who covers the whole of the pastoral area. Under this legislation much more supervision will be necessary. In anticipation, the Under-Secretary for Lands has made representations to the Public Service Commissioner and the Under-Treasurer with a view to having finance provided for at least three additional inspectors, and possibly a fourth.

It is hoped that these inspectors, apart from the chief inspector, will be domiciled in the pastoral areas, one residing, say, in the Kimberleys, one in the North-West Division; and perhaps one in the Eastern Division; that is, from Wiluna south and west towards the coast.

Action has already been taken on the lines of appointing at least three additional pastoral inspectors, and there is a possibility of a fourth; but that has not been finally decided.

Question put and passed; the Council's amendments agreed to.

The DEPUTY CHAIRMAN (Mr. W. A. Manning): Amendment No. 4 made by the Council is as follows:—

> Clause 16, page 14—Insert after the word "specified" in line 36 a new subparagraph to stand as subparagraph (iii) as follows:—
>
> (iii) require the lessee to provide and maintain suitable fencing for the prevention or control of grazing on any area which is portion of the lease and which, in the opinion of the Board, has been adversely affected by excessive numbers of stock being depastured thereon.

Mr. BOVELL: The board will advise the Minister in writing, and the Minister will consider the matter and take whatever action is thought necessary to protect areas which, in the opinion of the board, have been adversely affected by excessive numbers of stock being depastured thereon. This amendment will assist in overcoming some of the problems that were pointed out by representatives of pastoral areas when the Bill was being discussed in this chamber.

I move that amendment No. 4 made by the Council be agreed to.

Mr. NORTON: This is a good amendment, I think; but one has to realise that in the pastoral areas paddocks are sometimes 10 miles long by six miles wide, and it might be that only portion of a paddock would be badly eroded through overstocking or lack of waterpoints, or something of that sort. If the Bill becomes an Act, the Minister may require stock to be kept off the eroded areas. No doubt a pastoralist would be reluctant to keep stock out of a paddock that was only half eroded. By including the extra provision, the Minister would be able to direct the pastoralist to have the eroded area fenced off so that the stock could not be put on it. Also there would be an obligation on the pastoralist to control vermin in the area when it had stock depastured on it. This is a worth-while amendment. It will probably make the pastoralists who have allowed their land to become badly eroded think quite a bit if they have to erect five, six, or seven miles of fencing to keep stock off the eroded parts. I support the amendment.

Question put and passed; the Council's amendment agreed to.

The DEPUTY CHAIRMAN (Mr. W. A. Manning): Amendments Nos. 5 to 8 made by the Council are as follows:—

> No. 5.
>
> Clause 17, page 16, line 13—Substitute for the passage "word, 'The' ", the passage "passage, '(1) The' ".
>
> No. 6.
>
> Clause 17, page 16, line 17—Insert after the word "industry," the words "or to enable the land to be declared open for selection for pastoral purposes and again leased under the provisions of this Part,".
>
> No. 7.
>
> Clause 17, page 16, line 17—Insert before the word "or" secondly occurring, the passage "subject to subsection (2) of this section,".
>
> No. 8.
>
> Clause 17, page 16, line 21—Insert after paragraph (b), the following paragraph:—
>
> (c) by adding a subsection as follows:—
>
> (2) In the granting of a lease under the provisions of this Part of any land that pursuant to this section is resumed and declared open for selection for pastoral purposes, regard shall be had and consideration be given to encouraging and promotting the working of pastoral leases as family units and to making available further land to resident holders of small pastoral leases.

Mr. BOVELL: The principle contained in these amendments is that land can be resumed for pastoral purposes. The Act does not specifically say that. There are certain conditions relating to land being resumed for industrial purposes in addition to horticultural, agricultural, and public purposes.

In preparing the legislation it was considered that the matter of resumption for pastoral purposes would be taken for granted, but the Legislative Council has asked that it be specially mentioned in the Act, and the Government agrees to that. These amendments go further than just referring to resumptions for pastoral purposes, and deal with the question of consideration and protection being extended, if at all possible, to small pastoralists.

Amendment No. 8 conforms to a suggestion made by the member for Gascoyne. The Government has agreed that the amendment be accepted as it gives some protection by giving the Government power to consider the matter. It is especially mentioned in the Bill that the holders of small pastoral areas shall be considered where land is resumed; or where other land that is contiguous, or that may be of benefit in regard to maintaining a small family unit, is being made available. I move—

That amendments Nos. 5 to 8 made by the Council be agreed to.

Mr. NORTON: The amendment just referred to is quite good, and there is actually quite a bit more to it than the Minister mentioned. The idea behind it is that, where land is resumed, rather than allocate the land to another pastoralist or adjoining leaseholder, it should be granted to a family unit, or another person, to operate as an independent station.

I take it this particular amendment is a direction to the Land Board when considering applications in respect of old leases that have been thrown open for renewal. This would be a definite direction to the Land Board to give consideration to any small or independent unit applying for the land when we might have any one of three or four holders of pastoral leases surrounding the land applying for it.

In the outlying areas we want the smaller units—the family type units—in order to get population rather than have the company operated properties which are predominant at the moment. Even in the last week, in the Gascoyne area, a valuable station was sold to the owners of big interests in the Murchison. The property was sold on a walk-in-walk-out basis for £70,000.

When land is thrown open the Land Board, with a direction like this, must have cognisance of any family unit applying for the lease.

Question put and passed; the Council's amendments agreed to.

The DEPUTY CHAIRMAN (Mr. W. A. Manning): Amendment No. 9 made by the Council is as follows:—

No. 9.

Clause 21, page 19—Insert after the word "apply" in line two the words "in the prescribed form".

Mr. BOVELL: The amendment will mean that a form will have to be prescribed, and that will be the official form to be used. This is an amendment which should be accepted by the committee, and I move—

That amendment No. 9 made by the Council be agreed to.

Mr. Norton: Is not the form in the schedule?

Mr. BOVELL: No.

Mr. Norton: In the schedule to the Land Act.

Mr. BOVELL: No; it will be in the prescribed form made by regulation.

Question put and passed; the Council's amendment agreed to.

Report

Resolutions reported, the report adopted, and a message accordingly returned to the Council.

TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL (No. 4)

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Brand (Treasurer):—

That the Bill be now read a second time.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [8.13 p.m.]: The other evening I listened most carefully to the Treasurer when he introduced the Bill and I studied the Bill most carefully, and the only conclusion to which I could come was that this was a proposal to take a certain sum of money and put it into Consolidated Revenue.

I never cease to be amazed at what I learn in this world, because when I read *The West Australian* the following day I noticed that this money was to be given to charity. For the life of me I could not come to that conclusion.

I consider that I have a reasonable appreciation of English and can, as well as the next man, understand what it means and what it says, either spoken or written. But I just could not come to any other conclusion than that this was a deliberate move on the part of the Treasurer to take this money into Consolidated Revenue to improve his finances.

Mr. Brand: That is quite so.

Mr. TONKIN: That is it. I have in front of me the report which appeared in *The West Australian* folowing the introduction of the Bill. The date is the 22nd November, and the heading is "Bill Gives Unpaid T.A.B. Dividends to Charity."

Mr. Brand: I did not write that.

Mr. TONKIN: What a wonderful thing it is to have a favourable Press that will present to the people just the image that the Treasurer would desire—

Mr. Brand: That is not what I asked, or what I said.

Mr. TONKIN: The Treasurer does not have to ask for it: it is there without his asking; and what a windfall—to take money into Consolidated Revenue, and for the people to be told he is giving it to charity! The Treasurer is no more giving this money to charity than he is giving to charity the resultant revenue from the amendment to the Stamp Act, or from the increased license charges to be imposed on the motorists.

Mr. Brand: I never claimed anything else.

Mr. TONKIN: I know the Treasurer did not. What I said was that I followed the Treasurer's speech on the Bill most carefully, studied the Bill most carefully, and I could come to no other conclusion but that this was a deliberate attempt on the part of the Treasurer to say, "Here is some money and I am going to take it into Consolidated Revenue," but *The West Australian* tells the people at large that the Totalisator Agency Board is going to give this money to charity. I want to say here and now that I deplore the fact that the Treasurer is not giving the money to charity.

Mr. Brand: Some of it could find its way to charity.

Mr. TONKIN: I deplore the fact that the Treasurer is not giving this money to charity, but I acknowledge straight out that that is not the intention. The intention of the Treasurer is that as the racing clubs no longer need this money he should take it himself. I hope the Treasurer will not proceed with this intention, and I propose to endeavour to make out a case which would justify his changing his mind. The Treasurer knows full well that the level of social service expenditure in Western Australia is such as to result in an adverse adjustment of our budget because our expenditure exceeds that of the standard States.

If the Treasurer diverts this money which is not revenue into Consolidated Revenue it can never come out without the State having imposed upon it a penalty for having taken it out. Here is a golden opportunity to do a tremendous amount of good for two deserving sections of the community. If this were revenue in the true sense I would not argue in this way, but this money really belongs to a large number of people who cannot establish their claims to it. There is not the slightest doubt that it is their money; and, in my view, some of them ought to get it. I refer to those cases where there is not the slightest possible doubt—and I repeat: not the slightest possible doubt—that the person claiming the money is entitled to it. It is a misnomer to call this unclaimed money, because a large proportion of it is claimed, but the claim is not acknowledged.

I have had cases brought to my notice where there is no possibe shadow of doubt that the person claiming the money is entitled to get it, but he has lost his ticket—inadvertently, by throwing it away in mistake for some other ticket; because it has been stolen from him; or because it has been burnt. In some cases I understand the ticket has been sent off to the laundry in a pocket of the bettor's clothing. In some of these instances the agent knows full well that the person claiming the money is entitled to it because he has the unpaid duplicate in his possession; and the person claiming can give him the number of the ticket he has lost and the particulars of the wager he has made, which compare with the duplicate; but the Totalisator Agency Board still refuses to pay.

I do not think the Totalisator Agency Board is entitled to say, "The totalisator does not pay out on lost tickets, and therefore we should not." There are several aspects of the two betting systems which are entirely different. To start with, the totalisator does not keep a duplicate of the ticket issued to the bettor. There is no duplicate ticket held in the totalisator to which reference can be made to establish that the wager is in accordance with what is being paid. That is the first difference between the two systems. The next factor is that the major portion of this money never goes near a totalisator. It is held by the Totalisator Agency Board as a bookmaker. The bookmaker gambles on this money without putting it anywhere near the machine so that the machine does not issue a ticket, and it is issued in the ordinary way, as indeed the bookmakers issue it.

Therefore I say it is quite wrong to claim that because, generally speaking, totalisators will not pay out unless the ticket is produced, the Totalisator Agency Board should not pay either, because the circumstances are entirely different. Any number of people could claim that they had lost their totalisator tickets on the racecourse, and there would be no way of establishing, beyond doubt, that any person claiming to have lost a ticket ever possessed the ticket, because by the very nature of the method employed on the racecourse, there are a number of girls behind the machine dealing with large numbers of people who line up in queues,

and it is beyond reasonable expectation that any girl issuing a ticket would be able to identify the bettor in regard to the number of tickets purchased.

But that does not apply to the Totalisator Agency Board, because the tickets are issued by clerks behind the counter who keep duplicate tickets of the wagers made; and some of the bettors doing the wagering frequent the same agency so often that they become personally known to the agent or the clerks behind the counter; and there are many instances on record where the agent has supported the claim of the bettor by writing to the head office of the Totalisator Agency Board and stating that he knows that such and such a person is the one who made the wager. However, that does not matter: the Totalisator Agency Board would still not pay the money.

That is why this sum is so large. That ought to be altered so that in cases where ownership has been established beyond reasonable doubt, the money will be paid to the claimants. The Lotteries Commission does it. If the Lotteries Commission is satisfied that the claimant is entitled to the money, even though the ticket cannot be produced, it will pay because it has a butt similar to a duplicate ticket which enables the commission to make some comparisons. So why should the Totalisator Agency Board deprive people of money which is rightfully theirs simply because, through inadvertence, they cannot produce half the piece of paper which has been issued as a record of the wager? I think that should be attended to straight away and provision made that where ownership is established beyond reasonable doubt the money should be paid over.

To some extent, that would reduce the volume of money available. With regard to the money that remains, I can think of no better way than making a start to do something worth while with it in a charitable sense. It must be borne in mind that many of the people who are losing their money to the Totalisator Agency Board will be among those who will be looking to the Old People's Welfare Council in a few years for some succour and if the council is in a position to provide amenities for them they will get some indirect reward for the money which they themselves have provided, and I think that is a reasonable proposal.

I know many pensioners who obtain their amusement on a Saturday afternoon by wagering a few shillings. Sometimes they have a little success which heartens them, and they get enjoyment and delight from it. But if they lose their few shillings it does not do any harm. It has not cost them any more than if they had hired a taxi or gone off in a bus somewhere for the afternoon. They stay at home and listen to the radio to see how their investment fares. In many cases these people pool their investment by putting in a few shillings each, and now and again they collect a dividend. However, a number of these old people will benefit from the work performed by the Old People's Welfare Council.

The other evening I was present at a gathering of the Old People's Welfare Council, and a film was shown illustrating the class of work it is doing and how various old people were being benefited by its activities. Speaking to the secretary and the president afterwards, I was shocked to learn that recently, when the council made an appeal for funds to further its work, it got back scarcely enough money to cover the cost of the appeal. The council will not get very far with the work in that way. A perusal of the grants made by the Treasurer to charitable institutions does not show any handsome sum being allocated annually to the Old People's Welfare Council. So there is not much future for the extension of its work—and I would hope that its work would be extended into the far-flung country districts as well as in the metropolitan area—unless a source of income is assured.

When I attempted, last session, to divert this money to the Old People's Welfare Council I believed then that the total sum available would be only about £20,000 a year, and I could not see much sense in splitting that sum between two organisations. But it subsequently transpired that there is now £40,000 a year which can be anticipated from this source. As is well known, I introduced a Bill to provide £20,000 a year for the Old People's Welfare Council, and a further £20,000 a year—or half the sum available—to establish a trust. The trustees would be charged with the responsibility of investing the money and making provision for an unfortunate section of the community for whom the Treasurer, so far, has made no provision, and for whom he is not likely to make much provision, either.

We have some unfortunate children in our midst who have been born with a severe physical handicap, and no doubt more will be born in similar circumstances. Recently, there was a case of a girl in this State who was born without arms or legs. Just imagine the burden such a child would be on the parents! Fortunately Ngal-a came to the rescue in this case, a public appeal was launched through the newspapers, and a sum of £5,000 was sought. This particular child is to be provided for in education and in training, in the formative years; in what is necessary to enable her to walk; and also in providing her with artificial arms so that she can play, write, and feed herself. It is only the odd case that is looked after in that way. There are many more for whom no provision has been made, and they become a burden on their parents.

What could be better than to use this money—which is not revenue, but belongs to persons who cannot establish their claim to it legally—for the purpose of setting up a trust; so that Western Australia could say in future that these unfortunate children would be provided for by the trust.

The unfortunate result of the Treasurer's proposal is this: If a Labor Government came into office very shortly it would use this money in the way I am proposing. It would not take the money into Consolidated Revenue. But if this Government takes it into revenue it will prevent a future Labor Government from utilising the money in the way I am suggesting; because the taking of this money from Consolidated Revenue would result in a penalty to the State through the Grants Commission. I refer to page 83 of the Grants Commission report which deals with the penalties imposed because of social service expenditure. It sets out the situation with regard to Western Australia and shows that an unfavourable adjustment of £481,000 has been made. That is a very substantial adverse adjustment.

If the Treasurer takes this unclaimed money into revenue, and later if this or another Government decides to use £40,000 a year for the old people and the physically handicapped children, the penalty imposed by the Grants Commission in this State in respect of social service payments will be increased. There is no sense in that, and I appeal to the Government to take steps to avoid that situation.

The Treasurer said in his speech that he did not think it was right that this money should be earmarked for any particular charity, and that all charities should share in it. I do not agree with that point of view in the circumstances. There is not enough money in this lot to be split among all charities in the State; but there is an opportunity to do something of a very worth-while nature in connection with two important sections of the community who need help. I can think of no more worthy people to use this money than the old people, because a large number of them have made contributions to this fund. So the money would be going back to them indirectly. The Old People's Welfare Council cannot be expected to make bricks without straw.

I consider the programme of work that council is undertaking is admirable. It ought to be encouraged, but encouragement has to take a practical turn. It has to be given in real money, and in large amounts. I would like to see these centres being established in towns like Busselton, Bunbury, Albany, and Geraldton, as well as the smaller towns if there is enough money. These are centres where the old people in the twilight of their lives can foregather under congenial conditions, play draughts or chess, talk, and partake of refreshments, and so spend pleasant hours; but at the present time numbers of them sit at home and wait for the days to pass.

If it is left to the Treasurer to provide money from Consolidated Revenue comparatively very little will be made available, and the extension of this work would be so slow as to be almost negligible. But an amount of £20,000 a year would make it possible for very big strides to be made. Look at the people who would benefit from such a set-up. If this money goes into Consolidated Revenue we can say that is the end of the whole idea. The chances of the old people getting even £5,000 a year would be remote, with the penalty imposed by the Grants Commission being what it is—£481,000. Here is a chance to increase the social service expenditure without incurring a penalty. It is a unique opportunity which may not present itself again. That is the reason why the Treasurer should grasp at the opportunity, and come to the aid of the physically handicapped children as well.

I shudder to think what my views would be if I had the responsibility of providing, from birth, for a youngster born without arms or legs. Yet there are families in this community who hold such responsibility, and it is only the odd case which is looked after, like the child Mary who was sponsored by Ngal-a.

Why cannot we decide that this money does not truly represent revenue? Why cannot we set up a trust to look after these unfortunate children so that they can be provided for in the years to come, without having to make appeals to the public on behalf of one or another unfortunate child, but forgetting the majority of them? Let us ensure that they are all provided for, without a penalty being imposed upon the State. But if this money goes into Consolidated Revenue, and anybody attempts to make a move to set up a trust in subsequent years for this purpose, the State will suffer a penalty for any money it pays out. That is why I do not like the proposition in the Bill at all.

I am surprised that the humanitarian feelings of Government members have not been aroused in this matter, and that they do not seize this opportunity of doing something worth while without penalising the State. If the Government was in urgent need of the money it should have taken the money in the first instance; but it was content to allow the racing clubs to have it. Now when the figures indicate the payment of this money to the racing clubs would be completely unjustified the Government has decided to pay it into Consolidated Revenue, and in so doing gets the credit from the newspapers of giving it to charity.

I suppose the newspaper reporter who wrote the article which indicated that the Government was giving this money to charity, thought that charity began at home; so the Government is giving the

money to itself! It was a strange report, because the Treasurer had no intention of giving the money to charity, any more than he thought of giving money raised by the imposition of taxes to charity.

Mr. Brand: The Treasurer did not say otherwise.

Mr. TONKIN: I am not saying the Treasurer did. I want to make it perfectly clear that the first sentence I uttered was that I listened to him carefully and read his speech. The only conclusion I could come to was that the Treasurer was taking this money into Consolidated Revenue.

Mr. Brand: That is correct.

Mr. TONKIN: That comment should put at rest any thought that I indicated he said one thing and meant another. By some mysterious means the newspaper came to the conclusion that the Treasurer was going to give this money to charity. What I would like the Treasurer to do is to make this report true, and give the money to charity in the way I am suggesting, and so avoid a penalty being imposed upon the State by the Grants Commission; because the Treasurer must acknowledge that however generous-minded he might be, the thought of an adverse Budget adjustment by the Grants Commission is a very strong deterrent.

Mr. Brand: It is.

Mr. TONKIN: That was why I hoped such a penalty could be avoided, by not taking this money into Consolidated Revenue but by paying it over to worth-while charitable purposes. If the Treasurer does not like my idea, then why not keep the money out of Consolidated Revenue and set up a trust, so that it can use the money for various charities, if that is more in keeping with the Government's idea? Personally I would prefer the way I suggested, because the two causes I mentioned are very worthy ones, and I can think of none worthier.

There are the helpless, physically handicapped children on the one hand. Let society do something for them, and let the community as a body do something worth while for them. That is my appeal. Set up a trust with £20,000 a year set aside to look after that unfortunate section of the community which now is left in most cases with the parents of the children concerned, with the exception of the cases such as the one I mentioned. Otherwise they will struggle along in the future, making appeals here and there for help from neighbours and the general public, but generally speaking trying to get through life under a serious physical handicap—half the time not properly fed, clothed, or educated, through no fault of their own, only because they were born without arms and legs, or without arms, or without legs, in varying degrees of disability.

Here is the chance to do something worth while for such people and to prove our humanity, with money we would not miss because it belongs to people who cannot establish a legal claim to it. It is not revenue in any sense of the term, and the Government is not entitled to it. The Government has already taxed the money when it was being invested, so it should not seek to take the unclaimed money as well. Why not do something with it? Here is an opportunity.

With regard to the other half of the money, there are the old people of the community who can benefit very considerably from it. When I looked at the film shown by the Old People's Welfare Council the other evening I could not help thinking—excellent as was the work being done—how much better it could be if there were enough money available for its purposes.

How many more people could have been looked after in the way that these few individuals were being looked after, and in how many more places? I saw publicised recently that the Old People's Welfare Council was approaching the Perth City Council and was going to approach the Government for some financial help to enable it to establish a place in the City of Perth. I do not want the council to stop there; I want it to go into the country districts. Old people in country districts need some provision; but they will not get it unless a sum of money like this is made available. If they have to go to the Treasurer each year and ask for assistance for this purpose, there will be no place in Albany, Bunbury, Geraldton, Busselton, or other centres. We will have places established in Perth or Fremantle, and that is where the matter will stop.

Here is an opportunity, without having to take money out of revenue—by using other people's money—to provide something which will do good for two sections of the community. Under those circumstances, why should the Treasurer be anxious to get his hands on it and take it into Consolidated Revenue, to add to other revenues? He has taxation powers to which he could turn if his revenues are falling short. But once this money is taken in, then if he wants to spend it on social services he will impose a penalty upon the State for spending it. Here is an opportunity of avoiding that penalty and of doing good with somebody else's money. It will do far more good than is being done with it now—far more good; and it will redound to the credit of the Government for having done it.

I do not know of any other place in the country where the same thing has been done; one of the reasons probably being that they never had the opportunity. Such opportunities come but rarely. It is the first time since I have been in Parliament that there has been money available which was not revenue in the true sense of the term and which was available for a purpose such as this. I cannot recall another instance.

I suggest we would be foolish to throw this away and to take the money into revenue and so prevent us from doing these two worth-while things. I hope that the Government will think seriously about it before it takes this almost irrevocable step.

The Premier will recall an occasion—I think it was three years ago—when the R.S.L. in Melville approached him with a suggestion concerning an unfortunate child in Melville, the son of a returned soldier, who had to have the services of a doctor or a nurse at least three times a day. The father was a truck driver. The whole of his furniture was mortgaged. He was up to his ears in debt; all occasioned by the medical expenses incurred in looking after this youngster who had suffered such serious disabilities from birth. A suggestion was put to the Premier. I was not there; I was told by the R.S.L. that a suggestion was put to the Premier that he should find a sum of money to start a fund which would grow and be available to look after children such as the child I have mentioned. That is what put the idea into my head. I thought what an excellent idea it was to provide for these unfortunate children who were such a tremendous burden upon their parents.

The years have gone by and nothing has been done, because it is so difficult to do something if money has to be taken out of Consolidated Revenue. But here is an opportunity to do something without hurt to the State. There is an old saying that what you have never had you never miss. As the Treasurer has never had this revenue he will not miss it if he agrees to utilise it for the purposes I have mentioned or for some other purpose if he feels it is more entitled to the money. But I would plead with him not to take it into revenue, because if he does it is lost, on account of the peculiar situation in which we find ourselves in regard to the adverse budgetary adjustments from which we suffer, because we already do more than do the standard States in the way of social services; even allowing for the 13 per cent. favourable adjustment which is taken into consideration because of the additional cost of providing social services in Western Australia. Despite that we have a final unfavourable adjustment of £481,000.

We will only make matters worse if we take this money into revenue and then contemplate using portion of it to assist charitable causes subsequently. The time to assist them is now, out of this money, before it gets into revenue, with no possibility of our being penalised for doing so. So I repeat that it is an opportunity which comes but rarely, and I think we would be falling down badly if we did not grasp it and turn it to the best possible advantage.

That is why I am suggesting to the Government that it should not treat this as a party matter; that it should have another look at it in view of the aspects I have presented. I would think that some of the ideas put forward had not occurred to the Treasurer before: about our level of social services expenditure and the difficulty which will present itself if he contemplates any large expenditure from revenue subsequently. That is the important aspect in this matter; and, of course, what worries me particularly is that it would be so much harder for a Labor Government to do this if we became the Government, because the situation would be entirely altered.

On behalf of the Opposition I say, without any hesitation whatever, that if the money is available, and it is not in revenue, a Labor Government will utilise it for the purposes which I have outlined. I make that firm promise on behalf of the party for whom I have the honour of speaking: that we will utilise the money for those purposes if given the opportunity. But if it is taken into revenue in the meantime, the circumstances will be entirely altered and we will then be in a position of having to face an adverse budgetary adjustment for taking the money out of revenue for those purposes. The situation would be a very different one indeed.

Because of the views I have expressed, I have no option but to indicate that I am going to oppose the Bill. But I will hope that the Treasurer will not proceed with it, but give some thought to the suggestions that have come from this side; and, because of the very special circumstances of the case, have another look at the measure to see if he cannot keep the money out of Consolidated Revenue for the time being, until he has time to think of the best way to utilise the money. But if he proceeds with the Bill and it goes into revenue, the situation will be well nigh irrevocable, and I think that is something to be deplored. I oppose the Bill.

MR. FLETCHER (Fremantle) [8.55 p.m.]: I join with the Deputy Leader of the Opposition in endeavouring to prevail upon the Treasurer to stay his hand in taking these moneys into Consolidated Revenue. I believe that the Old People's Welfare Council could use the money to better advantage than could the Premier.

Fremantle has a very high percentage of aged people. The Premier will have noticed that on his visits to the area. Aged people seem to gravitate from the hinterland to the congenial climate of the coast. There are many people from the goldfields. There are many dusted miners. There are local residents, admittedly, and there are many representatives of the original families still in Fremantle. These people are growing old in the area of their choice. A very high percentage of the population of Fremantle are aged people in the categories I have mentioned.

There are many lonely people in the community, and they can be seen in and around the streets and parks. They lack occupation and entertainment. They are beyond their working years and they are, as it were, pushed into the background and into loneliness. The allocation of moneys to such a cause would be a wonderful step and would serve a wonderful purpose.

Many of these people are widows, widowers, spinsters, and single aged men. The families of those who have been married have grown up. The children of aged persons have their own responsibilities, and aged people, with pride, do not want to be a responsibility upon the younger generation. The Premier should take cognisance of that fact and should assist these aged people not to become a responsibility upon the younger generation; and every effort should be made to avoid the incompatability that flows from close association and disparity in ages.

The sum of £40,000 mentioned by the Deputy Leader of the Opposition could be well spent in assisting these aged persons. They could be assisted with clubs and entertainment, and this would relieve their loneliness. It would benefit not only the aged but, in doing so, also the families of the younger generation. It would certainly give the aged an interest in life. They would have a happier outlook, and there would be a happier atmosphere in the home. Some of these aged people decline into a state where they become nothing more than recluses.

Only today I called at a home in connection with a sick vote. The only company this poor old person had was a budgerigar that was running around on the kitchen table. If that person could get into a club which was properly equipped with facilities for aged persons she could enjoy the company of other aged persons; and there are other aged persons who have no company other than that of a cat, or a dog, or a budgerigar. Aged persons deserve better than that. Some electorates have not got this problem. I am referring to the more salubrious suburbs. I will not mention the areas, but they exist.

I am speaking of Fremantle, and the experiences that exist at Fremantle could be repeated in other industrial areas; areas, say, to the east of the city, and even in the city itself, and in and around Midland Junction and localities such as that.

In Fremantle there are some wonderful aged people who have banded together and created very limited facilities to entertain themselves and their companions. They provide entertainment and one cheap meal daily on a very limited budget; and the Premier now has the opportunity to augment that by withholding the £40,000 annually from Consolidated Revenue and making it available to the Aged Persons Welfare Council, and the other sources mentioned by the Deputy Leader of the Opposition, such as the handicapped children. However, at the moment I am speaking of the aged.

I have actually attended their functions, meetings, and entertainments, and an infusion of cash from the source I have mentioned would be a wonderful help to them. There is something else it would achieve, or might achieve. It might prevent our having donation tins shaken under our noses every Friday with monotonous regularity.

Mr. Brand: What you are suggesting would not avoid that.

Mr. FLETCHER: But the Premier could assist by making the £40,000 available to the people who were mentioned by the Deputy Leader of the Opposition—I refer not only to the aged but also to the young and handicapped children who need assistance. The Premier knows that tins have been shaken under the noses of the public for the purpose of raising funds for spastics and other children.

Mr. Brand: Of course.

Mr. FLETCHER: I heard the Premier say by way of interjection that if the £40,000 went into Consolidated Revenue some of it could be used for purposes outlined by the Deputy Leader of the Opposition. But an infinitesimal sum would find its way to those causes. When we read the allocation of moneys to these various worthy causes we see that only a small fraction of £40,000 is involved. I think that amount of money could be spent with great advantage on the welfare of aged people. If that were done it would prevent tins being shaken under the noses of the community, a practice which causes embarrassment to the donor and embarrassment to the recipient, because it is nothing more than authorised begging in this day and age. I often wonder what overseas visitors think of this practice.

A member: They may do it overseas.

Mr. FLETCHER: They may do it overseas, as someone just said, but I am ashamed of its happening in Western Australia. Why should the public be asked to assist in this matter when £40,000 annually is available as a result of unclaimed dividends from the T.A.B.?

These aged people to whom I refer have raised families; they have paid taxes; and their children and grandchildren are now contributing to our economy through the work they do and the taxes they pay. The £40,000 referred to would go only a small way towards recompensing the aged people for what they have contributed to our economy. It is money that would be made available not from the Treasury but from bettors' unclaimed dividends. If that money were paid to the charities mentioned by the Deputy Leader of the Opposition it would be coming

from a wonderfully impersonal source, impersonal in the sense that only those who have lost their tickets would know from where the money had come.

I think I have submitted a case on behalf of the aged, and the Deputy Leader of the Opposition made out a good case on behalf of the organisations he mentioned. I should now briefly like to mention children who are afflicted with some malformation of their limbs, or some ailment, possibly hereditary, with which they did not ask to be born. The parents of these children worry about them a good deal, and many of them cannot economically cope with the situation. If part of this £40,000 annually were made available to assist families who have such misfortune, and who cannot afford to pay for all the aid they require, it would be doing a great service for the community.

Children so afflicted cannot get out to play with other children. They are relegated, as it were, to the spare room, or frequently to the broom cupboard, because their parents cannot afford to give them the care, hospitalization, and the treatment that they may need. The Premier may not think this is so but such families do exist. Aid and assistance could be given to these families and money from such an impersonal source as I have mentioned could be provided and would not smack of charity. I agree with the Deputy Leader of the Opposition and request the Premier not to pay this money into Consolidated Revenue annually, but to make it available for the purposes we have mentioned. I support the Deputy Leader of the Opposition in his endeavours to have the money allocated for such purposes.

MR. CRAIG (Toodyay—Minister for Police) [9.8 p.m.]: Naturally I support this Bill and will oppose the Bill already introduced by the Deputy Leader of the Opposition wherein it was suggested that the money made available by way of unclaimed dividends should be used for the purposes which have been stressed this evening.

I would remind the House that last year the honourable member introduced a small Bill restricting the use of these funds to aged people. Since then, whether he has been caught up in the sympathy extended in the case of a handicapped child I do not know, but he has adjusted his ideas to the extent that he has embraced another charity. In doing so it has been suggested that the Treasurer and the Government, and every member on this side of the House, is unsympathetic to such charitable causes, or even to the extent of being callous towards their needs.

Mr. Fletcher: Not necessarily.

Mr. Hawke: Is the Minister on the right Bill?

Mr. CRAIG: The Deputy Leader of the Opposition, in opposing the Treasurer's Bill, took advantage of advancing his own. So I presume I am on solid ground when I voice some opposition to the measure introduced by the Deputy Leader of the Opposition, although I will be required to speak to it at a later stage of the session.

Mr. Hawke: Then I will not take a point of order on you.

Mr. CRAIG: I feel sure that every citizen is aware of his own personal responsibilities towards the causes advanced by the Deputy Leader of the Opposition and the member for Fremantle. It might be interesting to the House to learn that the sum of money made available to such causes is rather considerable. At the risk of taking up too much time I feel it pertinent that these particular charities that are assisted should be referred to. The following are the amounts estimated to be provided this financial year:—

	£
Boy Scouts Association	1,250
Boys Brigade	100
Braille Society for the Blind of W.A. Inc.	1,250
Children's Protection Society of W.A.	200
Civilian Maimed and Limbless Association	1,000
Emergency Housekeeper Scheme	300
League of Home Help	1,075
Girl Guides Association	1,000
Goldfields Fresh Air League	300
Kindergarten Union	51,500
Mental Health After Care Association	1,500
Mentally Incurable Children's Association	2,500
Ngal-a Home	44,330
Paraplegic Association	700
Rescue and Prison Gate Works	300
R.S.P.C.A.	1,000
Sailors Rest	50
Salvation Army Alcoholics Rehabilitation Centre ..	5,000
St. John Ambulance Association	16,250
St. John Ambulance Brigade	750
Slow Learning Children's Group	15,000
Social Centres for the Aged	4,000

Mr. Hall: How much is there for Albany?

Mr. CRAIG: To continue—

Spastic Welfare Association	35,000
Surf Life Saving Association	2,000

I will not weary the House with the smaller amounts, but mention only the bigger grants—

	£
Wanslea Home	8,000
W.A. Institute for the Blind	5,750
Australian Red Cross Blood Transfusion Service	36,630
Cancer Council of W.A.	30,000
Citizens' Advice Bureau	1,200
Freedom from Hunger Campaign	3,000
Good Samaritan Industries	1,750
National Marriage Guidance Council	3,500
Australian Medical Service Flying Doctor	13,000
Grant for Legal Aid	4,000
Native Welfare—Grants in Aid	34,811
Grants and Assistance to Infant Health Centres	133,900
Home of Peace	57,960
Silver Chain District and Bush Nursing	78,350
Pollard Convalescent Hospital	4,550
Mission Hospitals—Grants	4,923
Australian Red Cross Society	10,000
Slow Learning Children's Group	10,000
Y.M.C.A. Appeal	10,000
Police & Citizens Youth Clubs	3,000
Social Centres for the Aged	3,000
Homes for the Aged	7,000
St. John Ambulance Association	6,120
Infant Health Centres	4,000

The total is £715,145.

Mr. Rhatigan: There is no organisation in the Kimberleys mentioned.

Mr. Heal: I suppose the Treasurer will be able to increase the amounts if the Bill is passed.

Mr. CRAIG: So I do not think the Press were far wrong when they said this money would be used for charity.

Mr. Hawke: The same could be said with anything else.

Mr. CRAIG: The Government has to meet demands and obligations from all these charitable organisations, and the £40,000 will not go directly to those charities but into Consolidated Revenue and from that source the funds are drawn to meet the requirements of these particular organisations. In addition, of course, the Lotteries Commission makes substantial grants to charities. I can recall an advertisement in the Press only recently where the commission stated that something like £1,179,000 had been made available to the aged in a period of the last 10 years or thereabouts.

With reference to the unclaimed dividends to the tune of about £40,000, I would not like the House to gain the impression that this amount is all owing to backers who have lost their tickets. In fact I feel that the percentage of punters who make claims for dividends, because they cannot produce their tickets, would not amount to 25 per cent. of the total.

I admit it is rather harsh—as was pointed out by the Deputy Leader of the Opposition—in the case of a backer who has quite a firm case for a claim, and it is difficult to understand why the Totalisator Agency Board does not meet such a claim when it arises.

Mr. Hawke: Why don't you do something about it?

Mr. CRAIG: If the Leader of the Opposition will be patient I will come around to that. As I have explained previously, this policy of meeting unclaimed dividends has operated throughout the world so far as totalisators are concerned. I notice the Deputy Leader of the Opposition smiling, because he thinks we are not a true totalisator.

Mr. Tonkin: Neither are you.

Mr. CRAIG: However, that is a matter for discussion at another time. I am very sympathetic to the points of view that have been expressed during this session of Parliament.

Mr. H. May: What good is that? Why don't you do something about it?

Mr. CRAIG: The honourable member should be patient. This matter that has been raised is under consideration by the Totalisator Agency Board.

Mr. Heal: Hear! Hear!

Mr. CRAIG: I am not yet in receipt of the board's recommendations, but I feel that when I am advised of such recommendations they will go a long way towards meeting the case advanced by the Deputy Leader of the Opposition.

Mr. Hawke: That will be too late. This Bill will be through by then.

Mr. Heal: Tell us what makes up the other £40,000.

Mr. CRAIG: The type of person who takes a ticket on a certain horse and asks for number so and so, thinking he has a ticket on the horse he fancies, and then finds he has either been given the wrong ticket or he has the wrong number, and consequently he destroys the wrong ticket. There would be a number of other instances that would account for it. When we realise that the Totalisator Agency Board conducted pools on something like 2,713 races last year; this spread

over £40,000 in unclaimed dividends would amount to about £15 in unclaimed dividends on each pool conducted by the Totalisator Agency Board. When we consider that amount in the light of the turnover of the Totalisator Agency Board to the extent of £11,500,000, the actual amount not claimed by the punters on their tickets is very small indeed.

I think it would be opportune to mention that point for the information of the Deputy Leader of the Opposition. No doubt the racing clubs and the trotting association feel they are justly entitled to this money. They have been receiving it in the past as part of the disbursement of the profits of the T.A.B. But when we recall that in the last financial year of the board an amount of £366,000 was made available to racing clubs and the trotting association; and when we also consider the short period of the existence of the T.A.B. —in something like three years the amount is slightly in excess of £700,000—we will appreciate the position. In the current financial year the amount will be £400,000. So approximately £1,000,000 will have been made available to the racing clubs and the trotting association in a comparatively short period.

I am not denying that both organisations have taken the fullest advantage of this money, and have restored racing and trotting to a position that it has never enjoyed before. When we also realise that this was an industry which was on its last legs, we can see how beneficial the money has been to such a valuable industry.

I was surprised at the comment made, that if the Opposition became the Government its task would be hard to restore the position to the extent it wished; and that if it became the Government it would immediately amend this measure before the House and carry out its desire to create a fund into which this money, by way of unclaimed dividends, would be paid. I wonder what the position of the T.A.B. would have been had a Labor Government been in power at the time; because I feel sure the Opposition does not have the same sympathetic approach to the T.A.B. as does this Government. In other words, the overall betting position would not be on as sound a footing as it is today.

Mr. Heal: We brought the T.A.B. into existence.

Mr. CRAIG: But not in this particular form. I cannot see anything wrong with the Bill; and as I said before, I would not like members to gain the impression that the Government is unsympathetic towards the needs of charity; or towards the two particulars forms of charity that have been referred to this evening. We all realise our own personal obligations towards these people, and I am sure that each one of us is doing everything he can to assist.

MR. HAWKE (Northam—Leader of the Opposition) [9.22 p.m.]: I would like to say a few words on this Bill. I do not like the measure one bit. It clearly represents a two-handed grab by the Treasurer of money which does not belong to the Government or to the State. It is money which obviously belongs to a number of people who bet with the T.A.B., and who for one reason or another—and for perhaps no reason at all—fail to collect the winning bets which they make from time to time. Clearly this money belongs to the people concerned. There can be no shadow of doubt about that.

The Totalisator Agency Board up till the present moment has taken special steps and precautions to make sure that the people concerned do not get the money. I have been quite incensed to read from time to time in the newspapers the reply from the chairman of the board to dissatisfied punters who have written to the newspapers by way of protest, setting out the details of their transactions with the board; they clearly set out they were the rightful owners of the tickets which had been lost, or accidentally destroyed. The answer given by the chairman of the board on each occasion was that regulation so and so provides so and so, and so and so. Reading the chairman's comments one would think that this regulation had been laid down by some power and was beyond alteration. The fact is of course that the board could alter the regulation any day. It could make the regulation much more just and reasonable than it now is.

In his speech this evening the Minister in charge of the Totalisator Agency Board operations told us he was very sympathetic in many of these instances where the punter had been able to prove his claim beyond any shadow of doubt. But what is the use of the Minister's sympathy for these people when they do not get any money?

Mr. Craig: You want it to carry on as it is now.

Mr. HAWKE: What is the Minister talking about? I want his sympathy to take a more practical course.

Mr. Craig: I have said the board is considering the matter now.

Mr. HAWKE: I want to ask the Minister which came first—the Bill which is now before us, or the proposal before the board which the Minister talks about.

Mr. Craig: There is no connection.

Mr. HAWKE: Of course there is a connection. I have gathered the impression the board put up proposals to ease the situation in respect of unclaimed winning bets.

Mr. Craig: I have not heard one proposal as yet.

Mr. HAWKE: What was the Minister talking about a few moments ago?

Mr. Craig: I told you that the board is considering it at its next meeting.

Mr. HAWKE: In that situation I think we should postpone further consideration of this Bill.

Mr. Craig: It has nothing to do with the Bill.

Mr. HAWKE: It has everything to do with the Bill. What is the matter with the Minister for Police?

Mr. Craig: What is the matter with the Leader of the Opposition?

Mr. HAWKE: The Minister is adopting a most absurd attitude. Here we have a Bill before Parliament, for consideration and decision, which proposes to take into general revenue unclaimed winning bets with the Totalisator Agency Board. The Minister tells us that the board has developed some proposals to ease the existing regulation which prohibits the payment of winning bets where the punter is not able to produce the winning ticket.

Mr. Craig: If he could establish his claim in a certain time. It will only account for a very small proportion of the overall amount. I cannot go further.

Mr. HAWKE: Whether the Minister goes further does not matter. What does matter is that the board is in the process of developing a proposal to deal with this question of unclaimed winning bets.

Mr. Craig: I am sorry I tried to be helpful to the House in making this information available, because it is now being misconstrued.

Mr. HAWKE: The Minister could be a little more helpful. I am simply saying —and I hope the Minister can absorb this —we now have before Parliament a Bill introduced by the Government to take the whole of the unclaimed winning bets into general revenue. We then have the Minister saying that the members of the Totalisator Agency Board have either developed, or are in the process of developing, proposals which will enable some of the unclaimed winning bets which are now non-payable to be paid. Is that a true assessment of the position?

Mr. Craig: Reasonably so, but do not get carried away by the amount

Mr. HAWKE: Now the Minister is coming a bit clean.

Mr. Craig: I told you that a minute ago.

Mr. HAWKE: The Minister is leading us to believe that the Totalisator Agency Board is just fiddling with the situation. It is going to put up some proposal to him which will give punters one per cent. of the total of unclaimed winning bets. If that is the proposal, the Minister should tell the members of the Totalisator Agency Board that if they are only going to fiddle with the situation, they might just as well leave it alone.

In any event, I do not think this Bill should be proceeded with until such time as we know what this proposal is and know of its contents in detail. It is a most unfair proposition for the Government to have a Bill here to take the whole of these proceeds into general consolidated revenue, and for the Minister to throw into the ring the information that the board is considering a proposal in connection with the whole matter.

As I said before, this money belongs undoubtedly to the punters concerned. There is no doubt whose money it is—not a shadow of doubt in the world. The board has followed a very harsh attitude in dealing with many of the punters concerned, because it has been proven abundantly by quite a number of punters that they did in fact have a winning ticket and they did in fact purchase the ticket. The manager of the agency in which they bought the ticket has supported some of these punters. I could understand the refusal of the board to pay these people if there were not a provision that the money would not be paid for a certain period and after that period any person who had produced a ticket could possibly have no claim to it. I say that, because we know when a ticket is lost it can be found. It would be difficult, of course, for the finder, unless he knew the circumstances, to know it was a winning ticket, but he might think it was worth a go and present it to the agency where the ticket was purchased; and the worst the agency's clerk could do would be to tell him it was not a winning ticket. If it were a winning ticket, then the finder would be that much in profit.

I think the situation is handled very harshly indeed by the board. I agree it could not have paid every punter who had a winning ticket and lost it, but it could have paid quite a number of those who had winning tickets and who accidentally destroyed them or lost them. The Government and the State have no claim to this money—no claim in law or morality to any part of it. The Minister for Police this afternoon read a long list of charitable organisations to which the Government pays certain amounts each financial year. None of these organisations and none of these amounts were new. They have been on the list quite a long time—for years.

Mr. Craig: They vary year by year.

Mr. HAWKE: So the Government is committed and has been committed to make the payments to the organisations, the names of which the Minister read out.

Mr. Brand: There are some annuals, of course, but they do vary from time to time.

Mr. HAWKE: The great majority of those involved, and the figures which the Minister for Police read to us as the amount, have been running for quite a long time.

Mr. Brand: Admittedly.

Mr. HAWKE: I know there are special appeals now and again in connection with special organisations, and the Government may agree to pay one such organisation a substantial amount this year which would not recur; but by and large the amount paid under the miscellaneous section of the consolidated revenue votes is an amount which recurs annually—it is a continuing amount. Occasionally the Treasurer agrees to increase the annual amount payable, but by and large they do not vary a great deal from year to year.

I think there is great merit in what the Deputy Leader of the Opposition had to say and in the suggestions he put forward; and in the event of the Totalisator Agency Board not being willing to devise a system for the return of this money to its orginal owners then the suggestions and proposals put up by the Deputy Leader of the Opposition have great merit and should be adopted by the Government. There is every justification apart from returning the money to its original owners, for assisting the causes which the Deputy Leader of the Opposition mentioned to us in his speech to us this afternoon, and I would hope the Treasurer would at least delay the passage of this Bill through Committee or even through the second reading stage until we have details of this proposal from the board.

Obviously the board's proposals would not be able to receive the consideration they might deserve if, in the meantime, Parliament has passed a Bill to take this money into the Consolidated Revenue Fund. The Minister for Police would be compromised if that situation were to be established. Say, for argument's sake, this Bill goes through the second reading stage and the Committee stage tonight. It is through and the money is in the Treasurer's pocket almost; and the Minister for Police has before him proposals from the Totalisator Agency Board for the disposal of this money.

Mr. Craig: I have tried to impress upon you it is a small proportion of the amount involved.

Mr. HAWKE: If it is only a small proportion it is a very lousy proposal.

Mr. Craig: That is all right; you can express your views.

Mr. HAWKE: I am going to.

Mr. Craig: It has no bearing on the Bill at all.

Mr. HAWKE: Then it is worse than lousy—it is of no account.

Mr. O'Neil: What happens to unclaimed dividends on the totalisator proper?

Mr. HAWKE: If a ticket is lost or destroyed, no payment can be made in respect of it.

Mr. O'Neil: After a period of time it is paid into the revenue of the totalisator.

Mr. HAWKE: That does not affect this situation. After all is said and done the Totalisator Agency Board is not operating as a true totalisator. In any event, even if it were, it issues these tickets in duplicate form, which the totalisator machine on the racecourse does not do. The Totalisator Agency Board has at least one duplicate of every ticket issued, so there is no trouble about that. In fact, it might be an idea if every punter who purchased a ticket from the T.A.B. signed it. He would sign the original and sign the duplicate, and his signature might be accepted subsequently under an amended regulation as proof of his ownership of the ticket—proof of his claim to the dividend which he had not been able to obtain because of the loss or accidental destruction of his winning ticket. I hope this Bill will be delayed in its passage or defeated at the second reading.

MR. BRAND (Greenough—Treasurer) [9.39 p.m.]: There is no need at all to delay this Bill for the purpose put forward by the Leader of the Opposition for the simple reason that under the existing law dividends which are unclaimed for one month by any person entitled thereto are paid by the board into a special banking account. If the moneys remain unclaimed for a further period of six months, then they go forward into the board's account and are finally passed out as part of the moneys distributed to trotting and racing clubs. Therefore, I assume that if the T.A.B. is considering altering its policy regarding more tolerant and favourable consideration of claims for unclaimed bets—

Mr. Craig: Lost tickets.

Mr. BRAND: —lost tickets, then the money which is paid into this account for a period of a month and which can be there for a period of six months will be the fund from which these lost ticket claims are paid, and from which the balance, after this period of time, would now be passed to the trotting and racing clubs, or, if this Bill becomes law, passed to the Treasury.

I think there is no argument at all for delaying this Bill, because if it is proceeded with it will not upset the arrangement which will be made by the T.A.B., if it makes any alteration. I might say, too, that I think the Totalisator Agency Board might well be more tolerant in its approach, because quite obviously cases have been cited which could have received more favourable consideration. There is no difference of opinion between the Deputy Leader of the Opposition and the Government as to taking this unclaimed money from that source and sending it elsewhere.

Last year the Deputy Leader of the Opposition put up one proposal; and now this year he has put up another proposal in

which he aimed to assist two special charities, and very desirable charities at that. But I cannot concede these two are any different from a dozen others that could be named. The Leader of the Opposition might well recall the occasions during his period as Premier of this State, when a deputation placed a certain proposal before him for charitable assistance and the grounds appealed to him: that it was a charity which should be helped; that it was almost the worst case he had heard about. But next day would arrive and bring with it an entirely different problem, but just as difficult and humane from the point of view of the Government. Humane problems in a hundred different varieties are placed before the Treasurer of the State for his consideration. Therefore it is difficult to say whether one charity or another should receive the benefit of the amounts which have accumulated under the heading of unclaimed dividends.

It is a fact, as the Deputy Leader of Opposition has said, that the Government decided this year, in looking around to build up its revenue and to offset the deficit which is troubling it—loan funds are very scarce and are vital to the development of this State—that here was a source from which, in round figures, it could obtain £50,000. We decided that the racing and trotting clubs this year would be receiving something like £366.000 as against £224,000. I was looking for a figure of £142,000 extra, and the Minister has told me that it is likely to go up to some £400,000.

Therefore the trotting and racing clubs in this State can look forward to increased financial assistance emanating from this source, even allowing for the fact that we will, if this Bill becomes law, have taken the unclaimed funds.

The Deputy Leader of the Opposition has raised a point in regard to the adverse adjustment which is made by the Grants Commission—over £400.000 for social services, with which we are very generous as compared with the Eastern States. I want however, to emphasise—and I pointed this out when introducing the budget when the matter was mentioned—that we are seeking to keep down the deficit as far as possible; and, therefore, £650.000, whilst not a great amount, was a contribution to reducing it.

I want to point out that in Victoria there is a Totalisator Agency Board organisation and it would appear to me that in the not far distant future there could be one in New South Wales. These two standard States would then, no doubt, both having a Totalisator Agency Board, become a standard by which the Grants Commission would judge this State's level of taxation in respect of betting.

If we take this unclaimed dividend fund into revenue, I believe it can be argued before the Grants Commission, which, incidentally, will be here within the next fortnight, that this was revenue and we should be given a favourable adjustment for this added revenue as against the Eastern States which up to this point have not taken it in. If, on the other hand, they decide that they will take this into revenue—

Mr. Tonkin: Victoria takes it in.

Mr. BRAND: If they take it in then, no doubt, in all the adjustments made, we are given some adverse adjustment in regard to it.

Mr. Tonkin: No; it is not taxation.

Mr. BRAND: The Deputy Leader of the Opposition says that it is not taxation. That is a point we could argue for a long time. It is the Grants Commission which has to decide whether the Government has faced up to its responsibility in respect of this matter and taken what money it can to help with this general revenue. For this reason alone the Government decided to include this provision in its Budget and introduced the Bill now before the House.

The Leader of the Opposition mentioned that £600,000 or more which is given to charity throughout the year is something which occurs every year. So it is; but it does not alter the fact that next year there will be more and greater demands from a hundred and one charities; and from the major charities and organisations referred to by the Minister for Police tonight. These people will come back for their annual sum of money.

In the case of spastic welfare and slow learners, the Government has been quite generous in regard to some of their immediate difficulties during the last two years. However, it may not be these particular organisations which have a special problem next year. It could be others; and, therefore, although the Deputy Leader of the Opposition has said—to be quite fair to him—that if we do not like the two charities he suggested, we could make it a number of charities, it would seem to me that to resolve the problem we would have to establish a charity pool out of which all organisations which made a claim could be considered and helped.

If we followed that line to its ultimate conclusion, we would reach a very difficult situation because the trustees of the supposed trust fund would not get very far, but would require more money to do a worth-while job and satisfy the charities.

Therefore, it is the Treasurer's responsibility—the Treasurer of the state who is appointed by the Government to do this job. Let him carry it. It is not always easy. He can never satisfy the whole demand; but if he has the maximum money available to him, he then can decide, according to advice and information and

the degree of problems which charitable organisations face, the extent to which he can help.

I intend not to support the suggestion that the Bill be delayed either at this stage or the Committee stage; and I hope the House will take heed of what I have said in respect of this matter, and pass the Bill.

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

Ayes—20

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Cornell	Mr. I. W. Manning
Mr. Court	Mr. W. A. Manning
Mr. Craig	Mr. Mitchell
Mr. Dunn	Mr. Nalder
Mr. Gayfer	Mr. Nimmo
Mr. Grayden	Mr. Wild
Mr. Guthrie	Mr. Williams
Mr. Hart	Mr. O'Neil
	(Teller.)

Noes—20

Mr. Bickerton	Mr. Kelly
Mr. Brady	Mr. Moir
Mr. Davies	Mr. Norton
Mr. Evans	Mr. Oldfield
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. Heal	Mr. Tonkin
Mr. Jamieson	Mr. H. May
	(Teller.)

Pairs

Ayes	Noes
Mr. Burt	Mr. Curran
Mr. Runciman	Mr. J. Hegney
Mr. O'Connor	Mr. W. Hegney

The ACTING SPEAKER (Mr. Crommelin): The voting being equal, I give my casting vote with the Ayes.

Mr. Graham: I heard that declaration!

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Brand (Treasurer) in charge of the Bill.

Clause 1: Short title and citation—

Point of Order

Mr. TONKIN: I want to raise a point of order on the Bill. This Bill proposes to amend a section of the Totalisator Agency Board Betting Act. There is already a Bill on the notice paper introduced before this one and which has been discussed, which proposes to amend the same section. I assume that under standing orders, a decision having been taken on this Bill, no further discussion is permissible on the Bill on the notice paper.

I am asking you, Mr. Chairman, would not the appropriate procedure of the Government have been to amend the Bill on the notice paper to give effect to its desires instead of introducing a new Bill the effect of which will be to preclude discussion on the first Bill? If discussion on the first Bill is precluded by the decision on this Bill, by what authority can the Bill already on the notice paper be discharged?

Chairman's Ruling

The CHAIRMAN (Mr. I. W. Manning): The Deputy Leader of the Opposition has stated that there are on the notice paper two Bills amending the same section of the one Act. In reply to his query I would state that the leader of the Government has the control over the construction of the notice paper, and that the House will decide the fate of this Bill. The point raised by the Deputy Leader of the Opposition will really arise when we come to the next Bill amending the same section of the same Act.

Mr. H. May: Putting off the evil day!

The CHAIRMAN (Mr. I. W. Manning): Yes.

Committee Resumed

Clause put and passed.

Clauses 2 and 3 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

MR. BRAND (Greenough—Treasurer) [10 p.m.]: I move—

That the Bill be now read a third time.

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

Ayes—21

Mr. Bovell	Dr. Henn
Mr. Brand	Mr. Hutchinson
Mr. Cornell	Mr. Lewis
Mr. Court	Mr. I. W. Manning
Mr. Craig	Mr. Mitchell
Mr. Crommelin	Mr. Nalder
Mr. Dunn	Mr. Nimmo
Mr. Gayfer	Mr. Wild
Mr. Grayden	Mr. Williams
Mr. Guthrie	Mr. O'Neil
Mr. Hart	*(Teller.)*

Noes—20

Mr. Bickerton	Mr. Kelly
Mr. Brady	Mr. Moir
Mr. Davies	Mr. Norton
Mr. Evans	Mr. Oldfield
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. Heal	Mr. Tonkin
Mr. Jamieson	Mr. H. May
	(Teller.)

Pairs

Ayes	Noes
Mr. Burt	Mr. Curran
Mr. Runciman	Mr. W. Hegney
Mr. O'Connor	Mr. J. Hegney

Majority for—1.

Question thus passed.

Bill read a third time and transmitted to the Council.

WHEAT INDUSTRY STABILISATION BILL

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. KELLY (Merredin-Yilgarn) [10.4 p.m.]: The Bill has almost the same wording as the legislation of 1958, and that of the legislation of the periods prior to that date. Of course, on this occasion, as on others, it covers the stabilisation of wheat for a further five years. A pleasing feature is that the Bill more firmly establishes the principle of a guaranteed wheat price. Also, the experience we have gained in the matter of this legislation is valuable from the point of view that there does appear an urgent need for some other items of primary production to have similar treatment. One that comes readily to mind is wool. I feel that as wheat stabilisation has been carried on for a number of years and has been re-enacted successfully, we could, on a similar basis, have a guaranteed form of stabilisation for the handling of the wool of the nation.

Mr. Nalder: Did you suggest that recently?

Mr. KELLY: I have suggested it on a number of occasions; probably just recently, too. I do not know that that means anything at all from the point of view of the Bill in front of us.

Mr. H. May: Watch out for Sir William Gunn.

Mr. KELLY: I do not think he would frighten my very much. I have met more troublesome and fearful chaps than he in my time, and none of them has had the terrifying effect that Sir William Gunn seems to have on most people.

Mr. H. May: You are still alive.

Mr. KELLY: I do feel that the experience gained in connection with handling the nation's wheat crop could quite easily be enacted in respect of several other of our primary products. It could be said that this legislation has successfully passed its testing period. Although there have been one or two attempts to alter the formula, it has stood the test of time and seems to be more firmly entrenched now, on the basis of principle—that of treating the wheat of the nation—than ever before.

There is a regret in my mind inasmuch as the guaranteed return to growers has been reduced on this occasion. I feel that this State should have strongly resisted any attempt at a reduction of this sort; and I do not stand alone in that thought. Many growers feel that insufficient was done by the State, as one of the chief wheat producers, in endeavouring to retain somewhere within reason the price that wheatgrowers enjoyed for their wheat up to the present five-year period. There is no apparent justification for the reduction. I know that the Minister, in his second reading speech, did mention that an economic survey had been conducted. Of course these economic surveys which are conducted on a given basis of inquiry, can produce just what they are required to produce.

Mr. H. May: Like Gallup polls.

Mr. Nalder: The only thing is that these deal with facts; that is the difference.

Mr. KELLY: With some facts.

Mr. Nalder: All facts.

Mr. KELLY: No; they do not take into account all the facts that are necessary if we are to say there is any justification for a reduction in the guaranteed price.

Mr. Nalder: You must not forget that they agreed to a principle previously, and that principle has been carried out in this survey, which indicated that an increased quantity of wheat per acre was grown, and therefore they were justified in having a reduction.

Mr. KELLY: Having had a second reading speech on the matter, I will now carry on.

Mr. Nalder: I was only trying to correct the false impression you were giving the House.

Mr. KELLY: I take the correction a little further and say that on several occasions when this Bill was due for a further five-year term, strenuous resistance was put up by the Ministers representing the agricultural sections of the various States, and on each occasion they were successful in retaining the price, irrespective of the surveys. But apparently on this occasion the Government has just meekly accepted the survey; or the Minister has.

Mr. Nalder: That is your opinion.

Mr. KELLY: Yes; and it is not only my opinion but that of many of the growers. There is nothing that we have been told or shown that would lead us to believe otherwise. When we have regard for the decrease of 1s. 5d. per bushel that applies to the growers of this State, I believe the growers have been let down.

Again, I emphasise that as a major producer we are more affected than anybody else. There should have been more solid opposition to this reduction. Let us look at what it means even on a 60,000,000 bushel out-turn; and that will probably be the figure that will apply in this State this year. It means that the growers of Western Australia will be robbed of £1,250,000 in that detail alone. There are other factors, too, but I will deal with them

as I come to them. The fact remains, however, that the wheatgrowers of this State will lose very considerably because of this 1s. 5d. per bushel reduction.

Mr. H. May: They have not had a second advance on last year's crop yet.

Mr. KELLY: There is no need for this reduction, irrespective of the survey that the Minister says has taken place, because we have not yet reached the position where wheat is hard to sell. We have two Communist countries that the Government is very pleased to supply wheat to, and I think that to some extent that policy is quite all right. I do not say that the selling of our commodities should be governed by a nation's politics. I do not think that should be the case at all. Two countries, Russia and China, are vying with each other to buy wheat; it is not as though we have to go down on our hands and knees to sell it to them. But still we give them £1,250,000—or a good portion of it—of the Western Australian growers' rights, just by a stroke of the pen.

I do not think that is good enough. More strenuous and forthright approaches should have been made to bring about a retention of the price we had previously enjoyed.

Mr. Nalder: Have you heard of the Wheatgrowers' Federation?

Mr. KELLY: The Minister is back in the kindergarten, apparently, and wants us to go back with him. Of course we know it.

The second factor is one that we can feel quite happy about. I think there has been a more realistic approach in regard to the guaranteed amount in respect of the 1,000,000 bushels than has been the case in the previous three-year periods.

Mr. Lewis: One hundred million bushels.

Mr. KELLY: Yes; 100,000,000. We now find that we are enjoying the right to dispose of 150,000,000 bushels.

Mr. Nalder: You are giving the Western Australian Government some credit for supporting that.

Mr. KELLY: I should think it would have supported it; I would have been more disappointed than I am if it had turned that matter down. Everybody else wanted it, and so the Government fell in with what they wanted.

Mr. Nalder: It just shows you how far out of touch you are.

Mr. KELLY: Just the same as the Minister fell in with the reduction in price. He agreed to this because everybody else wanted it.

Mr. Nalder: I will show you a report of the Agricultural Council, and that will put you right.

Mr. KELLY: The Minister agreed to this extra amount because it is essential that we get some guarantee of the amount of wheat we are to sell. The Western Australian growers have not, of course, lost only £1,250,000. They have had to face up to another loss which is certainly a much smaller one. In the past we have agreed on a 3d. freight allowance to be paid on overseas shipping. That has been a general allowance on the total wheat shipped out of the State. Now we find that the Minister has agreed, and apparently the other Ministers were in the same boat and agreed to this, too—or they were forced to agree; I do not know which—that the former freight system that we enjoyed is to be put on a different basis altogether; so much so that, in many instances, we could get as little as ½d. per bushel on wheat exported which normally would carry a freight advantage of 3d., and the maximum we can get is 3d. a bushel on a given quantity.

I think the Minister told us it was because of Japan and some other countries buying the wheat that this reduction had taken place. However, I would again point out to the Government that comparing the total amount of wheat to be exported this year, with the total amount of wheat we normally export, we are depriving the growers of Western Australia of about £375,000; that is, before taking the main average of the freight advantage the growers would have received, as against what they will receive under this proposal.

Mr. Lewis: What will they get under the same heading under this legislation?

Mr. KELLY: They will lose about £375,000 if we divide the figure by half. That is, of course, if we average 1½d. a bushel; but there is no guarantee that we will average 1½d. a bushel.

Mr. Lewis: There is no guarantee that we will not average more than 1½d. a bushel.

Mr. KELLY: There is a guarantee that we will not get more, because the maximum is only 3d. a bushel. The Minister knows very well that that is the case because we do not know where the sales will be made at the moment. To arrive at some figures, I have estimated; and I still stick to that estimate.

Mr. Lewis: Time will tell.

Mr. KELLY: In making complaint in regard to the two points I have enumerated. I believe we have been deprived of revenue we had no right to lose because the position is no different today—from an economic survey point of view—than it was 10 or 15 years ago. I consider that little was done in an endeavour to reduce this amount so that our losses in this State would not have been as great as they are.

Nevertheless, it is very pleasing to know we have a scheme which does offer a guarantee and gives stability to wheatgrowers for the next five years. We have

certainly achieved something by salvaging from the ruins at least that concession. On each occasion when the necessity arises for a new wheat stabilisation Bill to be considered, there is naturally opposition from the Treasury against the guarantees that are given, and on reading the history of the scheme apparently there have always been some doubts raised, principally for the purpose of preventing any State from obtaining a better spin than it did in the previous five years, and stopping any guarantees that had already been made.

As the Bill now before us covers the period up until 1967, it represents a substantial insurance for the wheatgrowers of the State, and enables them to budget on very sound lines because, before they undertake any new project, they have clearly set out before them the possible size of the budget they are able to work with. This means a great deal to them as it does, in fact, to Governments or to anybody else, because the budget upon which they can work is well known to them. So as the Bill does have that beneficial effect, and because this is a scheme which we hope will continue for many years, I support the second reading of the measure.

MR. HART (Roe) [10.20 p.m.]: As has been said by the Minister, and also the member for Merredin-Yilgarn, the Bill is well supported by those engaged in the industry. The Bill has been carefully studied, and the points which have been raised and criticised to some extent by the previous speaker have also been criticised by various wheatgrowers, sifted out, and finally agreed upon, in the main, by the Wheatgrowers' Federation.

We have reason to be proud of this wheat stabilisation scheme; and, in fact, it could be used as a model by those engaged in other primary industries. Whilst on that point, I hope that before long a similar scheme will be introduced for the wool industry. The principal provisions in the Bill now before us are much the same as those we have worked under in the past. One of the two major differences in this Bill, compared to previous legislation, is that we will have a lower guaranteed price. It has been said we should not have agreed to this.

I would point out that it was strongly opposed by those engaged in the wheat industry, and I think it was well ventilated before the Agricultural Council which, to some extent, has been criticised tonight. The facts are that, over the years, we have worked on a formula to arrive at this guaranteed price, and that formula has not been changed very much. It embraced many different points which, overall, were accepted. On this occasion the formula was carefully studied and the Bureau of Agricultural Economics introduced a slightly lower price for wheat throughout Australia. We had to accept a slightly lower average; and I agree, with other wheatgrowers in Western Australia, that it was a little hard to justify. But as all members in this House will agree, we have to accept the Australia-wide average in the same way as we have done previously. The formula was used to arrive at the small rises we have had previously and, when they were arrived at, we accepted them.

On this occasion, because of the high yields that have been obtained, not only in Western Australia but also throughout Australia, it indicated that the cost of production had dropped. Therefore, although those engaged in the industry itself strenuously fought to retain a higher price, with every justification, they eventually recognised that they were not on very good ground. Nevertheless, they went down fighting. It is now generally accepted that the basis used was quite all right.

From that we now turn to the other main point in the Bill which the previous speaker has supported; namely, that the guaranteed price now applies to 150,000,000 bushels instead of 100,000,000 bushels. That increase in production has been well accepted by those in the industry but they had to fight mighty hard to get it. However, they found a way by which the Agricultural Council would endorse it. The increase of 50,000,000 bushels indicates good spirit on the part of the Government in agreeing to it inasmuch as it conforms with the provisions of the Wheat Stabilisation Act.

Most primary producers place more value on a guaranteed stablished price than they do, perhaps, on a high price. I think the primary producers in Western Australia were more pleased about achieving that than perhaps those in other States. The fact remains that we did achieve that increase of 50,000,000 bushels, which is very important. Admittedly, we have lost the 3d. a bushel freight differential that we used to enjoy, and that aspect has been criticised somewhat this evening. However, again we must look at facts and bear in mind—particularly in regard to grain—that the destinations of our primary products today, compared to where they used to go, are completely different.

For some considerable time we have had strong representation from those in the Eastern States that the 3d. freight differential could not be justified. We managed to retain it until the introduction of this wheat stabilisation scheme when we were unable to combat the arguments that were put forward against the 3d. freight differential. Very reluctantly we had to accept the factual statement they put forward; namely, "If there is any differential due to Western Australia, let it be on the actual basis of what it is"; and so we had to agree with their proposal. I know quite well the amount we are now receiving is less than that which

we received previously, but we could not continue to justify the 3d. That is where we stand on that point.

With the ever-increasing expansion of the wheat industry, this Bill has tremendous advantages for wheatgrowers. There is one weakness in the formula we have at present, and those engaged in the industry consider it should be rectified. Various attempts have already been made to rectify it, and I have submitted recommendations to our Minister, and when they finally reach the Agricultural Council perhaps it can give some consideration to the suggestions put forward. I am referring to the formula used to arrive at the home consumption price, and the guarantee. Within that formula, when the average cost of production is being worked out, no marginal profit is allowed to growers. Those engaged in the industry itself have fought very hard for that provision, but, to date, they have not been successful. However, I think it is quite justified; and as we get down to prices which are more in line with the actual export price, that point should be given more consideration.

Whenever we have cost plus factors taken into consideration, it is unthinkable, when one works out the cost of any article, that the profit margin should not be taken into account. I suppose it can be said that it was a weakness from the beginning, because when we started the wheat stabilisation scheme and we all agreed wholeheartedly in those days that the price was much above the guaranteed price, it could have been thought that the margin of profit was covered by the higher export price, which was shillings above the guaranteed price.

The fact remains, however, that the industrial section of the wheat industry has not been able to get around that point. Nevertheless, I hope further deliberations will eventually iron out that problem. I have much pleasure in supporting the Bill because I think it represents a tremendous benefit for wheatgrowers in Western Australia and Australia as a whole.

MR. NALDER (Katanning—Minister for Agriculture) [10.30 p.m.]: It is quite evident that as time passes we come to accept this type of legislation, which was tried as an experiment but is here to stay; there is no doubt about that. This legislation has been tried, and has proved to be very beneficial to Australia. It has stabilised the wheat industry. Members will recall the days of the 1930's when this industry was in a very precarious position. The stabilisation plan gave the industry what it had been fighting for over many years—a payable price which encourages further production.

It is interesting to note the changes which have taken place in wheat production the world over. It was only a few months ago when quite a number of people with worldwide knowledge of the wheat industry stated that within a very short period we would have a huge carryover of wheat; however, within a few months of that prediction we found practically a world shortage of wheat.

In Australia an announcement was made a few days ago that almost the entire saleable wheat produced in Western Australia had been offered for sale and had been sold. That suggests not only that the total wheat production in Australia has been sold this year, but that we will start off with empty bins next year. This applies not only to wheat but to all grains, including oats and barley.

The future for Australia, as well as for Western Australia, is very exciting, because with increased areas being brought into production we have an almost unlimited opportunity to take advantage of what science has done for us in the production of grain which is so urgently required.

Mr. Cornell: What is the latest estimate of this year's production?

Mr. NALDER: The latest estimate by the Government Statistician is that it will be in the vicinity of 60,000,000 bushels.

Mr. Cornell: Would you say that 35,000,000 bushels would be the amount available for export?

Mr. NALDER: That might be the prediction of the honourable member, but I would not be in a position to say. Many conflicting estimates have been given in the last six months, and it is difficult to to say what will be the quantity available for export until the numbers actually go up.

Mr. Kelly: The incidence of hail would reduce the figures.

Mr. NALDER: The member for Merredin-Yilgarn suggested that no effort had been made by this Government to look after the wheat industry in Western Australia. As an ex-Minister for Agriculture he must know what goes on at Agricultural Council meetings. In this case it meant either wrecking the scheme, or agreeing to it. I ask the honourable member what he would have done in a situation like this.

Mr. Kelly: As a Government we came back on three occasions before we made a decision.

Mr. NALDER: On this occasion it was not decided at one go.

Mr. Kelly: At least I reported back to Western Australia.

Mr. NALDER: The federation made representations to the Agricultural Council. Meetings were held on many occasions, and the question of a guaranteed price was argued. The discussion was postponed, and we held three conferences. We were to have held a special conference

and we delayed further consideration. We reached agreement after several meetings with the Ministers of the various States. I do not know how many conferences the federation had with the Minister for Primary Industry. Eventually we were called together at the conference held in Brisbane in July, and we had to consider the recommendation made by the Wheatgrowers' Federation.

Mr. Kelly: I am not minimising the efforts of the federation.

Mr. NALDER: The honourable member criticised the Government for not taking a stand on this question. I am prepared to let the honourable member read the minutes of the Agricultural Council meetings in order to satisfy himself that what he said is not correct. I want the House to know that also; because a fight was put up in the interests of Western Australia, not only in this case but in other situations.

Mr. Kelly: Many growers would not agree with that statement.

Mr. NALDER: I tell the honourable member and the wheatgrowers of Western Australia that the freight advantage which has been enjoyed by this State—and we received this advantage because of the fight put up by the growers here—could possibly be changed. Western Australia will have to fight desperately hard to retain the freight advantage it now enjoys.

Mr. Kelly: I hope we will be up to the fight when the time comes.

Mr. NALDER: I tell the wheatgrowers that we will have to fight to retain the freight advantage we now enjoy under the stabilisation plan.

Mr. Cornell: Tell us why the rural committee of the Liberal Party thought the guaranteed price of wheat was sufficient on a production of 100,000,000 bushels?

Mr. NALDER: The honourable member can give that information. I am not informed on that matter. The member for Roe outlined the position very fully when he dealt with the various points in his contribution. The wheatgrowers of Western Australia are placed in the fortunate position where they can face the future with a great deal of confidence, firstly, because we have a stabilised price which will guarantee a production of 150,000,000 bushels, and Western Australia will gain from this as it will be one of the greatest wheat producing States in the future; and secondly, because we will have empty bins at the close of this season. This applies not only to wheat, but to all coarse grains. Producers will be encouraged to produce more. The future is very bright indeed.

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. Nalder (Minister for Agriculture), and transmitted to the Council.

TRAFFIC ACT AMENDMENT BILL (No. 3)

Returned

Bill returned from the Council with an amendment.

STAMP ACT AMENDMENT BILL (No. 3)

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Brand (Treasurer):—

That the Bill be now read a second time.

MR. HAWKE (Northam—Leader of the Opposition) [10.44 p.m.]: I am not deliriously happy about the major proposal in this Bill. Under the existing law, as I understand it, a person who has stamp duty assessed against him by the Commissioner of Stamps and decides to take legal action in opposition to the commissioner's assessment may go as far as lodging an appeal to the Supreme Court without firstly having to pay to the commissioner the amount of stamp duty assessed against him.

The proposal in this Bill is that no such appeal would lie or be permitted unless the person concerned had first paid the amount of stamp duty assessed. It seems this proposal rather reverses what might have been regarded previously as a well-known principle of procedure in law. In effect, this proposal would declare that a person does owe the amount assessed against him and that he must pay it before he can make use of the legal processes which are set up and operating. I think this amendment, therefore, raises a subject of great principle and one which should receive very serious consideration from every member of the House. It may be that this principle does operate in some other directions. However, I do not of my own knowledge know of any other direction or field in which the principle operates.

Mr. Brand: They found it necessary to do it in each of the other States because of the delay that is occasioned by somebody lodging an appeal and finalising it.

Mr. HAWKE: There may be an argument to alter the existing law in some respects, but I am not convinced there is justification for the major alteration proposed in this Bill. I could understand a proposal and support it which required the person against whom the assessment had been made being required to put up some guarantee in relation to the amount assessed against him before he could appeal

to the Supreme Court. I am all against the delaying tactics to which the Treasurer has made reference. I think it is a weakness in a law if the law allows a person to escape payment of what might be an amount justly assessed against him, simply by using some weakness in the law to delay and delay the actual hearing of an appeal, because the person concerned, in his own mind, actually knows that the amount assessed against him is a just amount and that whenever the appeal comes to hearing and decision, the decision will be against him, and merely uses the processes of the law to delay for months, or may be for a year or longer, the payment of a fair and reasonable assessment.

I am completely against that sort of procedure and would have no sympathy whatever with any person who tried to dodge his just responsibilities and the payment of his just dues by indulging in subterfuge of that kind. However, I am worried about the extent to which the major proposal in this Bill will go. I can foresee cases of hardship where a person who has been perhaps unfairly assessed, and who is not financially in a position to pay the amount, would wish to appeal and would feel confident of succeeding in his appeal; would be anxious to have the appeal heard quickly in order that he might receive the favourable decision he is certain he would receive.

I am anxious that such a person should not be put into financial difficulties by having to pay to the commissioner the full amount assessed against him before he can lodge an appeal, and before he can proceed with that appeal. I think the Treasurer would be able to appreciate the situation I am trying to foresee.

If the Treasurer, in consultation with the Under-Treasurer and the Commissioner of Stamps, could work out some more acceptable procedure, I would be quite anxious to assist to the ultimate of my capacity. The Treasurer, together with the two officers to whom I have referred, might be able to work out some proposal for a bond to be lodged and then for an appeal to proceed.

I am as anxious as the Treasurer to obtain for the Commissioner of Stamps moneys to which he is legally and justly entitled, and I would go 100 per cent. of the way to assist in that direction. However, I think there is a bad principle in law or in conscience in laying it down that before a person can, in any circumstances or situation. exercise the rights which the law provides, he must pay in full an amount assessed against him by the Commissioner of Stamps.

Let us take an example in another field. Say, for argument's sake, anyone of us receives an account or a bill for £500 for some goods or service and he believes the account or bill is not just or accurate. How would he feel? What would he say if before he could appeal to the Supreme Court he had to pay in full the amount which had been declared to be owing by him to the creditor? I am sure there would be very great indignation about a proposition of that kind and very considerable opposition would mount against such a proposal throughout the community. Yet, here in this Bill we are laying it down very clearly that no person, no matter how good his case or how just his case, would be able to make an appeal to the Supreme Court against an assessment of the Commissioner of Stamps unless he first of all paid in full to the commissioner the assessment in question.

I do not think that is a reasonable or just proposition. I am satisfied something much more effective could be developed to overcome the delaying tactics which the Treasurer explained to us when he introduced the Bill. So I would ask the Treasurer to have some further discussion with the Under-Treasurer, if he is involved, and with the Commissioner of Stamps, to see whether some more reasonable proposal can be developed. I am certain it can be developed, and in the interests of promoting fair dealing and justice in this State, I think it should be developed.

I am not one scrap happy about this proposal. I do not want to vote against the second reading, because I am anxious to assist the Commissioner of Stamps to overcome this subterfuge to the extent to which it is being used against the commissioner. So I hope the Treasurer will give an undertaking to members of the House that in the event of this Bill passing the second reading, he will delay the Committee stage until he has had further opportunity of discussing the matter with the Commissioner of Stamps and, if necessary, through the Commissioner of Stamps, with Crown law officers.

MR. BRAND (Greenough—Treasurer) [10.55 p.m.]: I want to say that when I first studied this proposal, which is a very small one, of course, I saw some of the difficulties as outlined by the Leader of the Opposition. I felt there could be a great deal of controversy regarding a piece of legislation which did not seem to me to be absolutely vital and essential. However, there are one or two other provisions in the Bill which the Treasury was anxious to have clarified or, at least, included in the parent Act; and I decided to bring the Bill to the House.

If the solution were to be found to this problem by the payment of a bond, I think we would have to consider how large would be the bond in relation to the assessment of duty by the Commissioner of Stamps. I would say the Treasury officials, in putting forward this proposition, have looked at the Act in each of the other States and found that they contain these provisions and realise this is a simple solution.

Mr. Hawke: It is, from the Treasury's point of view.

Mr. BRAND: It is done in the other States.

Mr. Hawke: That does not make it right.

Mr. BRAND: Therefore, the principle to which the Leader of the Opposition referred must be included in each of the States.

Mr. Hawke: The principle is bad.

Mr. BRAND: The principle, it would seem to me, may be, as the Leader of the Opposition said, not a very acceptable one; but he is suggesting the payment of a bond rather than the payment of a duty. However, there will be so many cases in which the assessment of the commissioner will be found to be correct, that very few appeals will be successful, and therefore I can see no reason why we should set this Bill aside.

I would certainly be happy to discuss the matter with anyone if there were an answer to the difficulty to which the Leader of the Opposition referred; but I cannot see any. If there had been an answer, it would have been provided in the legislation which exists in the other five States. I am certainly not enamoured of the proposal that we provide a bond, because this might be just a lesser degree of difficulty for someone who has to provide this money or pay the duty.

I am inclined to ask the House to support the second reading and to put the Bill through Committee. If any worthwhile suggestions emanate from the officials at the Treasury or from the Commissioner of Stamps, I would be quite happy to have them considered in another place. It is only an amending Bill, and I commend it to the House.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Brand (Treasurer) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 32 amended—

Mr. HAWKE: I am disappointed that the Treasurer is not prepared to hold over the Committee stage of the Bill for one day. In the circumstances, and in view of what I said during my second reading speech, I move an amendment—

Page 2, lines 3 to 11—Delete paragraph (a).

Mr. BRAND: I do not propose to agree to the amendment. If there is an important part of the Bill, it is this part. I have already explained why the Bill has been introduced, and I therefore oppose the deletion of paragraph (a).

Mr. HAWKE: In my opinion, it is a most unjust principle to lay it down in legislation that before any citizen can appeal against an assessment made against him by a taxing authority, he must pay to that taxing authority the whole of the amount assessed against him. I hope the Committee will vote to have this paragraph taken out.

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

Ayes—20

Mr. Bickerton	Mr. Kelly
Mr. Brady	Mr. Moir
Mr. Davies	Mr. Norton
Mr. Evans	Mr. Oldfield
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. Heal	Mr. Tonkin
Mr. Jamieson	Mr. H. May
	(Teller.)

Noes—21

Mr. Bovell	Dr. Henn
Mr. Brand	Mr. Hutchinson
Mr. Cornell	Mr. Lewis
Mr. Court	Mr. W. A. Manning
Mr. Craig	Mr. Mitchell
Mr. Crommelin	Mr. Nalder
Mr. Dunn	Mr. Nimmo
Mr. Gayfer	Mr. Wild
Mr. Grayden	Mr. Williams
Mr. Guthrie	Mr. O'Neil
Mr. Hart	*(Teller.)*

Pairs

Ayes	Noes
Mr. Curran	Mr. Burt
Mr. J. Hegney	Mr. Runciman
Mr. W. Hegney	Mr. O'Connor

Majority against—1.

Amendment thus negatived.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr. Brand (Treasurer), and transmitted to the Council.

DENTISTS ACT AMENDMENT BILL

Council's Amendments

Amendments made by the Council now considered.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Health) in charge of the Bill.

The CHAIRMAN: Amendment No. 1 made by the Council is as follows:—

No. 1.

Clause 23, page 8—Add after paragraph (b) a new paragraph to stand as paragraph (c), as follows:—

(c) by deleting the words "of Dentists" in line seven of subsection (2).

Mr. ROSS HUTCHINSON: I promised to have three of these amendments dealt with in another place, as a result of a request made by the member for Gascoyne. I refer to amendments Nos. 1, 2, and 4. I will agree to those three amendments. I propose to agree to amendment No. 3, subject to a further amendment. Regarding the first amendment, the words "of Dentists" are redundant, and therefore I move—

That amendment No. 1 made by the Council be agreed to.

Mr. NORTON: The first two amendments are similar. Their purpose is to remove the dead wood from the Bill. I support the amendment.

Question put and passed; the Council's amendment agreed to.

The CHAIRMAN (Mr. I. W. Manning): Amendment No. 2 made by the Council is as follows:—

No. 2.

Clause 25, page 9—Add after paragraph (a) a new paragraph to stand as paragraph (b) as follows:—

(b) by deleting the words "of Dentists" in line two of subsection (2); .

Mr. ROSS HUTCHINSON: This is a similar amendment to the one just agreed to, and I move—

That amendment No. 2 made by the Council be agreed to.

Question put and passed; the Council's amendment agreed to.

The CHAIRMAN (Mr. I. W. Manning): Amendment No. 3 made by the Council is as follows:—

No. 3.

Clause 29, page 11—Add a paragraph to stand as paragraph (c) as follows:—

(c) by deleting the word "female" in line three of paragraph (d).

Mr. ROSS HUTCHINSON: This amendment was mentioned by the member for Gascoyne during the second reading of the Bill. I said I had no real objection to it, and subsequently in the Legislative Council it was agreed to. I propose to agree to it subject to a further amendment to include after "paragraph (d)" the words "and inserting in lieu thereof the words 'registered or female chairside assistant' ". This would remove the objectionable word "female" from the Act and place in lieu thereof the words "registered or female chairside assistant". The reason the amendment was moved in another place was that the word "female" did not allow any latitude, and in the nursing profession male nurses are being accepted more and more. I move—

That amendment No. 3 made by the Council be amended by inserting at the end of proposed new paragraph (c) the words "and inserting in lieu thereof the words 'registered or female chairside assistant' ".

Mr. NORTON: This will have to be altered because, under the Minister's proposal, the words he mentioned will all come before the word "nurse" in the Act, which is quite wrong.

Mr. ROSS HUTCHINSON: What the member for Gascoyne says it quite true. In my desire to have this done quickly I did not realise that the amendment would not make sense when transferred to the Act. I wanted to have the word "registered" in lieu of the word "female", and then I wanted to include the words "a female chairside assistant" after the word "nurse."

Mr. NORTON: This will take a lot of sorting out, and I think we should report progress.

Progress

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

CONVICTED INEBRIATES' REHABILITATION BILL

Order of the Day read for the second reading of the Bill.

Point of Order

Mr. TONKIN: Mr. Deputy Speaker, on a point of order, how can the Premier deal with this Order of the Day without postponing the Orders of the Day preceding it?

Mr. Moir: He did.

Mr. TONKIN: No; he did not. If you like, Mr. Deputy Speaker, I can give you from memory the motion previously moved. It certainly did not include the postponement of all items preceding the one called. The motion previously moved and carried was that all Orders of the Day up to 21 be postponed until after Orders of the Day 22 and 30 had been dealt with. Orders of the Day 24, 25, 26, 27, 28, and 29, come ahead of 30, and they have not been postponed.

Postponement of Preceding Orders of the Day

Mr. BRAND: Well, we will postpone them now. To put the matter in order I move—

That Orders of the Day Nos. 23 to 29 inclusive be postponed until a later stage of the sitting.

Motion put and passed.

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—*Chief Secretary*) [11.20 p.m.]: I move—

That the Bill be now read a second time.

Members may recognise in this Bill a subject which I dealt with in a complex of Bills dealing with mental health during last session of Parliament. As the long title indicates, the Bill seeks to make better provision for the rehabilitation of convicted inebriates and for incidental and other purposes.

Last year, as already indicated, we passed the new Mental Health Act, one part of which makes provision for the care and treatment of alcoholics, who were previously dealt with under the Inebriates Act. However, the new Mental Health Act repeals the Inebriates Act. The Mental Health Act has not yet been proclaimed—this is due to the size and importance of the regulations and the need for the new Mental Health Director to review them.

Simultaneously, we also amended last year the Prison Act and the Criminal Code, these being complementary measures to assist in rehabilitation proceedures. Under the provisions of the Mental Health Act, 1962, the case of the alcoholic is made one for psychiatric treatment just like that of any other mental disorder; because, in a large sense, addiction to alcohol may be considered as a mental complaint. For this reason the Mental Health Act, as has been stated, provides for the repeal of the Inebriates Act, 1912-1919, as, with one exception, there was no purpose in keeping its provisions in operation.

The exception was that of the convicted inebriates who cannot be entirely excused for the unlawful acts arising from a self-induced condition. This case was covered by section 7 of the Inebriates Act, which made provision for the placing of these persons, not in a prison, but in an institution established for the reception of convicted inebriates. As such an institution was last year established at Karnet Rehabilitation Centre, the provisions of section 7 were given a home in the Criminal Code, so that such orders might still be made in respect of convicted alcoholics with a view to bringing about their rehabilitation.

Unfortunately, our short experience with these persons—there are some 43 of them in Karnet now—has shown that a clause providing only for their being placed in the institution did not afford the machinery to deal adequately with them. In fact, the Inebriates Act did not do so either, but this did not become apparent, as it does not appear that the section was ever put to use because, obviously, of the lack of an institution like Karnet.

A person having been committed to an institution, there is no procedure set out as to how he might be treated in varying circumstances. So we have had to learn by our own experience, and this teaches us that we should have a properly-constituted board, experienced in the treatment of these people and to make recommendations by which the courts and authorities might be guided.

The Inebriates Act did provide that orders under which convicted inebriates were placed in institutions might be varied, renewed, or rescinded by a judge or magistrate, but the Act is silent as to the circumstances under which these things ought to be done, or from what source guidance should be obtained as to whether they ought to be done. As a result, it is hard to see how a judge or magistrate might have been persuaded to intervene. The Bill now presented to the House sets out, in a few clauses, to remedy this situation.

It provides for the placing of convicted inebriates in an institution as now; and, in the case of a serious offence of which a person is convicted on indictment—i.e. in a superior court—provides for the award of punishment, as well as for the making of the order. I should here emphasise that the placing of a person in an institution is not to be regarded as punitive. Such a case occurred recently in the Criminal Court where the judge awarded two years' imprisonment, to be followed by a year in an institution. The order that the convicted person be placed in an institution was made under section 7 of the Inebriates Act which, on the face of it, does not appear to contemplate punishment as well. In the circumstances, it was considered better to put the matter beyond all doubt by expressly allowing superior courts to adopt this course and to make it clear that the punishment was to be undergone prior to the commencement of the rehabilitation period.

In another case, a learned judge, acting under the provisions of section 7 of the Inebriates Act, saw fit to dispense with a medical certificate. Some doubt has arisen as to whether this course was open to the judge—it clearly is, under another section —and to put this at rest power is given in the Bill to dispense with a medical certificate where the circumstances are, in the opinion of the court, such as to warrant this course.

Power will be given the court to vary an order by reducing the period for which an offender was placed in an institution, or by allowing him to be released on trial leave. In certain circumstances; that is, where the offender resists treatment or rehabilitation, the court will be empowered to rescind the order and award such punishment as it might have awarded if the order had not been made.

Finally, a judge will be empowered, in exceptional cases, to extend the period for which a person was placed in the institution, by the addition of a further period not exceeding 12 months. I might add that the Inebriates Act gives the power to extend the order indefinitely, but this is out of keeping with modern thinking. In varying, rescinding, or extending the operation of an order, the court or judge is to be guided by, or have the assistance of, a recommendation of the board.

The board will comprise three persons, of whom two will be psychiatrists, and one a welfare officer. As we are dealing with a mental complaint, it is considered advisable to give the board a psychiatric bias. The intention is to appoint a senior psychiatrist of the Mental Health Services and one in private practice. I think it should be noted that they will not give full-time services to the board because this is not necessary.

The Bill expressly provides that the board is to have little or no regard to formality, but is required to get on with the job. The Comptroller-General of Prisons and his officers are required to have regard for the recommendations of the board; and if, at any time, for any reason, the advice or a recommendation of the board appears unacceptable, the matter must be referred to the Minister.

The members of the board will hold office during the Minister's pleasure, as it must be a closely-knit, efficient, small body, and there must be power to make a quick change in its personnel, if it were found that there was dissension or obstruction among the membership. It must be possible to establish a body that commands, and continues to command, the confidence and respect of the persons placed in the institution, so as to gain their complete co-operation in the treatment and rehabilitation. It must be in the power of the Minister to cope quickly with any situation that might mitigate against this.

In order that the board will not become involved in any legal procedures whereby it could lose the confidence of the persons whose treatment and rehabilitation it is overseeing, it is provided by the Bill that proceedings for variation, rescission or extension of orders are to be brought only by the comptroller-general or with his consent. This will mean that he will take the responsibility for giving effect to both favourable and unfavourable recommendations of the board. However, the board will furnish reports direct to the court where these are called for and, in any event, the recommendations of the board must be produced in every application made by the comptroller-general.

The powers of the Governor to give relief are expressly extended to persons placed in an institution, although they are not, in fact, undergoing punishment. The Bill will have retroactive effect as far as persons now in an institution are concerned. Finally, the Bill will repeal the section placed in the Criminal Code under last year's legislative scheme.

Debate adjourned, on motion by Mr. Norton.

BEEF CATTLE INDUSTRY COMPENSATION BILL

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. KELLY (Merredin-Yilgarn) [11.30 p.m.]: This Bill appears to be a considerable one, containing about 33 clauses, but there is nothing very contentious about it. The measure has been brought forward for the purpose of establishing a cattle compensation fund, to take care of cattle owners who have been compelled to have their cattle either slaughtered or condemned, because of the various diseases which have been provided for in other grades of cattle in previous legislation.

The fund will cover—I think the Minister told us—tuberculosis and lumpy jaw; and the intention is also to bring in, if necessary, any other disease which from time to time may occur. Such diseases will be included by proclamation.

We are told that the fund will be derived from owners' contributions of a penny in the pound to a maximum of 5s., to which the Treasury will also contribute on a pound for pound basis. The final source of finance for this fund will be the returns of the sale of condemned carcases. Perhaps the Minister could tell me if that is right.

Mr. Nalder: Yes.

Mr. KELLY: I would like the Minister to give some more information, when he replies, as to the manner in which these condemned carcases are to be disposed of, together with the approximate value of such condemned carcase meat, and the purpose for which it is to be used; because it makes one wonder whether meat that has been condemned will have very much use, especially for human consumption.

I understand the cost of administering the scheme is to be a charge against the fund. The Minister indicated that it was anticipated the fund would raise £74,000 in the first year; and from present indications possibly £34,000 would cover the outgoing in the first year. That would leave a surplus of £40,000 at the end of the first year, on the contributions outlined by the Minister. It seems that this fund would very quickly have a solid credit balance if we allowed it to operate for very long on the initial formula under which the funds will be provided. To some extent

the Bill does provide for a fluctuating scale, but no indication was given as to the period of time that a Bill of this kind would operate, assuming that the expenditure remained more or less static, and that the contributions were also on the present scale.

Perhaps the Minister could indicate the method to be adopted to keep this fund within reasonable proportions. We have witnessed the same circumstances in connection with the pig industry fund, and various other funds. I do not think there is any great difficulty involved in arriving at a figure, but it would be interesting to know what the Minister has in mind.

The Bill very wisely provides for the Treasury to make cash advances in the case of an emergency which could at any time exist within the ambit of this measure. The position has arisen, of course, in some other cases where a large amount of finance was required very quickly. We hope that will not be the case with this fund. It does, however, appear to be wise for the Bill to provide for the Treasury to finance the required amount of capital; and that too would be repayable as the fund became more buoyant.

The provisions of the Bill cover the South-West Division, and by proclamation could embrace other parts of the State. I should think that very quickly it would be necessary for the measure to be all-embracing, because the advantage gained would be minimised, or dissipated, if the Bill applied to one section of the State only, and if cattle could be purchased at the markets or from other sources which could be considered as affected areas.

Soon after the Bill is operating successfully, I think it will be necessary to include, by proclamation, a good proportion of the State, particularly if we are to make the measure fully effective. Up till now, of course, there has been no general testing for beef cattle in any part of the State. There has been a sort of promiscuous treatment of beef cattle in some parts, but nothing has been compulsory; there has been nothing on an organised basis. But with the cattle that are being brought under this legislation it will become increasingly evident that the measure must be all-embracing, rather than confined to just one part of the State.

I think the Bill represents a distinct advance in the right direction. It must have a very beneficial effect, and advantage the different aspects that come to mind. The implementation of the measure will undoubtedly, before very long, largely arrest tuberculosis, and I should think also, to a lesser extent, lumpy jaw; and whatever other diseases might from time to time appear.

I do not think there is any doubt that the measure will make for much healthier conditions, purely from the human health angle, as a result of the vigilance that will be undertaken in connection with its provisions. To some extent, I have no doubt, the Bill will also eliminate wastage which now takes place as a result of the incidence of disease, and because of there being no control, particularly among beef cattle. Before very long we could quite easily look forward to the various diseases being almost completely brought under control. We have known that to happen in other cases and with other types of stock; and there is no reason to suppose it will not happen here.

Taking it right through, the Bill should receive the commendation of the House. Undoubtedly it will bring about a great deal of improvement in the breeding and rearing of beef cattle.

MR. I. W. MANNING (Wellington) [11.40 p.m.]: As indicated by the Minister, the Bill proposes that a compensation fund be established for the purpose of paying compensation to owners of diseased cattle. It proposes to set up a fund to be known as the Beef Cattle Compensation Fund. Contributions to that fund will be made by cattle owners, the Treasurer, and from moneys obtained from the sale of salvaged carcases or portions of such carcases. If necessary, the Treasury may make advances, and such advances will be repaid when the fund becomes soundly based.

When moving the second reading of the measure the Minister indicated that T.B. testing of cattle under the Milk Act compensation fund and the Dairy Cattle Industry Compensation Act had virtually eradicated tuberculosis in the dairy herds in the South-West Land Division. It is a logical step to extend a similar method of T.B. testing to beef cattle.

The desirability of this legislation lies in the fact that not only cattle breeders sustaining losses will receive compensation, but T.B. testing of beef cattle will remove a public health hazard. The Minister also stated that observers at metropolitan and country abattoirs could provide abundant proof to justify the legislation. In the past I would certainly have subscribed to that view; however, since T.B. testing under the Dairy Cattle Industry Compensation Act has been in operation the incidence of disease in the south-west has been reduced very greatly. I would be very surprised if the drawings from the proposed fund would be to the extent envisaged.

The cattle owners are required to contribute at the rate of 1d. in the £ from the proceeds of sale of cattle. The contribution is to be deducted by the stock agents handling the sales, and the amount of deduction will be shown on the statements.

The Bill provides for a definition of beef cattle as follows:—

> "beef cattle" means any bull, cow, ox, steer, heifer or calf; but except where otherwise provided by this

Act, does not include any of those animals that are dairy cattle within the meaning of the Dairy Cattle Industry Compensation Act, 1960;

We may find that many farmers will be contributing twice—one contribution under the Dairy Cattle Industry Compensation Act, and the other under the proposed Beef Industry Compensation Fund.

Mr. Nalder: Possibly also under the Milk Act compensation fund.

Mr. I. W. MANNING: That is so. Another point which occurs to me is that the sale of store or young cattle has become very big business in the south-west. From a reading of the Bill I assume that —I hope the Minister will correct me if I am wrong—the deductions by the stock agent will be made on the sales of all cattle, great or small. I do not see how it can be otherwise. The deductions will be made on cattle other than those sent in for slaughter.

Possibly the intention behind the measure is that contributions shall come from cattle sold for slaughter, but I cannot see that in any definition of the Bill; so I assume the contributions will come from the sale of all cattle.

A big number of cattle which go through the saleyards come from dairies, comprising either culled dairy cows or young cattle reared around the dairy for the purpose of sale. I fancy the major contributions under this fund could quite easily come from the dairymen. I suggest that we have a very close look at that point.

Compensation is to be paid—

(a) to the owner of any beef cattle destroyed by or by order of the Chief Inspector or an inspector pursuant to this Act, because the cattle are suffering from disease or are suspected to be so suffering; or

(b) to the owner of any beef cattle destroyed with the consent of the Chief Inspector because the cattle are suffering from disease or are suspected to be so suffering; or

(c) to the owner of any carcase, or portion of a carcase (whether the animal was a head of beef cattle or of dairy cattle), that in pursuance of any Act is at an abattoirs and condemned because of disease as unfit for human consumption, by the Chief Inspector, an inspector, or any other person authorised by that Act to so condemn the carcase.

The amount of compensation will be the market value of the animal, the carcase, or that portion of the carcase which has been salvaged. No amount of compensation in excess of an amount recommended at least once annually by the Minister, and approved by the Governor, shall be payable in respect of the destruction of any animal destroyed, or of the condemnation of any carcase condemned as unfit for human consumption. I see some problems arising in this respect, because as members are aware great fluctuations and variations in the price of beef cattle take place.

At various times of the year, especially in regard to the price of cattle on the hoof, the price is low when cattle are plentiful; conversely the price is high when cattle are in short supply. I can see difficulties arising in attempting to establish what is a fair and reasonable price to be paid as compensation. There will be plenty of room for variation, depending on the size, age, quality, condition, etc., of the animal.

Under the Dairy Cattle Industry Compensation Fund no great difficulty is experienced in arriving at a fair and reasonable price, because most of the cattle destroyed are fully grown dairy cows, and the price of dairy cattle is usually far in excess of the maximum compensation allowed. So if the maximum compensation is awarded for an animal destroyed because of disease, no great difficulty arises. But in the case of beef cattle, because of the great variety in size, age, quality, condition, etc., there might be difficulties experienced in arriving at a fair and reasonable price.

Under the Bill the proceeds of the disposal of any carcase to which the Act applies shall be paid into the fund. That is very reasonable. If a veterinary surgeon orders the destruction of an animal because it is diseased, and the owner is paid compensation accordingly, then the portion of the carcase which is salvaged would be sold. It is only fair and reasonable that the proceeds go into the compensation fund. The same principle applies to the other two funds dealing with diseased cattle in the Acts I have mentioned.

There are a few other difficulties I foresee in regard to cattle which are sold outside of stock agents by private treaty. There could be instances where they are sold for slaughter and sale. My understanding of the Bill suggests that the owner of an abattoir who is buying cattle by private treaty for slaughter must keep a record of those cattle and must deduct the duties. I can see there may be quite a few difficulties here. There are many small abattoirs or slaughter houses throughout the length and breadth of the State, and country-killed meat is a big item.

I think it might be hard to keep up with this one. I also think there might be a few breaches by people who are not

aware of all that is required of them. So we might have to exercise tolerance for a while until this is readily understood by all who are affected by it.

There have been one or two anomalies concerning the payment of compensation under the other two Acts—the Milk Act Compensation Fund and the Dairy Industry Compensation Fund—where an animal from a tested herd has been destroyed because it was sick and it was found after destruction that it was suffering from tuberculosis and no compensation was paid, on the understanding that it did not react to the T.B. test and its destruction was not authorised by a veterinary surgeon.

The intention of these funds is to compensate a farmer who loses cattle because of T.B., and it seems reasonable to me that a farmer who is making contributions under the three funds which are going to control tuberculosis testing, should receive compensation if an animal dies of tuberculosis, no matter under what heading the compensation is paid. The person concerned is contributing under one of three different headings and it seems to be an anomaly if he is not able to claim compensation. There is, of course, quite a lengthy procedure to go through to obtain compensation. A farmer must make application within a certain time; and there are a number of regulations to be complied with.

A good provision in the Bill is the one which requires that deductions made by the stock agents will be paid to the Commissioner of Stamps in a lump sum each month. I say that because, if the stock agent set out to stamp all the statements, it would be a colossal task because of the number of cattle being handled. Where cattle are sold by pen lots or truck lots the compensation is paid by the pen or truck lot and not on the individual animal; so these provisions are good ones and should be helpful to those who have to do the book-work associated with these transactions.

I do not desire to make a long speech on this subject, but I did wish to bring forward the points which I think should be closely looked at. I believe the rate of contribution—one penny in the pound—on the value of the sales is a high charge, because the Minister anticipates that in the first year it should return something like £34,000, and he estimates the drawings against the fund to be somewhere about £14,000 in the first year. Of course, if we got a surplus of £40,000, the fund would be in a good healthy state to start off with; and I suppose it is better to start off with a rate of one penny in the pound and reduce it to a lower figure later than it is to start off on a lower figure and have to increase it.

From my knowledge of the industry I believe that the incidence of T.B. is not nearly as great as has been supposed; and I say again that the testing done under the most recent scheme—the dairy industry compensation fund scheme—has made a great contribution to the reduction of the incidence of tuberculosis among beef cattle. When we talk of beef cattle we usually think of cattle that have been bred purely for beef, but a large percentage of cattle that pass through stock saleyards are bred by dairymen and reared on dairy farming properties. It is to be expected they would already be free from tuberculosis, because of the testing schemes that have been associated with them.

I offer my support for the Bill. I think it is a step forward as far as the farming community is concerned because it provides compensation to the cattle breeder who loses stock. It is also a step forward in the field of public health.

MR. HALL (Albany) [11.58 p.m.]: Like the member for Merredin-Yilgarn, I add my congratulations concerning this measure. I recently spoke on the extension of the beef industry which I contemplate will rise to become one of our biggest industries, particularly in the southern portion of the State, to which this measure has application.

Recently I asked questions of the Minister for Agriculture regarding T.B. cattle reactors—the number and average price paid. I do not know whether the figures given in his answers would be the basis upon which the Minister has framed this measure, but the questions and answers were as follows:—

(1) What was the number of T.B. cattle reactors in this State for the years 1960-61, 1961-62, 1962-63?

(2) What was the average price paid to owners of T.B. reactors for the same years and what was the total amount paid over that period?

Mr. NALDER replied:

(1) 1960-61—88.
1961-62—785.
1962-63—420.

(2) 1960-61 approximately £33.
1961-62 approximately £35.
1962-63 approximately £38.
Total payment = £43,999.

The member for Wellington said he did not believe the incidence of T.B. was as great as in the past; and because his electorate represents a dairying area, he would naturally defend the interests of the dairymen. But let us look at the

comparative statistics for livestock. The following are the figures from 1957-59 to 1961-62:—

	Dairy	Beef
1957-58	21,610	34,439
1958-59	19,851	40,720
1959-60	18,779	47,514
1960-61	19,066	63,293
1961-62	20,563	81,291

Those are the figures applying to the Albany zone (southern agricultural statistical division). They would, I believe, confirm the statements made by the Minister when he introduced the measure. He would follow these statistics as well as those applying to other portions of the State, and would be alarmed. The industry will become more prolific with the development of the southern agricultural zone.

He probably knows that a case was advanced to the Commonwealth for assistance to this industry based on the statistical information in the hope that assistance would be granted to allow the cattle industry to develop in the southern portion of the State where the rainfall is well in excess of that needed for pastoral development. This means that the agisting of stock would be very economical and there will be a much more prolific growth. There will be an increase in the amount the Government will receive, based on the figures I have quoted which indicate the insignificance of the dairy industry numerically in comparison with the cattle industry.

I am sure that a lucrative income will be derived from this source and some adjustment of the amount of charges under the Stamp Act will have to be made. However, like the member for Wellington and the member for Merredin-Yilgarn, I believe that these adjustments will be made, based on the experience in the past.

I do not think there is any need for me to go into the matter at great length. It will be well worth while in the interests of the beef industry.

MR. RUNCIMAN (Murray) [12.3 a.m.]: I have much pleasure in supporting this Bill which is one the beef breeders of Western Australia have wanted for some time, as have a large number of the dairy farmers who run beef cattle on their properties. Tuberculosis is one of the most serious diseases affecting domestic cattle. It is highly contagious and spreads from one cow to another.

Outstanding successes have been experienced in connection with T.B. testing of whole-milk herds. When this was first started, particularly near the metropolitan area, the incidence was anything from 45 per cent. to 50 per cent. It was not nearly so high in the butterfat areas, being somewhere near 1 per cent. Now, it is less than 1 per cent. in the whole-milk herds.

However, there have been some serious outbreaks in beef cattle in different parts of the State, but it would not be nearly as high as in the dairy areas. Nevertheless, in view of the fact that beef cattle are, on a good many properties, run in conjunction with dairy cattle, I feel there is no hope of actually eradicating the disease until all cattle are regularly tested for T.B. I know that this practice is in force in the United States, and has been for many years. As there has been some outcry recently about the standard of our meat and the inspection standards in this country, the regular testing of beef cattle for T.B. may possibly help in that regard.

We realise we will have to pay towards the compensation fund. There may be a few anomalies encountered, but the main thing is to get the scheme started, and the anomalies can be ironed out later on. The scheme has been desired for some time. As we know, all pure bred cattle taken to the Royal Show have to be tested. Stud breeders often run a commercial herd which is not tested.

This Bill will be a great step forward and eventually all cattle throughout the State will be tested. When that is done real progress will be made towards finally completely eradicating T.B. in this industry. I therefore have much pleasure in supporting the Bill.

MR. NALDER (Katanning—Minister for Agriculture) [12.6 a.m.]: The various members who have contributed to the debate have indicated their support of the measure. Several points have been made to which I would briefly like to refer. Reference was made to condemned carcases. Supposing, for argument's sake, a test was made of a herd at, say, Brunswick Junction, and a number of the cattle were found to be affected by T.B., these cattle would be marked and then trucked to a place for slaughter. The cost of getting those cattle to the slaughterhouse or abattoir would be a charge against the fund.

When those cattle were killed it would be quite possible that a good proportion of the carcases would be fit for human consumption. That has been found to be so on many occasions. However, whatever value is received for the carcase—whether it be for a hide or part of the carcase—it is credited to the fund, and the owner of cattle is paid a price recommended by the inspector.

The inspector has a pretty fair knowledge of the value of the cattle. He knows the approximate weight and he would assess the value. Under the dairy compensation fund cattle are compensated at

the value of the maximum rate of £40. Under a recent amendment it is £100 for stud bulls. I do not doubt that a similar sum will be fixed under this legislation. It will not be a figure which will be the total value of the animal but merely a figure which will compensate the owner to a degree for the loss of the animal. This legislation is not designed to provide full market value, but only an approximate value.

There will probably be some difficulties encountered under the scheme, but I feel that the experience we have had in the whole-milk scheme, and also the dairy compensation fund, will help. No difficulties will be insurmountable.

I would like to say that we are hoping that next year we may be able to amalgamate all the funds. We were trying to arrange that at this stage, but there were a few difficulties. Therefore it was agreed that we should introduce this Bill to deal with the beef cattle. However, we hope next year or the following year to be able to amalgamate the three funds so that incidents such as that outlined by the member for Wellington will not occur. We acknowledge the fact that when this fund becomes operative, some of the dairymen—whether they be dealing with whole-milk or butterfat, or beef cattle—will probably be contributing, perhaps once or twice, to one of the other funds.

It is one of those things which we cannot overcome under the present system. It is not possible to police it all. It has been agreed that an amount be paid for all cattle sold. Agents will operate exactly as they have done under the pig compensation fund, where all animals sold will be paid for at the rate of one penny in the pound to a maximum of five shillings. A fund will be established and it will be the nucleus of a fund which I hope—and as I predicted in my second reading speech—will have a profit over the year's operations of approximately £40,000. That is only an estimate. It might be more, or it might be less.

After the operation of this year's activities we feel that we will be able to get together and perhaps amalgamate the three funds, and I am sure the House will agree to that proposal. Several breeders have already indicated that they would be in favour of such a move.

The measure has been introduced in an effort to reduce the incidence of tuberculosis in cattle; and I think everyone will agree that it is a very sound move. I do not think I have left out any points; but if members care to approach me I will give them whatever information is required.

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. Nalder (Minister for Agriculture), and transmitted to the Council.

STAMP ACT AMENDMENT BILL (No. 4)

Second Reading

Debate resumed, from the 21st November, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. HALL (Albany) [12.18 a.m.]: The measure before the House is complementary and relative to the measure that has just been dealt with. It deals with an alteration to the Second Schedule and adds the words "Statements on Sales of Cattle".

I see no reason for opposing the measure. It is in keeping with the amount to be charged in connection with the dairy and cattle compensation fund. A rate of one penny in the pound was struck. I support 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. Nalder (Minister for Agriculture), and transmitted to the Council.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. BRAND (Greenough—Premier) [12.21 a.m.]: I move—

That the House at its rising adjourn until 2.15 p.m. today (Wednesday).

Question put and passed.

House adjourned at 12.22 a.m. (Wednesday)