Mr A. R. TONKIN: We are discussing where this money comes from. If you are to allow people on the other side of the Chamber—

Mr Mensaros: Do not argue with the Chair!

The DEPUTY CHAIRMAN: Will the member please resume his seat? I have ruled already that we will return to the clause in question and discuss that. I do not expect you will enter into a debate on a ruling from this Chair. The member for Morley.

Mr A. R. TONKIN: The question of the $5 000 million deficit was raised by the other side of the Chamber.

Mr Clarko: Not on this clause.

Mr Bryce: Yes, on this clause.

Mr A. R. TONKIN: Is your ruling, Sir, that I am not allowed to reply to that comment?

Mr O'Neil: We are talking about an amendment moved by one of your members.

Mr Bertram: It does not matter who introduced it—it is in.

Mr A. R. TONKIN: The point is that the money will have to come from the public purse, and it has been stated that there is a $5 000 million deficit.

Mr Clarko: That has nothing to do with this clause.

Mr A. R. TONKIN: If there is concern about that deficit, why is it that the Prime Minister of this country put his hand into the public purse to reintroduce the superphosphate bounty? We believe there is a shortage of money, but our priorities are different from those of the Government. Our priorities were different decades ago.

Mr Bertram: And still are.

Mr A. R. TONKIN: We are very proud that they are different. I will repeat this again, for the benefit of the slower learning pupils opposite. I remind this Chamber that aeons ago I attended a free university. A Liberal Government introduced fees. It is possible that again a Liberal Government will introduce fees, because it does not believe in free education for everyone.

Mr Grayden: That is absolute nonsense!

Progress

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

FREMANTLE PORT AUTHORITY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th May.

MR McIVER (Avon) [6.04 p.m.]: I wish to indicate that the Opposition agrees fully with the provisions contained in the legislation. We commend the Fremantle Port Authority for the action it proposes to take in relation to ships entering Fremantle Harbour. The other clauses in the Bill appertain also to the authority, and we support them.

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.

House adjourned at 6.09 p.m.

Legislative Council

Tuesday, the 25th May, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (7): ON NOTICE

1. HEALTH

Mt. Magnet: Nursing Post

The Hon. S. J. DELLAR, to the Minister for Health:

(1) What is the present staffing situation at the Mt. Magnet Nursing Post?

(2) Does the Minister consider this adequate to meet the needs of the district?

(3) What arrangements are there for the public to receive emergency after-hours treatment?

The Hon. N. E. BAXTER replied:

(1) Mt. Magnet Nursing Post is staffed by a full time Sister-in-Charge.

(2) The normal staffing arrangement for Nursing Posts is one full time Sister with provision for a local registered nurse to be available on call when the Sister-in-Charge is away on her days off duty. To date it has not been possible to make a call arrangement at Mt. Magnet but efforts are continuing.

(3) Sister is available after normal hours of emergency treatment. On Sister's days off when she may be away from the town, a notice indicates that those requiring attention should contact Meekatharra Hospital and that ambulance transport may be arranged through the local Police.

2. WATER SUPPLIES

Darkan

The Hon. T. O. PERRY, to the Minister for Justice representing the Minister for Works:

(1) When is it anticipated that the upgrading of the Darkan water supply will be completed?

(2) What is the anticipated cost of upgrading this water supply?

The Hon. N. McNEILL replied:

(1) The present upgrading of the Darkan extension, commenced this financial year, is planned for completion in 1976/77 financial year, provided funds are available.

(2) $38 000 has been spent to date and it is estimated that a further $85 000 will be required to complete the project.

3. AGRICULTURE PROTECTION BOARD

Wild Donkeys

The Hon. R. F. Claughton for the Hon. LYLA ELLIOTT, to the Minister for Justice representing the Minister for Agriculture:

(1) Is it a fact that—

(a) as a result of ill treatment and neglect of wild donkeys being transported from North-west properties for sale in the Eastern States, the R.S.P.C.A. requested the former Minister for Agriculture, Mr McPharlin, to include in Agriculture Protection Board permits issued to vendors a provision requiring inspection of vehicles by R.S.P.C.A. to ensure humane conditions for the animals before consignment of same;

(b) as a result of this request such a provision was included in permits related to transportation of donkeys;

(c) the permits also preclude sale of wild donkeys in this State;

(d) both provisions referred to were contravened by a person to whom a permit was issued in October 1975, in that 20 donkeys were transported from Yandeyarra Station to Muchea without prior inspection of the vehicle by an R.S.P.C.A. inspector at the point of departure and that the donkeys were sold in this State;

(e) the Agriculture Protection Board of Western Australia was informed of this by the R.S.P.C.A., but refused to take action against the offending party; and

(f) the Minister for Agriculture has also been informed of it, but he too refuses to take any action?

(2) If the statements in (a) and (f) are factual, will the Minister inform me of what value are the permits if no action is to be taken against persons who infringe the provisions contained in them?

The Hon. N. McNEILL replied:

(1) (a), (b) and (c) Yes.

(d) (e) and (f) I am informed by the Board that an investigation failed to provide adequate evidence to enable a successful prosecution.

(2) The permit system has, I understand, otherwise proved satisfactory.

4. HEALTH

Mt. Magnet: Patent Medicines

The Hon. S. J. DELLAR, to the Minister for Health:

With the reduction in status of the Mt. Magnet Hospital to that of a nursing post, and the consequent reduction in the range of medicinal lines available, why are local storekeepers who carry patent medicines not permitted to stock such lines as Gentian Violet Paint, Mercurochrome, Anti Phlogistine, Dencorub, and Dequadin Paint?

The Hon. N. E. BAXTER replied:

Local storekeepers anywhere in Western Australia may stock such lines, except Mercurochrome, should they desire. Mercurochrome is a Second Schedule poison under the Poisons Act and can only be sold by a storekeeper with the appropriate licence. Two storekeepers in Mount Magnet are licensed to sell Mercurochrome.

5. MT. MAGNET

Government Services: Reduction

The Hon. S. J. DELLAR, to the Minister for Justice representing the Premier:

Further to the reply to my question 10 on the 6th April, 1976, have any further reductions in Government services been made at Mt. Magnet?

The Hon. N. McNEILL, replied:

No, but due to the difficulty of obtaining field staff to man the Mt. Magnet office, the Department for Community Welfare is considering the need to replace the typist who recently resigned.

On the other hand, since April 6, 1976, a Road Traffic Authority officer has commenced at Mt. Magnet.

6. LAVERTON HIGH SCHOOL

Classrooms

The Hon. S. J. DELLAR, to the Minister for Education:

Is the Minister aware that a serious shortage of classrooms, that is student spaces, exists at the Laverton District high school, and will he advise what steps are being taken to rectify the inadequacy, and when?

The Hon. G. C. MacKINNON replied:

Two demountable classrooms are scheduled to be moved to Laverton during second term.

7. WATER SUPPLIES

Shark Bay

The Hon. S. J. DELLAR, to the Minister for Justice representing the Minister for Works:

In view of the recent statement by the Premier which indicated that there could be cut-backs in the capital works programme, is the provision of a desalination plant to supplement the existing water supply at Shark Bay to be proceeded with, and if so, when are the works expected to be completed?

The Hon. N. McNEILL, replied:

Yes. The provision of the desalination plant and fresh water reticulation at Shark Bay is programmed for completion in December 1976.

CLOSING DAYS OF SESSION: FIRST PART

Standing Orders Suspension

THE HON. N. McNEILL (Lower West—Minister for Justice) [4.41 p.m.]: I move without notice—

That during the remainder of this first period of the current session so much of the Standing Orders be suspended as is necessary to enable Bills to be passed through all stages in any one sitting, and all messages from the Legislative Assembly to be taken into consideration forthwith.

I should like to explain that the reason for the motion is our hope that the current session will conclude this week. Some of the legislation on the notice paper, both here and in another place, will be required to pass through all stages during this part of the session for good, sound, and practical reasons. Therefore I hope the House will agree to the motion. However, I give an undertaking to the Leader of the Opposition and to the House that the suspension of Standing Orders will be applied without undue inconvenience to the Opposition or to other members, and that essentially its purpose will be to enable such Bills as need to be passed to be completed before the House rises at the end of this week.

Question put and passed.

NEW BUSINESS: TIME LIMIT

Suspension of Standing Order No. 116

THE HON. N. McNEILL (Lower West—Minister for Justice) [4.43 p.m.]: I move without notice—

That Standing Order No. 116, limit of time for commencing new business, be suspended during the remainder of this first period of the current session.

The reason for this motion is the same as that advanced for the suspension of Standing Orders.

Question put and passed.

BILLS (3): THIRD READING

1. Education Act Amendment Bill.
2. Factories and Shops Act Amendment Bill.
3. National Parks Authority Bill.

Bills read a third time, on motions by the Hon. G. C. MacKinnon (Minister for Education), and passed.

ROAD TRAFFIC ACT AMENDMENT BILL

In Committee

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. N. E. Baxter (Minister for Health) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 111 amended—

The Hon. H. W. GAYFER: During the second reading debate I made a few points on this clause which deals with an amendment to section 111 of the principal Act. In his second reading summation the Minister did not convince me that I should not continue to show my concern in regard to this particular amendment. I hope the Minister will rise and give me a more detailed reply in regard to the points I raised.

With your permission, Sir, I would like members to be handed a copy of this pamphlet headed "Vehicle Limits for Road Safety and Road Protection". As members now have the copy of last week's *Hansard* in front of them, they will see therein the questions I asked previously and the Minister's letter in reply. I maintain that a great deal of research is necessary before we can really refer to an Australian standard of vehicle limits for road safety and road protection. At the

bottom of the first page of the letter written by the Minister for Transport members will see the following comment—

> The tolerances adopted by the various States are also far from uniform and the study team referred to previously also examined this problem and has made recommendations seeking to have uniform tolerance applied throughout Australia.

They are the tolerances only in respect of overloading. There must be thousands of wheat trucks owned by farmers on the road in the summer-time, but there would not be as many as there are in South Australia and Victoria. Certainly, we are allowed a degree of tolerance, but it is not nearly high enough.

In order to carry an eight-tonne load under the present front and rear axle loadings applicable, one is forced to buy a motor truck costing about $22 000, whereas manufacturers specify that such a load can be carried by a truck costing $15 000 or $16 000. This is very wrong.

Members will see from the document I distributed that in Western Australia, the permissible front axle loading for single tyres is 4.536 tonnes, whereas in South Australia it is 8.2 tonnes. The permissible loading for tandem axles with dual tyres is 13.154 tonnes in Western Australia and 16.4 tonnes in South Australia.

It does not matter what this jumble of figures means; the point I make is that there is a lack of uniformity in regard to the licensing of trucks throughout Australia.

In the past, we have agreed to many regulations which have been framed by experts, but never has there been an inquiry by members of Parliament to satisfy themselves that the passing of measures in this place did not impose undue hardship on the people directly concerned.

Mr O'Connor's letter also stated—

> A very common axle configuration is the tandem axle with dual tyres which is restricted under Western Australian Regulations to 13 154 kg. However permits are readily available for most transport operations in this State which increase the permitted loading to 16 300 kg.

If a farmer buys a truck which the manufacturer states will carry a certain load, he should be able to license that truck to carry such a load without having to obtain special permits. If a farmer can obtain a permit in respect of a vehicle with a tandem axle, why cannot he obtain a permit applying to single axle, dual wheeled trucks which most of our farmers in this State use?

The position is a very complex one, and needs to be rectified. In fact, not too many people distributing trucks understand the position. The country dealers are supplied with documents containing facts and figures. I have one in my possession which shows that in South Australia, vehicles are permitted to carry 6.5 tonnes over the front axle while in Western Australia, the load limit is 4.46 tonnes. It then goes on to state—

> This chart is International Harvester's interpretation of current vehicle limits and as such, is intended as a guide only. For accurate data, reference should be made to the State road authorities for the current legislative position.

This indicates that the position changes visibly from time to time.

This clause proposes to amend section III of the principal Act, paragraph (f) of which states that the Governor may make regulations—

> . . . prescribing the manner of determining, the weight of vehicles or any components thereof and their loads;

One of the alterations proposed by the amending Bill relates to paragraph (k) which states as follows—

> imposing penalties not exceeding one hundred dollars for a first offence, and not exceeding two hundred dollars for any subsequent offence, against any regulation made under this section, not being an offence referred to in paragraph (j) of this subsection;

The Bill proposes to add after paragraph (l), new paragraph (m) which states—

> imposing for an offence against a regulation requiring the driver or person in charge of a vehicle to comply with any reasonable direction given by a patrolman for the purpose of ascertaining the weight of that vehicle or any component thereof or its load, penalties not exceeding five hundred dollars for a first offence and not exceeding one thousand dollars for any subsequent offence;

To my mind, the scale of axle loadings relating to the various motor trucks are laid down, and it seems unnecessary to include such a provision. This seems to be open to some degree of comment, especially in a House of Review.

Any citizen purchasing a truck for a specific task is faced with extensive legislation and a myriad regulations relating to the load he may carry, and the tolerances which are applicable; this applies in South Australia, Victoria or Western Australia; nothing is uniform.

It would be a sorry state of affairs if unwittingly, a truck driver landed himself in trouble by refusing to assist in the weighing of his vehicle; he could incur a fine of $500 for a first offence and $1 000 for subsequent offences.

New paragraph (m) says, "with any reasonable direction given by a patrolman". What does the Minister mean by this phrase? Does it mean that the driver

of the truck has to proceed to the nearest weighbridge? What exactly does it mean? The Minister has not spelt out this provision fully.

I believe that a great number of anomalies exist in respect of the registration of the load factor of vehicles. A great deal of expense, that is not incurred in other States, has to be faced by people in Western Australia who purchase new vehicles to cart specific loads.

In the letter and brochure I have forwarded to members I have set out the questions I asked on the 6th May and the answers supplied by the Minister. From these members will see that the authorities have not arrived at what might be regarded as uniform loading throughout Australia. Until we can arrive at a uniform type of loading, I do not think we should introduce changes in fees, vehicle loads, or regulations.

I view this legislation with great concern. I know the Minister will contend that this has nothing to do with loading; however, I say it has every bearing on the driver who can be questioned on the load capacity of his vehicle. Whilst we are working under certain regulations at the moment, I maintain that many of them have been pulled out of a hat by some bureaucrat. These regulations are certainly not in conformity with those operating in the other States.

The Hon. N. E. BAXTER: I shall not enter into a debate with Mr Gayfer on vehicle loads, road safety, and protection on our roads. That has nothing to do with the clause. The issue raised by the honourable member is whether or not a patrol officer gives the driver of a vehicle a reasonable direction. The argument of the honourable member centred around the term "reasonable direction". I am advised by the Minister for Traffic that the assertion of the honourable member is a little misplaced in that the vehicle weights regulations already contain the regulatory power to require the driver or person in charge of a motor vehicle to comply with a reasonable direction given by a patrolman for the purpose of ascertaining any of the weights mentioned in those regulations. So we have had such a requirement in the regulations for quite some time.

We are placing the amendment in the legislation so that the position will be made clear to drivers who use vehicles to cart goods. These drivers can turn to the Act and the regulations to find out what they have to comply with, and what is regarded as a reasonable direction by a patrolman who wishes to ascertain the weight of a vehicle.

The honourable member said that drivers could be directed to take their vehicles to weighbridges to be weighed. I should point out there are not many public weighbridges registered in Western Australia. I doubt whether a patrolman has the legal right to direct a driver to take his vehicle to a weighbridge controlled by Co-operative Bulk Handling.

Subregulation (1) of regulation 6 of the Road Traffic (Vehicle Weights) Regulations states—

> Without limiting any other provision of this regulation, the laden weight or the tare, of a motor vehicle or the weight supported on part of a motor vehicle may be ascertained by weighing the vehicle, or part of the vehicle (as the case may require), on a registered public weighbridge, or on any weighbridge that has been verified under the provisions of the Weights and Measures Act, 1915.

Subregulation (6) of regulation 6 states—

> The driver or person in charge of a motor vehicle shall comply with any reasonable direction, given by a patrolman, for the purpose of ascertaining any of the weights in this regulation mentioned.

The Minister for Traffic has advised—

> With this regulation of long standing there has not been a case reported to my knowledge of any unreasonable direction being made to the driver or person in charge of a motor vehicle and I am sure that if such an unreasonable direction had been made then we would certainly have heard about it.

In spite of the fact that this provision has been in the regulations for a long time, up to date no reports have been received of a reasonable direction being challenged as an unreasonable direction. The normal way in which officers of the weights and measures branch handle this matter is to weigh each axle of a vehicle separately. Very seldom do they use a weighbridge. They have equipment of their own to weigh the vehicle and the load.

They are more capable of determining the axle load, than the total weight or the total tare. In fact, the total tare is displayed on the side of the vehicle and also on the licence. These officers are not seeking to ascertain the total weight of vehicles, although they can ascertain that by certain pieces of equipment they have. Very often the officers are looking for loads on vehicles which exceed the permitted level. This rules out the possibility of the officers directing vehicles to weighbridges to be weighed. As the Minister for Traffic has said he has not known of any case which might be classed as one where an unreasonable direction was given. I doubt whether anybody can quote a case where a truck driver has been requested to take his vehicle to a weighbridge to ascertain whether it is overloaded. What I have said should answer the query raised by Mr Gayfer.

The Hon. H. W. GAYFER: I understand from the Minister's comments that a "reasonable direction" could mean that a truck driver could be directed to take his vehicle to any weighbridge that has been verified by the weights and measures branch.

The Hon. N. E. Baxter: Verified, and tested regularly.

The Hon. H. W. GAYFER: That is so. Every CBH weighbridge in Western Australia is verified by the weights and measures branch at least once every 12 months. Therefore, to all intents and purposes weighbridges controlled by CBH are recognised under the Weights and Measures Act. That is the law under which CBH must operate. It means that a truck driver who could be the owner of a weighbridge could be directed to his own weighbridge to weigh his vehicle.

The Minister here has said the Minister for Traffic has informed him that up to date no unreasonable direction has been given. For his information I should point out that today there are many more patrol officers and officers of the weights and measures branch on the roads in the State than ever before. That is where the alarm springs from. The stage is being reached where a driver can hardly move along the roads, because of the directions given by these officers. I have heard other members making the same complaint.

On the one hand we must have due regard for fuel and energy, and methods to conserve fuel; on the other hand the Government is introducing new regulations to tighten the position so that eventually the only safe way for a farmer to cart his wheat to the siding would be to take it there in a wheelbarrow!

The Minister has said there has not been a case of an unreasonable direction being given. I should point out that today it is becoming more and more difficult for people to drive around the State to carry on the business in which they have been engaged for years. One of the reasons is the tightening-up process to which I have referred. Load factors of vehicles are being policed more and more, and information is required from truck drivers to determine whether or not their loads are within the permissible limit. The aspect relating to load conditions is the point I challenge.

If the provision in the clause is agreed to, and a driver fails to supply information he is liable to a fine of $500 for a first offence, and $1 000 for the next offence.

The Hon. N. E. Baxter: This does not refer to information, but to reasonable direction. The two are entirely different.

The Hon. H. W. GAYFER: I am afraid that we are fast making a rod for our own backs, as members of Parliament, by agreeing to this degree of tightening-up in the legislation.

The Hon. N. E. BAXTER: I am aware there are many patrol officers on the roads, but to my knowledge the number of officers of the weights and measures branch has not been increased. In fact, the number has remained static for some time. So, there is little ground for fear of a stepping-up in the programme to weigh vehicles.

The Hon. D. J. Wordsworth: These officers are very mobile.

The Hon. N. E. BAXTER: Yes, and they have been mobile for many years. When we talk of a reasonable direction, it is very different from what Mr Gayfer has mentioned as an unreasonable request to a driver for information as to the load on his vehicle. That is not provided in the clause. This provision applies to cases where the patrolman gives a reasonable direction. A patrolman does not ask a driver whether his vehicle is overloaded, because such information supplied by a driver cannot be used to incriminate him. The officers of the weights and measures branch cannot use that evidence in court. I gave that explanation in the reply to the second reading debate.

If a patrol officer requested information from a driver as to the load on his vehicle, and the driver said it was 25 tonnes or several tonnes over the permitted load, that evidence could not be used against him in court. I should point out to Mr Gayfer that what a patrol officer generally asks a driver to do is to pull his vehicle up at a certain spot so that he can weigh it. The job of the patrol officer is to weigh the load at each axle in order to find out the load distribution, and not the load on the vehicle.

The Hon. J. HEITMAN: I can see what Mr Gayfer is driving at. Over the years we have had patrol officers with equipment to measure overload vehicles operating on our roads. At harvest time it has often proved to be a harvest to the Government! They weigh each axle of a truck to make sure that it is not carrying more than 8 tonnes per axle.

As most people know, most of the local roads in a district are checked by officers of the local authorities. So far as they are concerned, in the summertime overloading is permitted, because the roads are dry and at that time they do not cause much damage. This applies for about six weeks of the year.

For some years we have seen road patrol officers with their weighing equipment camped outside towns; they stop vehicles that come along and weigh them. There is no need for these officers to ask the drivers to take their vehicles to be weighed or

to obtain information from them about the loads, because the officers have the scales to measure the loads.

I defy anyone who has been engaged in farming for some years to say what is the exact load on his truck, without having it weighed. He will know this only when he drives the vehicle onto a weighbridge.

In some years a bushel of wheat will weigh 67 pounds while on other occasions it may weigh 60 pounds or even as low as 43 pounds. One cannot say with any certainty what one has on one's truck from time to time, but if one's load is overweight to the extent of half a tonne a fine will ensue.

We are increasing the fine—under the Bill it is to be $500 for a first offence and $1 000 for a second offence. A man would have to be farming in a lucrative way to pay these fines; and, as I have said, it is difficult to tell with any certainty the load one is carrying. This can only be ascertained by weighing the truck. The truck is filled straight from the header and it is difficult to ascertain how heavy it is, but it would be possible to be apprehended on two successive occasions, and be fined $1 500.

The provision would be all right if it were necessary, but it is not. It is all very well for the Minister to say that it does not happen very often, but I happened to be in Southern Cross and while near the court house I saw a number of fellows—there were 25 of them—who were being charged with overloading. In those cases the fines were anything up to $40 or 50. Under this legislation, however, the fines would be $500 for a first offence and $1 000 for a subsequent offence, which is a different proposition altogether.

Mr Gayfer does not like the amendment in the Bill; nor do I. These trucks that are being controlled and weighed by the heavy haulage squad are, for the most part, carting wheat on roads controlled by the local authority.

The Hon. D. W. Cooley: Do you think the law should be broken?

The Hon. J. HEITMAN: No, I do not; I think there should be considerable give and take, particularly when it is so difficult to gauge the weight of the load to within a tonne.

For the most part farmers cart wheat for only five or six weeks in the year, but there are others who are doing this all the year round. I have heard of some people who own eight-tonne trucks carrying a 16-tonne load—they know what they are putting on. We must appreciate that it is necessary for farmers to get their trucks loaded before the thunderstorms and winds come up and it is difficult for them to tell exactly what load they are carrying.

We should allow a margin each way of at least 20 per cent; this would give them a fair spin. I oppose the penalty of $500 for the first offence and $1 000 for the second.

The Hon. T. KNIGHT: I fully agree with Mr Gayfer and Mr Heitman. I am a little nonplussed, however, because I am not sure whether they propose to move an amendment or to vote for the deletion of the clause. This affects the people in my province and I support the arguments put forward by Mr Gayfer and Mr Heitman, but I would like to know what they propose to do.

The Hon. H. W. GAYFER: I was about to say something by way of interjection in reply to Mr Cooley, but I think perhaps I should get up on my feet and say it. It is not my aim to assist people to break the law. It is possible that the laws could be wrong as they relate to the loading of trucks in Western Australia.

I feel an inquiry should be instituted throughout the State to see whether in fact we are receiving the right advice and whether justice is being done in connection with the loads truck drivers and owners are asked to carry.

I drew the honourable member's attention to the letter I sent around on the question of tolerances. The amounts permitted to be carried over the regulation load are far from uniform in the various States of the Commonwealth. There is a greater tolerance in Victoria than there is in Western Australia; and, again, there is a far greater tolerance in South Australia, and this over and above their already very generous loading laws.

I was expecting some reference to be made to the number of bridges in New South Wales and Victoria as a reason for our hard load limits, but I do not see any difference at all when comparing our outback roads with those in South Australia or in any of the other Eastern States.

I am concerned about the matter and this debate provided an opportunity to express the thought that an inquiry should be held into the entire loading set-up as far as road trucks are concerned, particularly as this compares with the laws in other States. We are supposed to meet on a national basis, but there is no uniformity between the States.

Mr Knight asked what we were going to do, but before answering him I would like to correct Mr Heitman who seems to think that the $500 fine is for a first offence for overloading and the $1 000 fine for a second such offence. I point out that the old provision has not altered—it is a fine of up to $200. The penalty in the Bill before us is provided for anyone who does not comply with a reasonable request made by a traffic officer; it does not apply to the load requirement.

The Hon. N. E. Baxter: A direction?

The Hon. H. W. GAYFER: Well, a direction.

The Hon. J. Heitman: In any case, it is solid enough.

The Hon. H. W. GAYFER: I agree. I am of two minds on this matter. My first inclination is to throw the clause out and have another look at it or, alternatively, to move for the appointment of a Select Committee to look into the whole ambit of truck loading in this State.

If, however, the Committee feels the provision should go through, that will be all right. We will get into very deep water if we pass laws concerning things we know nothing about. Possibly we should accept the clause, but I do not think we should do so without some amendment. Surely that is what we are here for—to amend legislation which we feel is not in the best interests of the community.

The Hon. N. E. BAXTER: I am afraid some members are getting off the track. The provision seeks to increase the fine from $100 to $500 if a person does not abide by the law in relation to a direction given by a patrol officer.

As I explained at the second reading stage, there are a number of drivers of heavy vehicles who find it cheaper to refuse to have their vehicle weighed, even though they know they are overloaded. They do so because the penalty for this offence is only $100, whereas the penalty for overloading would be a lot more, depending on the overload they carried. Mr Heitman attributed to me the remark that I felt very few had been apprehended. I did not say that at all.

The Hon. J. Heitman: It sounded like it.

The Hon. N. E. BAXTER: Mr Heitman also referred to Southern Cross, which I never mentioned at all. This provision is aimed at the shrewdies who know they will be fined only $100 for refusing to have their vehicles weighed. On the other hand, we have those who abide by the law, have their vehicles weighed, and if they are overloaded are fined a far greater amount than $100. The provision has been contained in the regulations for a number of years; the only difference is that we propose to increase the penalty because of the manner in which the shrewdies have been operating. I hope the Committee will agree to the clause and the penalty it contains.

The Hon. H. W. GAYFER: I believe there will be a problem associated with the large fine proposed, because there will be a number of people who, in the heat of the moment, will refuse to comply with any reasonable direction if the laws and their surveillance get any tighter. In a number of cases I feel they will be justified in doing this.

Considering the money he has to pay for a truck to carry such a small load, the position of the truck owner and the law relating to him is becoming a farce.

The penalty for refusing to comply with a reasonable direction is out of proportion to the offence; the penalty is far too high.

The Hon. N. E. Baxter: It is a maximum penalty of $500 for a first offence and $1 000 for a subsequent offence.

The Hon. H. W. GAYFER: That is right. It would be reasonable to make the penalty $200 for a first offence and $500 for a subsequent offence; this will still have an impact even on the interstate hauliers. We should not be slating a person for not complying with a reasonable direction, particularly when we do not know what is a reasonable direction; we are not told this either by regulation or in any other manner. A man could be asked to take his truck to the weighbridge, to move it under the shade of a tree, or to drive it down the road. Things are most difficult in the country; we are barely permitted to shift our stock, and I am not prepared to accept this penalty for the noncompliance of what might be considered a reasonable direction. I move an amendment—

Page 4, line 3—Delete the word "five" with a view to substituting other words.

The Hon. N. E. Baxter: You have to provide what you are going to insert in lieu.

The Hon. H. W. GAYFER: I intimated in my opening remarks that I was going to move that the penalties be not more than $200 for a first offence and $500 for a second offence. I understand I should first move the deletion of the words.

The DEPUTY CHAIRMAN (the Hon. R. J. L. Williams): It can be done either way. Your foreshadowing the amount to be substituted is sufficient.

The Hon. D. J. WORDSWORTH: I am in general agreement with the propositions which have been put forward and I am well aware of the difficulties being experienced in rural areas because I took the Minister for Traffic to Lake Grace at the height of the grain carting season and he was quickly made aware of the problems experienced by wheat farmers. He issued a directive then that there had to be a wide variance with the Act before a penalty was enforced. That seemed to be the prerogative of the Minister at the time but it did not remove the weight problem.

One would wish to know what Mr Gayfer intends should be inserted before one can agree to the deletion. I would be interested to know what he thinks would be a fair thing.

The Hon. N. E. BAXTER: I oppose the amendment because it would make a farce of what is provided. To change the penalty to a maximum of $200 would leave the penalty almost at the figure it was previously and would not give any leeway to the

court. Under the Bill as it stands, a court would have leeway to impose a penalty from perhaps $20 to a maximum of $500, depending on how serious the offence was. I believe if the matter were taken to court a magistrate would use his judgment in relation to the seriousness of the offence of not agreeing to a reasonable direction by a patrolman and would assess the penalty accordingly.

If we leave the penalty as it is today, the shrewd person can get away with a $100 fine when he should be paying at least $500 for overloading—not for refusing to have his vehicle weighed. As Mr Heitman said, some wheat farmers have been carting 16 tonnes on eight and 10-tonne vehicles.

The Hon. J. Heitman: I did not say that at all. I said contract carters were doing it, not wheat farmers.

The Hon. N. E. BAXTER: Do members believe a contract carter carting 16 tonnes on an eight or 10-tonne vehicle should get away with a fine of $100 when he is doing thousands of dollars worth of damage to the roads? The penalty is designed to prevent road damage. I am astounded that members who have been associated with local authorities would go along with the idea of reducing the fine for an offence which causes extensive damage to roads.

Amendment put and 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 the Hon. N. E. Baxter (Minister for Health), and passed.

BILLS (5): ASSENT

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

1. Perth Medical Centre Act Amendment Bill.
2. Weights and Measures Act Amendment Bill.
3. Western Australian Marine Act Amendment Bill.
4. Jetties Act Amendment Bill.
5. Public and Bank Holidays Act Amendment Bill.

FREMANTLE PORT AUTHORITY ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. N. McNeill (Minister for Justice), read a first time.

Second Reading

THE HON. N. McNEILL (Lower West—Minister for Justice) [5.39 p.m.]: I move—

That the Bill be now read a second time.

This Bill contains various amendments to the Fremantle Port Authority Act which are designed to update that legislation, and also to bring it into line with certain provisions common to other port authority Acts in this State.

The first of these is to provide greater flexibility for the Fremantle Port Authority in obtaining from officers handling cash satisfactory security against any loss that may occur. The amendment follows similar provisions in the Esperance, Geraldton, and Port Hedland Port Authority Acts which were placed in those Statutes in recent years, and reflects present-day thinking on this matter.

Although the Fremantle Port Authority Act provides that the Minister may approve of the leasing of land for specified purposes, there is no provision for the granting of a lesser interest such as a licence. The Bill permits a licence to be granted, with the approval of the Minister, for any purpose and, in addition, provides that licences for periods up to 60 days may be granted by the authority without ministerial approval.

Authority is also sought for the granting of licences to enable the construction of pipelines over port authority land.

The Bill contains provisions designed to give the port authority protection against any claim arising out of a ship being navigated within the port without a pilot, and to grant to the port authority protection similar to that provided under the Shipping and Pilotage Act to other ports in the State in regard to the removal of wrecks.

The Act at present provides that the tonnage of vessels on which tonnage dues are chargeable shall be the tonnage specified in the certificate of registration. Pilotage dues are also payable on a sliding scale, depending on the registered tonnage of vessels. Experience has shown that some vessels have two load marks, both of which are registered, but the master produces the certificate for the lower mark only if his ship calls at Fremantle in light draught. There is also the anomaly of special purpose vessels, such as ro-ro, where the gross registered tonnage calculation has regard only for the cargo space up to the vehicle deck. Some ro-ro vessels have two or even three decks of cargo space above this, and one ship of this type regularly calling at Australian ports pays tonnage on 9 000 tons. If the two cargo decks above the vehicle deck were included, the vessel would be rated at 17 000 tons.

The proposed new section will grant to the port authority the right to make its own calculations as to the registered tonnage of a vessel, and not be bound by a tonnage calculation made in an overseas country, which in many instances is in no way related to the length, draught, and beam of the vessel, these being the criteria which count if it is acknowledged that the port is entitled to revenue for the facilities it provides, such as pilotage service, depth of water, wharf area, etc., in direct proportion to the use made of such facilities.

It is intended to include the owner of the ship among those liable to pay dues on goods. This is to enable the port authority to claim against the owner when goods are taken off a ship on the orders of either the owner or the ship's captain.

The Bill authorises the drafting of regulations limiting or exempting the port authority from liability for damage or loss suffered by any person in consequence of acts of sabotage or terrorism. Although we, in Western Australia, have been spared from deliberate acts of terrorism, we may not always be in this happy position, and it makes good sense to ensure that the port authority is not involved in claims should something of this nature occur in the future.

A provision is contained in the Bill to provide that the harbour master may control the entry and departure of vessels. This authority is not presently contained in the parent Act, although all the other harbour masters of ports in Western Australia have this power vested in them under the Shipping and Pilotage Act.

There are a number of minor amendments updating the parent Act in regard to definitions and the like, which in no way amount to changes in the principles of the legislation.

I commend the Bill to the House.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [5.44 p.m.]: We agree to this Bill in principle and in detail.

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 the Hon. N. McNeill (Minister for Justice), and passed.

BAREWA OIL AND MINING NL

Report of Investigation: Ministerial Statement

THE HON. N. McNEILL (Lower West—Minister for Justice) [5.48 p.m.]: I seek leave of the House to make a ministerial statement relating to the investigation of the affairs of Barewa Oil and Mining NL

The **PRESIDENT**: The question is that leave be granted.

Question put and passed.

The Hon. N. McNEILL: I thank the House for granting leave. This statement relates to a report I tabled in the House earlier today.

Barewa Oil and Mining NL was incorporated in Western Australia on the 6th January, 1970, and issued a prospectus on the 19th January, 1970. On 20th January, 1970, one of the directors of the company announced to the Press that the offer in the prospectus for the issue of shares had on that day opened and closed, heavily oversubscribed.

The company made an unsuccessful attempt early in 1970 to have its share capital listed on the Melbourne Stock Exchange. An attempt during the same period to obtain stock exchange listing by acquiring control of an existing listed company was also unsuccessful.

On the 13th May, 1970, the Governor-in-Executive-Council of the State of Western Australia, being satisfied that it was in the public interest that allegations of fraud, misfeasance or other misconduct of persons who were concerned with the formation or management of the company should be investigated, declared Barewa pursuant to section 172 of the Companies Act of Western Australia.

Because most of the evidence to be taken in relation to the transactions entered into by the company was available in Victoria, Mr E. D. Lloyd, QC, a Victorian barrister, was appointed an inspector under the Companies Act of Western Australia to investigate the affairs of the company. On the 26th May, 1970, the Governor-in-Council made an order under the special investigation provisions of the Victorian Companies Act giving to Mr Lloyd power to investigate the affairs of Barewa in Victoria.

From the outset, therefore, Mr Lloyd's investigation was a co-operative venture between the Governments of Victoria and Western Australia.

In October, 1972, Mr Lloyd delivered to the Attorneys-General of Victoria and Western Australia an interim report, setting out the history of the company and its affairs. In March, 1973, he furnished to both Attorneys-General opinions relating to the legal consequences of the events examined in his interim report. It was as

a result of those opinions that prosecutions were instituted in Victoria against persons who had been directors and promoters of Barewa.

The prosecutions to which I have referred were as follows—

> Ian Patrick Cornelius was charged with conspiracy with David Paxton to cheat and defraud the company and with four counts of fraudulently taking or applying property of the company.
>
> He was convicted of the charge of conspiracy and acquitted of the other charges. He was sentenced on the 31st October, 1975, to three years imprisonment, with a minimum of one year.
>
> Leon Charles James Say was charged with four offences against section 124 of the Companies Act (failure to use reasonable diligence in the discharge of his duties as a director) and one offence against section 47 of the Companies Act (authorising the issue of a prospectus in which there were untrue statements). On the 26th June, 1974, he was convicted on these charges and fined a total sum of $1 300.

Proposed charges against David Paxton have not proceeded because he disappeared from Melbourne in September, 1970, and has not since been located.

Mr Lloyd's final report was delivered in November, 1975. This, together with the interim report and a summary thereof, has been presented to Parliament today. Copies of the final report and of the summary of the interim report can be made available for those members who desire to have them. The opinions which I have mentioned are not part of the inspector's report, as they deal with matters which section 178 of the Companies Act of each State requires to be excluded from a report of an inspector. The opinions, therefore, have not been presented to Parliament.

The estimated cost of printing the interim report itself is $17 000, and in all the circumstances this expenditure does not appear to be justified. However, in addition to the copy of the interim report presented to the House today, a copy of the interim report will be available for perusal at the office of the Commissioner for Corporate Affairs.

AGRICULTURE AND RELATED RESOURCES PROTECTION BILL

Second Reading

Debate resumed from the 20th May.

THE HON. R. T. LEESON (South-East) [5.52 p.m.]: We on this side of the House support the Bill, because we feel some improvements will be made in the restructuring of this legislation which will prevent the tremendous amount of criticism which has been directed at the administration of the existing Act and the success it has achieved over the years.

In recent years it appears that a build-up of vermin and noxious weeds has occurred throughout the State of Western Australia. Recently I spoke to certain train crews on the east-west railway, and they indicated that dog numbers seem to be building up tremendously. I understand a build-up is occurring also in the Murchison.

I noticed in his second reading speech the Minister criticised some local authorities, although he did not mention any specific authority or area. Apparently, from the observation of the Government, certain local authorities have not been carrying out the duties they are supposed to carry out.

The Hon. N. McNeill: That is not a general statement.

The Hon. R. T. LEESON: No, it applies only to certain areas. Personally, I do not know whether that is true. If it is true, it is unfortunate; but then again I realise that certain local authorities, particularly those in isolated areas with huge masses of land to cover, have a tremendous job under the existing Act, and if shortcomings have occurred in this regard it is understandable to some degree. It is hoped the new system will strengthen this position.

With regard to noxious weeds it appears that most weeds are imported in various ways from other parts of Australia. The way we go about not so much the eradication, but the prevention of these weeds seems to me to be somewhat strange; because the railways and large trucking companies which travel from east to west undoubtedly bring many weeds with them, but if one travel on the railway between the Eastern States and Western Australia one is asked by an officer who generally travels on the train whether one has certain fruits in one's possession, yet no check is made for noxious weeds.

I know from what I have seen of trains and also road transport passing through Kalgoorlie, that weeds could be carted into this State by rail and road trucks. I do not think sufficient care is taken in regard to the inspection of these vehicles. As a matter of fact, it is possible that no inspection at all is made.

There is no doubt a slow but gradual increase in noxious weeds has occurred in Western Australia, and I am afraid the situation will get out of hand. It will be a sorry day for the people of this State if that happens. I only hope the passing of this Bill strengthens the hand of the authority in respect of containing and controlling these pests.

I support the Bill.

THE HON. D. J. WORDSWORTH (South) [5.57 p.m.]: Most legislation that comes before this House comes to us before the general public have had an opportunity to gain a working knowledge of what is envisaged. We in this place have to work entirely on the advice of our advisers, and we make policies and laws upon that advice. As members probably know, this legislation was proposed some 12 months ago, and I for one disagreed with some of its principles at that time. I am happy to say the matter went back to the public, and that the subject has been well and truly flogged around the rural areas; and, furthermore, most farming organisations and shire councils have had an opportunity to discuss the matter fully.

Probably the most vexed subject was in respect of the raising of funds; whether it should be done by the imposition of a rate, or whether work should be carried out on an hourly basis with the person receiving the service paying for it.

As members know, the object of this Bill is to amalgamate two authorities. I have some reservations about the whole concept of the legislation. I am a little apprehensive about making a body any bigger, particularly when it is a Government department or a semi-governmental authority.

I think we are past the stage when conglomerates were thought to be fashionable; it was always thought that advice would be passed from one to the other and that there would be great advantages. However, it was quickly appreciated that small businesses are more viable. We have been through the stage where Henry Shaper wanted farmers to get big or get out, and his theory has been disproved. I only hope this authority will not grow to the stage where it will start to lose some of its advantages.

The Hon. J. Heitman: I don't think there is much chance of that. The Government is finding all the money.

The Hon. D. J. WORDSWORTH: I think we have heard that previously too. I hope we will be saved from this by the fact that we are still leaving a lot of decision-making in the areas in which the work is actually to be carried out. I hope that even more decision-making will go into those areas and not be centrally controlled, whether it be in the city or the suburbs. We must have people in each area making not only recommendations but also decisions; and I hope we will see decisions being made even with regard to the very employment of individuals.

I think it is very good that the control work is not to be carried out by rating and, if it be the case of a farmer—and generally speaking it will be—that the work will be paid for by that farmer who will be supervising the work that is to be carried out.

I am always a little frightened of paying a rate and letting the Government do the work. It is part of the Jack system whereby one passes the responsibility onto somebody else. But in this case where the farmer has to pay the bill, I think he will be watching very closely the spending of the money.

It has been expressed to me that the rate per hour that will be charged is very high. Perhaps few of us realise the cost of keeping a man in the field, particularly if he is servicing with a four-wheel drive vehicle and living away from home, as happens in many cases. I hope that a greater chance will be given to private enterprise to carry out these works. We have an inspection system whereby inspectors will come onto properties and actually make a survey for either vermin or weeds and the land owner will still have a certain amount of say in the carrying out of this work. Certainly with regard to noxious weeds he will have a chance of carrying out the work himself or employing a contractor to do it.

I also hope that contractors will be given a chance to carry out the control of rabbits. I appreciate there is a certain amount of risk with 1080 and some of the other poisons that we are developing. Nevertheless, I feel we can train people in private enterprise to use these things just as efficiently as a Government employee. Plenty of other dangerous things are used in industry. I cite even the medical profession where it has been proved that it is not necessary for a Government employee to carry out a duty to ensure that it is safe.

I am a little apprehensive about the combining of noxious weeds and vermin. I feel they involve two completely different problems which must be handled in a completely different manner. I am a little frightened that these proposed measures are designed more from the point of view of vermin. The handling of these two matters is completely different because if a rabbit or even a dog is left to breed the worst that can happen is that some months later there is another litter or probably eight times as many animals, but to try to eradicate or control noxious weeds is a different matter completely. It needs only one plant or a few plants in one area to have the appropriate conditions for seeding and the problem will become one of great magnitude.

Also I think problems will be experienced in trying to do the work all at the one time. This is where there is little hope of the board itself carrying out the measures because when a noxious weed is in an area and it must be controlled by spraying there is only a very short time in which those preventive measures can be carried out. If one looks at the directions on a tin of spray it will be found that the spray must be applied during the two-leaf stage or the four-leaf stage, and that period probably

lasts for only a week or so. It is quite obvious that one group of people could not cover an entire district.

Sitting suspended from 6.06 to 7.30 p.m.

The Hon. D. J. WORDSWORTH: Before the tea suspension I was explaining to the House the vast difference between the control of vermin and the eradication of noxious weeds. While I believe it is possible to control vermin with board operators financed by a rate on farming land, the control of noxious weeds is a far more exacting task, particularly as these are usually controlled by the use of sprays which must be applied on a seasonal basis.

The experience I had in Tasmania indicated that when a noxious weed was particularly bad in the district, practically all the four-wheel drive vehicles, tractors, and manpower had to be concentrated on the job for the short seasonal time, which might have been two weeks. I do not consider that more operators could control this problem without the help and participation of all the farmers in the area involved.

I stated that I felt if we charged a rate and allowed the board to control everything, the farmers would hand over the whole operation to the board and expect it to take it over. I am fearful of the consequences of such action.

Problems will arise in certain instances when farmer participation in control of a noxious weed will be particularly difficult and that is when a farm has a very grave problem. Some of the problems of farmers in the Ravensthorpe area could be very difficult when thistles are involved. There should be some way in which the board could participate. I can envisage that some farmers would have a problem of noxious weeds on their properties which would render the properties completely valueless. For example, if the land is worth $40 an acre and a farmer had to spend $5 an acre annually to control a noxious weed, obviously he would be better off if he walked off the land and bought a farm somewhere else. Under those circumstances there must be some way by which the board can step in and play a major part in the control of such infestations.

I do not wish to say any more. I am not speaking against the Bill, but I am stating some of the difficulties I can envisage. From the point of view of control of vermin the legislation will be effective. I can apreciate the difficulties which will be experienced in some north-west areas particularly with dogs, but certainly in the south the legislation should work effectively, depending on how successful the district advisory committees are. Having expressed those viewpoints, I support the legislation.

THE HON. M. McALEER (Upper West) [7.35 p.m.]: In supporting the Bill I wish to express some reservations, firstly, concerning the financing of the system and, secondly, concerning the amalgamation of the weed and vermin control staff and operations.

As far as the finance is concerned, as members are aware there was a great difference of opinion between those who supported a rating system and those who supported a pay-as-you-earn system. The department went to considerable pains to see whether some equitable and acceptable form of rating could be devised. It tried the valuations on unimproved capital value as a basis, it tried the valuation on unimproved capital value plus area, and then again plus rainfall; but in no case was the system found to be acceptable to all those concerned. Opinion differed from area to area, particularly in those districts heavily infested with weeds and those very lightly infested. Together with Mr Heitman, I represent an area in which there was a very marked division. This occurred mainly in the northern area of the Local Government Association where there was strong feeling for the rating system because that locality is probably one of the most heavily weed infested in the whole of the agricultural area.

As Mr Wordsworth pointed out, without the rating system it is impossible to enforce weed control strictly and economically on individual farmers because the only result would be that they would become broke. If it is not possible to enforce control then there is very little likelihood of success for the scheme.

However in those districts which are only lightly infested with weeds, it was felt there was no reason or justice in the farmers being forced to support those districts which were heavily infested. Throughout the agricultural areas the lightly infested sections and the small farm areas were in the majority and so this group had the biggest say and the rating system was not adopted. The pay-as-you-use system was adopted, and we will have to wait to see how effective it proves to be.

My second reservation concerns the amalgamation. First of all very quickly I would like to acknowledge that the Agricultural Protection Board put a lot of effort into devising a system which would be satisfactory within the limits of the finance the Government was prepared to provide for the whole scheme and, in fact, the Government was generous and extended the amount of finance for the scheme.

Two successive Ministers for Agriculture went to great pains to consult all those interested and delayed the Bill for a long time in order to try to have it generally accepted. Extensive explanations have been made to all those interested

through seminars run by the APB, at ward meetings, and through farm organisations. Very full discussions have taken place and also a trial for a limited period was carried out in selected shires.

The amalgamation system has been in operation for some months and although the zone control authorities have not been established, the actual amalgamation of the operation and inspection of weeds and vermin have been taking place over a long period. This longer trial period seems to have demonstrated that there is a basic weakness in the system brought about by the division between the inspectorial and operational staff.

In theory the amalgamation is good because it allows a greater mobility of staff so that operators may be sent from area to area if and when they are needed. As Mr Wordsworth has pointed out this is critical, particularly where weeds are concerned. The system also seems to provide for the economic use of staff. It was thought that no more staff would be necessary and that the present staff would be used to far greater advantage; but in practice this new system as it has operated up to date has not given great satisfaction. In fact many complaints have been made. Two main complaints are that there is a shortage of operators and that there is a lack of liaison between inspectors and operators.

Not only is there a shortage of operators, but it is believed that many more will be required than was previously envisaged and so the scheme will be much more expensive than was anticipated.

This has been particularly noticeable in dealing with vermin—especially rabbits—as we have passed through the summer months. The inspectors have made satisfactory inspections, but either no operators were available to follow up the inspections or, if they did, they were not able to follow the directions and maps supplied to them by the inspectors. As a consequence not only was the farmer in many cases obliged to accompany the inspector to show him around the property, but he also had to make his own arrangements to secure the services of the operator, and when the operator arrived he had to be taken all over the property and be shown where he was to work. In this way the farmer lost time and there was no guarantee that the work would be done satisfactorily.

It is argued by the Government that the APB should not do all the work. The farmer can do a great deal himself, or he can employ private contractors, but of course as far as rabbits are concerned, and the use of 1080, the farmer is dependent entirely on the APB.

As a result of these complaints some modifications have been made and inspectors are now permitted to do a limited amount of work on the spot. As far as weeds are concerned the farmers are able to do more of their own work, but when the APB has to carry out the work for the shires there is a danger that the liaison between the inspectors and operators will not be sufficiently good. When it is a question of locating a few unexpected weeds as compared with large infestations, again the liaison between the operators and inspectors will be important.

Finally, as far as the shires are concerned, the cost of the work now at $18 an hour is almost prohibitive. The budget for this work in one shire last year was $4 000 while this year it is $10 000. The Minister has stated that when the zone control authorities are established they will be able to control the situation better.

I support the Bill because without it the zone control authorities cannot be established, and it is true that the new system has not had a fair trial nor an opportunity to overcome its teething troubles. However, if within the next 12 to 18 months it does not show signs of working more effectively, then the siutation must be reviewed and the legislation redesigned to make it work more satisfactorily.

THE HON. J. HEITMAN (Upper West) [7.44 p.m.]: We have had vermin and weed control for many years and I would like to refer back to the situation some 60 years ago when the shires controlled the eradication of rabbits and other vermin. In those days a horse and cart were used to spread phosphorus poison mixed with bran. A machine was used to cut off the baits as it went along. A man was employed to do this work but then it became impossible for one man to do it all and the Government provided groups of people with poison carts. A charge was made for these. A horse and cart were used by a group of farmers who did their own poisoning.

Since that time various improvements have been made in an effort to eradicate, in the main, rabbits, but very little was done in connection with the eradication of noxious weeds until about the 1940s.

Not a great deal was done until the introduction of 2, 4-D which enabled the work to be done more efficiently. However, one department was controlling weeds and another department was controlling vermin. The farmers were rated to keep the two departments operating, and the Government matched the rates which were collected for this purpose. That was about the time when the Agriculture Protection Board was formed. The result of the formation of that board meant that in each district there were two lots of rates and two departments each with a four-wheel drive vehicle and an inspector, one trying to control noxious weeds and the other trying to control vermin. Myxomatosis and phosphates were used in an

attempt to control rabbits, but they proved to be slow processes. Then 1080 was used with great success.

During the war years a tremendous quantity of weed seeds came into country areas by means of armoured vehicles which were brought from the Eastern States. Every time an exercise was carried out a few more saffron thistle and other noxious weeds were dropped in the northern areas. It took some time for many of the farmers to realise that their farms were infected with noxious weeds. During the war years the northern areas were heavily infected with saffron thistle.

It is all very well for people living in other parts of the State to say that those living in the northern areas should face the expense of controlling the weeds, but if saffron thistle is allowed to spread further through the State those who complain will realise the problems associated with it, and perhaps agree it would have been better for everyone to pay for its eradication.

We did form regional committees in the northern areas of the State in an attempt to control noxious weeds and vermin. The people who attended those meetings were looking for the best methods available for controlling vermin and weeds. Earlier meetings of the regional committees attracted something like 11 or 12 people, 16 or 17 years ago, whereas these days it is not uncommon for 100 people to turn up at a meeting to discuss their problems. I think it is because of the activities of those committees that we have managed at last to amalgamate the two departments concerned with noxious weeds and vermin.

Vermin is controlled mainly during the summer months, and weeds mainly during the winter months. As a result of the new set-up an inspector working on the control of vermin during the summer will notice where noxious weeds have been growing during the winter, and during the wintertime he will observe where the rabbits are digging their burrows and thus he will be able to carry out his eradication programme with regard to rabbits much more thoroughly. So one inspector will be able to do the two jobs without any trouble.

When it comes to the use of 1080 poison for rabbits the job becomes a little more difficult. Rabbits are not hard to control in the northern areas as long as a close watch is kept on them. Weeds are a different problem again.

Although the amalgamation of the two departments has been going on for approximately 12 months there has not been the co-ordination we expected. It seemed almost impossible to get an operator to come to the northern areas and that is where the amalgamation falls down. Inspectors who did come to the area from the Agriculture Protection Board did not have the backing of an Act. I hope that with the passing of this measure inspectors will be able to tell the farmers that they must get rid of weeds or face the cost. In the past there has always been the farmer or landowner who did not try to eradicate noxious weeds or vermin. He has always had some excuse and that has meant the whole system has broken down. Those few individual operators impeded the activities of others who were trying to do the job.

The measure before us will overcome those problems because landowners and farmers will have to destroy noxious weeds or vermin, or pay for an operator to do the work. The rate will be approximately $18 per hour and with the present rate of inflation it could reach $30 per hour. That will provide sufficient incentive for farmers to eradicate noxious weeds and vermin without direction from an inspector.

Over the years a card system has been built up with regard to infected areas in the north of the State. Every farm is indexed on a card with a diagram of the farm. The location of noxious weeds and vermin are marked on the cards. It is rather a peculiar feature that rabbit populations seem to like certain areas. They dig their burrows where there is good feed and water. As a result inspectors know exactly where to look for them.

Whereas in the past there has always been a loophole of which certain farmers took advantage, the inspectors will now be able to tell those farmers of the work that has to be carried out. Where a farmer does not do the work the inspector will be able to call in an operator and have the work done.

I could go on at length, and refer to the Minister's notes with regard to this Bill but I do not think that is necessary. He has accused many shires of not doing their work, but I could accuse many farmers of not doing their work. The bone can also be pointed at the Agriculture Protection Board and its inspectors because in many areas weeds have spread and the vermin population has grown. That would not have occurred had there been proper protection throughout the State.

This measure will go a long way towards eradicating noxious weeds and vermin. I hope that eventually those living in the northern areas will be assisted by the rate being imposed over the whole of the State in an attempt to eradicate noxious weeds and vermin. If a rate were paid by every person in the State we would all share in the eradication. I support the Bill.

THE HON. V. J. FERRY (South-West) [7.55 p.m.]: I support the Bill, but I do not intend to traverse those areas already covered during the course of the debate.

Firstly, I would like to refer to rating and I applaud the provision whereby people living in the South-West Land Division will not be rated for the eradication of noxious weeds. This matter has been the subject of much research and discussion over a number of months. We all appreciate the comments of the Hon. Jack Heitman with regard to rating everybody throughout the State, but I believe that at this particular time the scheme proposed in the legislation should not be extended to the South West Land Division because it would add to the plight of a number of landowners and farmers engaged in certain rural industries. Therefore, it is appropriate that the system of "pay for service" be continued. It will be watched with considerable interest in the future.

I believe the farmers, landowners, and shire councils are in favour of the present system continuing in operation and I feel it will meet with universal approval. However, in the light of experience there could be amendments to the legislation and changes in the future. But, for the time being, it is fair and reasonable.

Another point I wish to raise is in respect of the use of chemical sprays. I realise that regulations will be promulgated to determine declared plants and declared animals. However, there could be some danger from the use of chemical sprays. I have in mind the case where a farmer or a landowner may object because of a prevailing situation. He may object to the use of sprays or the particular treatment being applied. I query what redress the landowner or farmer would have. To whom could he apply for adjudication in such circumstances? The point may not be of consequence, but I raise it and perhaps the Minister could give some clarification during the passage of the legislation. I support the Bill.

THE HON. G. W. BERRY (Lower North) [7.58 p.m.]: I support the Bill and, like Miss McAleer, I hope it achieves the purpose for which it has been designed. If it does not achieve what is desired we will have to re-examine it.

I will first of all refer to the Minister's speech where he states that the terms "noxious weeds" and "vermin" are to be discontinued and we are to have declared plants and declared animals in the future. I wish to register a protest on behalf of the Pastoralists and Graziers' Association with regard to declared animals. In the past pastoralists have referred to dogs and kangaroos as being the main concern. I also register a protest because the control of vermin, or kangaroos and dogs, will pass from the APB to the Department of Fisheries and Wildlife. I think the term is "managed species" under the terms of the fisheries and wildlife conservation programme.

I am not expressing their opposition to the terms, but I am registering a protest. The association has maintained that the red kangaroo, for example, should still be classified as vermin.

I wish to refer to another part of the Minister's speech where he said—

> The Bill incorporates the provisions of the repealed Vermin and Noxious Weeds Acts. In particular, it continues through into the new legislation the basic responsibility of the landholder for the control, prevention, and eradication of "declared plants" and "declared animals". At no time should this responsibility be lost sight of . . .

This is very important. More responsibility is given to the landholder through the establishment of the zones and the regional committees. I hope this responsibility will be accepted in the manner in which it is envisaged in the Bill.

The Minister said that provision was made for the Government to match the rates raised from pastoralists, and also that additional amounts may be raised through decisions of the zone control authority. In an endeavour to avoid confusion at a later date I seek some clarification as to whether the rate raised through the zone authority will also be matched by the Government. The Minister said the general rate will be matched by the Government but no indication is given about matching of the zonal authority rate.

The Minister said—

> Effective control of declared animals must continue to include a major involvement of the pastoralists themselves.

This provision is very important, and I understand the Pastoralists and Graziers Association supports it. Members engaged in the industry must involve themselves in the scheme and their support must be forthcoming for it to work.

It has been a long hard tussle to get this Act under way, and members are well aware of this. A great deal of criticism has been directed at the operations of the Agriculture Protection Board, and I am not here to say whether or not that criticism was just. However, this legislation will provide an opportunity for those who were concerned about the shortcomings of the APB to participate in this scheme. I give the measure my blessing and, once again, I hope it achieves all it was designed to achieve.

THE HON. N. McNEILL (Lower West—Minister for Justice) [8.04 p.m.]: I would like to acknowledge the support that members have given to this Bill. It is not surprising that members in this Chamber —so many of whom have a vast experience in the handling of vermin and noxious weeds as we have historically known them—would take the opportunity to

refer, firstly, to the historical background to the legislation and, secondly, to comment on the proposals in the legislation from the experience they have at their disposal.

I am pleased to note the Bill has enjoyed expressions of support, and particularly because the preparation of the legislation and its appearance in the House now is the culmination of a very lengthy period of negotiation. Perhaps that in itself is not surprising when we also bear in mind the fact that so much of our State is devoted to agriculture, and for as long as we have had agriculture in Western Australia, including of course the pastoral industry, we have suffered the vicissitudes of vermin and noxious weeds. Not only has the development of agriculture been an epic in land development in Australia and in the world, but no less significant is the development of the control of noxious weeds and vermin which have made the lives and livelihood of agriculturalists and pastoralists a most demanding experience. That has been the course of our history, and I repeat it is not surprising that it has taken a long time to achieve unanimity of thinking on the part of all those involved.

We are not unused to long periods of negotiation in relation to legislation, but we must remember that on this occasion we are dealing with people who, by virtue of their characteristics have their own methods of seeking a livelihood and are individualists. They wish to exercise, and do exercise in a very particular way, their own views. Therefore, it is most important that we should have achieved such unanimity.

The observations made really acknowledge what was mentioned in the introductory remarks, and I refer to the apprehensions and reservations expressed by some members as to whether or not the amalgamation of the two sections and staff will work.

This difficulty is acknowledged, and in my second reading speech I said I hoped members and the community at large will be prepared to be sympathetic to the aims of the legislation and to accept that there will be a shakedown period. We need to be a little charitable in our approach to the changes proposed, and we must not be too critical if the scheme does not work out in an ideal fashion. Without doubt there will be some future need to make alterations. As we all know, alterations have been made, and as Mr Heitman said, many changes in procedures have occurred during the last 60 years. We cannot all go back 60 years, but some of us can go back a very long time.

In this measure we have a completely new departure and it will take some time for everything to settle down. First of all, with the creation of the new authorities, it will take a little time for people to know what functions each organisation will undertake. Local and district people will have a better opportunity than they have had previously to express their own views. We must not lose sight of the fact, as members have observed, that the basic responsibility for the control, eradication, or prohibition of noxious weeds and vermin—or to use the new terminology, of declared plants and animals—rests very squarely on the landholder; that is, the ultimate responsibility. If this message is well recognised and implemented, the measure will meet with tremendous amount of success.

Mr Ferry raised the question of the use of sprays, and I think he used the expression "method of adjudication" in the case of damage caused by the use of sprays, particularly relating to the control of declared plants. The Bill contains a provision to prescribe regulations prohibiting the use of chemicals in certain areas, and if the damage is caused by the Agriculture Protection Board, the board carries a public liability policy which would cover a situation such as that envisaged by Mr Ferry. However, if the damage were caused by another farmer, I understand that the situation would be as with other similar cases—any disputation would be resolved by recourse to civil law.

Mr Berry referred to the fact that there seems to be no provision in the legislation for a matching requirement on the part of the Government in the case of any additional zonal rating required as a consequence of a decision by a zonal authority. The advice I have is that in such circumstances those zonal rates would not be matched by the Government. I think that answers Mr Berry's question, but probably not to his satisfaction.

Mr Berry also registered his protest at the discarding of the use of the terms "vermin" and "noxious weeds". I am sure we all appreciate the point he made, particularly from the point of view of the pastoralists and of the Pastoralists and Graziers Association. Mr Berry did not express opposition to this alteration, and I can do no more than acknowledge his protest. This difficulty is well recognised, but it has been considered at length and I say again that the proposals—even those relating to the rating which is the most controversial aspect of the legislation—enjoy the support of the Pastoralists and Graziers Association.

I do not believe I need refer particularly to anything else at this stage. Most of the opinions expressed by members were of general support for the provisions. I again thank members for their contributions, and more particularly, for their support.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. N. McNeill (Minister for Justice) in charge of the Bill.

Clauses 1 to 14 put and passed.

Clause 15: Appointment of chairman, deputy chairman and members—

The Hon. J. HEITMAN: Who will nominate the chairman, and who will be nominated to represent a region? In the past, of course, it has been mainly local authorities. Exactly what will be the set up?

The Hon. N. McNEILL: Clause 15 contains a number of subclauses relating to the appointment of chairman, deputy chairman and members of an authority. A board officer shall be appointed chairman of a zone control authority and this person may be chairman of one or more authorities at the same time.

The Hon. J. Heitman: Will he be an officer of the Agriculture Protection Board, or will he be from somewhere else?

The Hon. N. McNEILL: I believe the answer will be forthcoming as I continue. The reason for this is that a link will be established between the zones; also the chairman, who would be a senior board officer, will have direct access to the executive of the Agriculture Protection Board and the board itself.

The Hon. J. Heitman: In other words, an officer of the Agriculture Protection Board.

The Hon. N. McNEILL: Yes, as I understand it. A member of an authority from either a council or producer association shall be appointed the deputy chairman of the authority to provide a local contact and reference point in the zone.

The clause provides for the method of appointment of members to authorities when regional advisory committees have been formed for a zone which already has been subdivided into regions; or, the zone has been subdivided but committees are not in existence; or, the zones have not been subdivided into regions.

These three eventualities cover the situations that could arise in practice. Nominations will be called in each case for persons to be appointed to membership of the zone control authority. If no nominations are received, the Agriculture Protection Board may appoint eligible persons to be members. Similarly if nominations received for the last two mentioned situations are inadequate to form a panel of names, the Agriculture Protection Board may appoint eligible persons to membership of an authority. I think that probably answers Mr Heitman's question.

The Hon. J. Heitman: Yes, the Agriculture Protection Board will carry out that function; it will be taken out of the hands of the local authorities.

The Hon. N. McNEILL: Nominations will be called in each case for persons to be appointed to membership of a zone control authority, but in the event of there being no nominations, the board may appoint eligible persons. However, presumably, nominations will be filled without the requirement of the board to appoint suitable persons.

The Hon. J. HEITMAN: It is quite evident that the Agriculture Protection Board will take over the functions of these authorities. A lot will depend on how it attacks the problem, and whether it tries to encourage people to take an interest in the matter or whether it will simply sack people trying to do a good job in a particular area. A great deal of care must be taken to ensure we get the right type of person on these regional committees. It is important that the various authorities to be established work together to fulfil the objectives of the Bill.

The Hon. N. McNEILL: I acknowledge the point made by Mr Heitman relating to the care which will need to be exercised. I believe if he reads clause 28, he will see answered his query relating to advisory committees; this will provide the climate necessary to achieve the objectives of the legislation.

Clause put and passed.

Clauses 16 to 42 put and passed.

Clause 43: Notice to comply may be served on local authority—

The Hon. N. McNEILL: During the second reading debate, doubts and reservations were expressed, and this amendment is the result. It is designed to ensure that the position is adequately covered. I move an amendment—

> Page 32, line 3—Insert after the word "manner" the words "and to the extent".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 44: Failure to comply with direction—

The Hon. N. McNEILL: This amendment also is the result of reservations expressed during the second reading debate. I move an amendment—

> Page 32, line 11—Insert after the clause designation "44." the subclause designation "(1)".

Amendment put and passed.

The Hon. N. McNEILL: I move an amendment—

> Page 32, after line 15—Add a subclause as follows—
>
> > (2) For the purposes of this section and section 45 a council on which a notice has been served under section 43 shall not be regarded as having failed to comply with the direction contained in the notice by reason only that it

has not controlled declared plants or declared animals in the manner specified in the notice so long as it has controlled the plants or animals in some other manner.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 45 to 49 put and passed.

Clause 50: Notice to owner and occupier to control declared plants and animals—

The Hon. N. McNEILL: I move an amendment—

Page 34, line 21—Insert after the word "manner" the words "and to the extent".

The effect and the wording of this amendment are similar to the previous one relating to a landholder, as distinct from a council. This applies to the landholder-occupier situation.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 51: Failure to comply with direction—

The Hon. N. McNEILL: I move an amendment—

Page 35—Add after subclause (2) the following new subclause to stand as a subclause (3)—

(3) For the purposes of this section and section 52 an owner or occupier of private land who has been served with a notice under section 50—

(a) shall not be regarded as having failed to commence to comply with the direction contained in the notice by reason only that he has not commenced to control declared plants or declared animals in the manner specified in the notice so long as he has commenced to control the plants or animals in some other manner;

(b) shall not be regarded as having failed to comply, or fully comply, with the direction contained in the notice by reason only that he has not controlled declared plants or declared animals in the manner specified in the notice so long as he has controlled the plants or animals in some other manner. .

The explanation which I gave in the previous clause applies to this one.

The Hon. H. W. GAYFER: I wish to make one observation. This was a matter with which I was at variance when I first sighted the Bill. Originally I intended to speak in the second reading debate on the absence of this amendment, but now it has been moved I compliment the Minister and his advisers on adopting an understanding attitude. It is not always possible for people to do the things which they are requested to do under this legislation, but as long as people make an attempt to rip the land or to poison and control a declared plant, they give an indication that they are trying to grapple with the problem.

I support this amendment and the previous ones; they are in line with the tolerant thinking that I feel should apply in this exercise.

The Hon. N. McNEILL: In view of those comments I should make an observation in acknowledging what the honourable member has said. I am sure the spirit of the legislation was as he hoped it would be, but in actual fact the Bill as drafted did not make the position abundantly clear. Having heard earlier today the wish of the honourable member to ensure that the effect of this law should be made clear and should retain flexibility, where the intention is to eradicate or prohibit the introduction of a declared plant or animal, but the required action cannot be taken through unforseen circumstances, I should point out that the provision in the amendment meets the situation.

The Hon. J. HEITMAN: I take a view which is different from that expressed by Mr Gayfer and the Minister. This amendment gives the farmer, who does not intend to carry out the required work, the opportunity to opt out of his commitment, except in cases where an inspector is present to ensure that a reasonable attempt is made to destroy a declared plant or animal. On many other occasions this has proved to be a problem in that the farmer has failed to carry out the work required of him. Often the farmer says he will do the work, and the inspector leaves the property. However, when the inspector comes back he finds the work has not been done, and it is then too late for that work to be carried out.

Under this amendment a farmer can say, "I intended to do the work but it rained and I have been unable to do it." This amendment will provide him with an opportunity to opt out of the work. However, I see there is another provision in the Bill which enables such a person to be taken to court for failure to comply with an order.

The Hon. N. McNEILL: The operative words are contained in the latter part of the amendment. It does not in any way relieve the occupier or the owner of land of the need to carry out control measures, but he could control the declared plant or animal in some other way. In my view this amendment does not relieve the occupier or owner of any obligation to adopt control measures.

The Hon. J. Heitman: It will enable him to offer a valid excuse for failure to carry out the work required of him. By that time it might be too late to get rid of the declared plant.

The DEPUTY CHAIRMAN (The Hon. R. J. L. Williams): The honourable member should address the Chair, and make his remarks after the Minister has sat down.

The Hon. N. McNEILL: The purpose and intention of this legislation are to ensure that control is and can be exercised by the inspector or such other person.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 52 to 104 put and passed.

Clause 105: Regulations—declared plants and declared animals—

The Hon. M. McALEER: I would like to raise a query in respect of paragraph (c). This clause provides that the Governor may make regulations prohibiting or regulating the use of any particular chemical or spray. This relates to the operations of aerial spray operators. There is the Aerial Spraying Control Act which covers the main operators of such aircraft. As I understand the position, so long as the aircraft operators comply with the provisions of that Act they would be covered in every respect.

At times great difficulty has been experienced with farmer clients who insisted on supplying chemicals of 100 per cent strength for use in spraying operations. These are very dangerous chemicals to use, and they could cause damage to neighbouring crops when the aircraft operators are not warned of the presence of those crops. The onus falls back on the aircraft operators who are covered by insurance; but the premiums are very high.

Does this clause provide any protection to aircraft operators who use chemicals supplied by their clients, in the course of their spraying operations?

The Hon. N. McNEILL: The honourable member has referred to the aerial spraying legislation, and the point she has raised is covered by that legislation. Because of the difficulty in gaining a full grasp of the point she has raised it would be as well for her to accept this undertaking from me: I will have the matter investigated further, and acquaint her of the full circumstances so as to make sure everything is in order.

This is a genuine inquiry, but it does not affect the operation of this Bill. However, the honourable member is deserving of a considered answer. I will obtain the information for her to clarify the point she has raised.

Clause put and passed.

Clauses 106 to 119 put and passed.

Title put and passed.

Bill reported with amendments.

LAND TAX ASSESSMENT BILL

Assembly's Message

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

FINANCIAL AGREEMENT (AMENDMENT) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. N. McNeill (Minister for Justice), read a first time.

Second Reading

THE HON. N. McNEILL (Lower West—Minister for Justice) [8.49 p.m.]: I move—

That the Bill be now read a second time.

Section 105A of the Australian Constitution provides that the Commonwealth may make agreements with the States with respect to the public debts of the States, and further provides that any such agreement may be varied by the initiating parties.

The main purpose of this Bill is to approve the execution of an agreement dated the 5th February, 1976 entered into by the Commonwealth of Australia and the six States to amend the financial agreement. The amending agreement is included in a schedule to the Bill.

The financial agreement was entered into under section 105A by the seven Governments in December, 1927. It provided for the assumption by the Commonwealth of State debts on terms set out in the agreement, and established the Australian Loan Council to co-ordinate and regulate future sinking fund provisions on State debts.

The provisons of the agreement have been amended several times by subsequent agreements.

The present amendments are principally concerned with the assumption of liability by the Commonwealth Government for $1 000 million of State debts in accordance with the undertaking given in 1970 by the then Prime Minister when a new financial assistance grant formula for the five-year period 1970-71 to 1974-75 was determined.

The amendments also seek to update and streamline the operation of other provisions of the agreement, encompass new and simplified sinking fund provisions on State debt, provide greater flexibility in Loan Council procedures, and remove certain obsolete provisions from the financial agreement.

In the five-year period between 1970-71 and 1974-75, the Commonwealth provided financial assistance to the States to progressively meet interest and sinking fund contributions on $1 000 million of State debts. The first payments in 1970-71 were in respect of interest and sinking fund payments on $200 million, and a further

$200 million of debt was "taken over" each year in this way until, in 1974-75, the Commonwealth was meeting the debt charges on a total of $1 000 million.

In Western Australia's case, we received a grant of $5.5 million in 1974-75, which represented the debt charges on a total of $96 100 000.

The final step in this process was to be the formal transfer of the debt to the Commonwealth, following which the States would be relieved of the debt charges, and the need for offsetting grants would cease.

It was agreed by the Australian Loan Council, at its meeting in June, 1974, that assumption by the Commnwealth Government of liability for the $1 000 million of State debts should be effected by amendment to the financial agreement. The amending agreement, which it is now proposed to ratify, gives effect to that decision.

The actual securities to be taken over by the Commonwealth Government, and the amounts involved, are set out in a schedule attached to the amending agreement.

In presenting this Bill, the opportunity has been taken to adopt a greatly simplified approach to the determination of sinking fund contributions by the States.

The sinking fund provisions of the 1927 financial agreement provided for Commonwealth and State contributions to be made in relation to State debt outstanding at the 30th June, 1927, as set out in the agreement. Contributions on new debt incurred since that date have been calculated on each loan issued on behalf of the States since 1927, involving voluminous and complex calculations on behalf of each State each year.

The proposed new procedure provides for sinking fund contributions each year to be calculated as a simple percentage of the net debt of each State outstanding at the 30th June of the preceding year.

The new rates of contribution have been calculated to provide sinking fund receipts comparable to the projects amounts payable under the previous arrangements, and no State will incur any extra costs compared with those arising under the previous arrangements.

The contributions on debt outstanding at the 30th June, 1927 were due to cease at the 30th June, 1985, and the new provisions take into account the reduction in contributions which would have been consequent on this.

More specifically, the new sinking fund arrangements on State debt provide for specified contributions by the Commonwealth and State Governments for 1975-76 adjusted in each subsequent year until 1984-85 by a percentage of the difference in net State debt outstanding at the 30th June of the year preceding the contribution and net debt outstanding at the 30th June, 1975.

As from and including 1985-86, annual contributions payable by each State will equal 0.85 per cent, and by the Commonwealth 0.28 per cent of net debt of each State outstanding at the preceding 30th June. This avoids the complexities inherent in linking sinking fund payments to the securities issued in each loan on behalf of the States.

Accounting procedures for expenditure under the new sinking fund arrangements have been greatly simplified, with all costs associated with the repurchase or redemption of State debt being a charge on the sinking fund.

The National Debt Commission will continue to control the State sinking funds, but can arrange with a State to act as its agent in making payments to bondholders.

The new arrangements will provide for effective and simply calculated payments for the retirement of State debt.

The opportunity has also been taken to effect other small changes to the agreement to expedite proceedings of the Australian Loan Council. These provide that the nomination by a member of the Loan Council of a substitute Minister as his representative will now include any person acting in that capacity for the time being, and that decisions by the Loan Council on the amount and allocation of Government loan programmes can now be made by correspondence, without the necessity to hold a formal meeting to endorse the decision.

The amending agreement provides for the omission of several clauses in the financial agreement which no longer have force.

Also included is a provision for retrospective effect of the agreement from the 30th June, 1975. The agreement cannot be operative until legislation to approve its execution is enacted by all Parliaments, and I commend the Bill to the House.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [8.56 p.m.]: I have read the Bill very thoroughly. I have also read the second reading speeches that were made in another place and the Minister's introductory speech here. On looking at the Bill I find it has been signed by all the Premiers of all the States—

The Hon. N. E. Baxter: In all of Australia.

The Hon. D. K. DANS: Yes, in all of Australia. I thank the Minister for Health for that interjection. We support the Bill.

I find, however, on making some inquiries that South Australia placed this document before its Parliament in February. I wonder, therefore—without any intention of implying there was something snide about it—why the legislation was not brought here before this.

We have no alternative but to support the Bill, particularly when one reads its final page and finds that it has been signed by the Premiers of all the States and also by the Prime Minister.

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 the Hon. N. McNeill (Minister for Justice), and passed.

ROAD MAINTENANCE (CONTRIBUTION) ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. N. E. Baxter (Minister for Health), read a first time.

Second Reading

THE HON. N. E. BAXTER (Central—Minister for Health) [9.00 p.m.]: I move—

That the Bill be now read a second time.

The present procedure for the hearing of a complaint of an offence against the Road Maintenance (Contribution) Act requires officers of the Transport Commission to appear before a stipendiary magistrate in court to give evidence. Such a procedure is costly in terms of the number of man hours involved in giving—or waiting to give—evidence, and provision is now being made in this Bill for an alternative method of presenting evidence by affidavit in order to minimise the cost and, at the same time, gain more effective utilisation of officers' time in policing the provisions of the Act.

The adoption of this procedure, as outlined in the amendment, in no way inhibits a defendant's right to appear in court, as is done at present, and to have the complainant present his evidence orally; but should the defendant not do so, the court is empowered to hear and determine the complaint in his absence on the particulars contained in the evidence of affidavit accompanying the summons already served on the defendant.

Provision is also made for the situation where the defendant either elects not to appear or makes no election at all under these alternative proceedings, and then does appear at court for the hearing. Under these circumstances the complainant, who is expecting to give evidence by affidavit, is empowered to request from the court an adjournment of the proceedings until such time as he is able to proceed otherwise than by this method.

It would be understood that, in a situation such as this, the complainant would not have his officers on hand in court to give evidence orally, and he would then require time to arrange for the changed procedure.

Provision is also made to advise the defendant that should he not appear at a court hearing, and he is convicted of an offence under this alternative procedure, a record of any alleged prior convictions under the Act, concerning which he has been duly advised, will be tendered to and admitted by the court as evidence. At the same time, should the defendant appear at court with any document which he has received setting out alleged prior convictions against the Act, such document will be admissible in court only either with his consent or in accordance with the law of evidence regarding such matters.

In this regard, full protection is given to the defendant, and further redress is afforded to the defendant should he not be advised of the intention by the complainant to supply to the court evidence relating to his prior convictions or should there be any error in fact on the part of the complainant relating to any prior convictions.

Finally, it should be emphasised that this proposed method of presenting evidence by affidavit in no way impinges on the right of the individual to have any complaint brought against him heard in court with both parties presenting their evidence before a magistrate.

However, it has been the experience that, as many complaints brought against persons under the provisions of this Act go undefended, it will be possible by the introduction of this alternative method of presenting evidence by affidavit to reduce, in certain instances, the costs associated with the existing procedures.

Similar amendments to the Transport Commission Act and the Taxi-Cars (Co-ordination and Control) Act are the subject of Bills to follow.

I commend the Bill to the House.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [9.04 p.m.]: This is one of three Bills containing provisions of a similar type. I see nothing wrong with the Bill. It provides for an alternative which could ultimately save costs both to the authority and the person concerned. It also reserves the right of a person charged with an offence to appear in court with all the parties present should he so desire.

We support the Bill and wish it a speedy passage through the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. N. E. Baxter (Minister for Health), and passed.

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

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. N. E. Baxter (Minister for Health), read a first time.

TRANSPORT COMMISSION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. N. E. Baxter (Minister for Health), read a first time.

Second Reading

THE HON. N. E. BAXTER (Central—Minister for Health) [9.08 p.m.]: I move—

That the Bill be now read a second time.

As previously indicated in my second reading speech on proposed amendments to the Road Maintenance (Contribution) Act, the Bill now before the House contains similar provisions in regard to the use of affidavits as evidence which are considered desirable in the administration of the Transport Commission Act.

The main purpose of these proposals is to endeavour to reduce the number of man hours involved in officers appearing before the court, when often it is not necessary. It will also have the effect of reducing the cost to taxpayers generally, while retaining full protection of the rights of the defendant, as explained in the second reading speech on the Road Maintenance (Contribution) Act Amendment Bill.

I commend the Bill to the house.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [9.09 p.m.]: We support this Bill in principle and in detail.

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 the Hon. N. E. Baxter (Minister for Health), and passed.

AGRICULTURE PROTECTION BOARD ACT AMENDMENT BILL

Second Reading

Debated resumed from the 20th May.

THE HON. D. W. COOLEY (North-East Metropolitan) [9.11 p.m.]: It appears these amendments are necessary as a consequence of the passing of the Agriculture and Related Resources Protection Bill, and we agree to them.

Among other things, the Bill seeks to abolish the Emu and Grasshopper Advisory Committee, to allow the board to purchase equipment, materials, etc., to increase the borrowing powers of the board by $300 000 to $500 000, to delete reference to the Vermin Board, and to enable the board to determine conditions of employment for staff and create positions, subject to Public Service Board approval.

We 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 the Hon. N. McNeill (Minister for Justice), and passed.

RURAL HOUSING (ASSISTANCE) BILL

Second Reading

Debate resumed from the 20th May.

THE HON. R. T. LEESON (South-East) [9.15 p.m.]: We on this side of the House support this Bill because it will enable farmers to borrow money to build houses for their personal use. We can see it doing only good, particularly for those farmers in the new land areas who at the moment are experiencing somewhat of a struggle. For those reasons we support the Bill.

THE HON. D. J. WORDSWORTH (South) [9.16 p.m.]: I have very much pleasure in supporting this Bill. I have been in this House for some five years, and one of the first letters I wrote upon becoming a member of Parliament was to the then Minister for Housing, who was a Labor minister, explaining to him the difficulties being experienced in my electorate, particularly by conditional purchase landholders. We had a long discussion on the problems, and he pointed out the difficulties he was experiencing, as Minister for Housing, in trying to do something about the matter.

One of the major problems is that of Government policy, in both Federal and State spheres. After all, the political parties have to agree there is a need to

house the rural community. It appears most Australians in this post-war period think farmers are fairly well off. I know certainly Mr Cooley is of that opinion. Most Australians seem to think the least farmers can do is to provide their own housing finance. To that extent perhaps there has been no great sympathy for the need for housing in rural areas.

I think it was a different matter in the pre-war period. There was undoubtedly great sympathy then, and probably the problems were just as great.

I was somewhat staggered to find that over 80 per cent of rural housing in the pre-war period did not have running water. Therefore, I suppose the problem of poor housing in farming areas is not new. It is regrettable that a political party has not fought harder in the past to overcome the difficulties of providing housing in rural areas.

The Hon. S. J. Dellar: For 12 years!

The Hon. D. J. WORDSWORTH: One of the difficulties of farm housing is the ability of the farm owner to give a title or security in respect of a house on the land. Those who traditionally lend money for housing are accustomed to receiving a first mortgage, and if the home owner defaults in his payments the lending institution is able to take back the house and still have a saleable product.

Of course, if a person who lends money for housing finds he is stuck with a house in the bush, needless to say his chances of quitting it are very small. There is also the general problem of being able to obtain a title in respect of a small piece of land on which a house may be built. The town planners do not want small subdivisions in rural areas. The granting of a title to a small portion of land is against the general conditions of conditional purchase. Many lenders do not wish to see a title given for a house as distinct from the farm as a whole, because a farm is security for money lent on it as a work ing unit; and if the farm has not a house it is not a viable farming unit. So we can see the problems faced by the lending institutions, and the reason they do not want to see a title given in respect of a farm house as distinct from the whole farm.

Of course, there is another rather unusual problem; that is, the matter of portability of housing. I think we have all learned to accept transportable homes. It took some time before Governments accepted these; certainly the State Housing Commission took a long time to accept them. However, now we find Governments are even willing to have transportable hospitals.

Shire councils have also been reluctant to accept transportable houses, mainly because of their previous history of poor design and poor standard. They are still somewhat concerned about this because building inspectors are not able to inspect the houses during construction.

However, the real lack of acceptance of transportables is still to be found in the finance industry. Traditionally a person who lends money on a house considers he has something solid in which to invest his money—it has always been referred to as bricks and mortar. A banker shivers when he suddenly realises that, having lent money on a house, he might go along and find the house is not there.

The Hon. S. J. Dellar: Rubbish!

The Hon. D. J. WORDSWORTH: I can assure the member that it is not rubbish. Probably that is the reason nothing has been done under Labor Governments—probably they thought it was rubbish.

The Hon. S. J. Dellar: I assure you it is rubbish, because I live in a transportable and I obtained finance. Maybe I have an honest face.

The Hon. D. J. WORDSWORTH: I can assure Mr Dellar this is a matter of concern to people who lend money for housing.

In this regard perhaps it would be s nsible if we established some form of identification on transportable houses so that there is some chance of keeping a record of them should they be moved from one site to another. Cars have registration numbers stamped on them, and one is not allowed to tinker with those numbers. Perhaps the same thing could be done with transportables; perhaps we could even have a photographic record; then people could fit them with wheels.

In my opinion we have a very special problem in Western Australia with our conditional purchase system. We have financed farmers on the land in a manner completely different from the traditional manner. We have encouraged these people to take up CP land with very little finance. They have not been required to pay a deposit on the land; and, indeed, many conditional purchase farmers did not have the $1 000 they were asked to have before they were given blocks. Having lived in Esperance during the developmental stages of farming land under this system. I have seen how CP farmers raise their finance, and often the methods are quite precarious.

The usual thing is for the farmer to put a deposit on a tractor with a hire-purchase firm. Even that may be done with as little as $1 000. The farmer then clears his own land and goes out contracting to neighbouring farmers. In this way he can clear and sow his own land and then even crop it or clover harvest it to get it going. As soon as the land can stand stock, he goes to the stock firm and gets a stock mortgage with which to buy livestock. Usually the firms provide

only 12 month terms, and at the end of that period the farmer has to go to a commercial bank and seek a loan. That bank, of course, always demands the first mortgage.

It is not long before more land needs to be cleared to make the unit viable, or else a shearing shed is required; and at that stage the development bank makes more funds available, requesting a second mortgage. The State Government was then encouraged to find money for CP farmers and others, and we saw the key dam scheme, and carry-on finance offered to farmers in times of drought and great difficulty. The State Government always demands a first mortgage for such moneys; so we see the State Government with the first mortgage, the commercial bank being reduced to holding the second mortgage, and the development bank holding a third mortgage; then we have the stock under a stock firm mortgage, and most of the plant under hire purchase. One can see how new land farmers have little hope of being able to find a substantial amount of money to build a house.

Generally speaking, we overcame the problem of availability of money for the development of properties; but when it came to the non-income-earning matter of housing I feel we as a Government let down our farmers badly, particularly new land farmers. In many cases one finds CP farmers have done very well and now have substantial incomes; but their difficulty, of course, lies in respect of their capital repayments. Under the system I have just outlined they are paying capital to some four or five institutions, and with our present taxing system it is hard to accumulate that sort of capital after paying tax on one's income.

Recently I was in Ravensthorpe, and I was on a property on which a farmer had some 2 000 acres cleared, much of which was under crop and stock. The property must have been worth $75 000; but the banks had it valued at about $40 000. The farmer was fortunate in that he was able to refinance his property through rural reconstruction, and he had a mortgage of some $25 000. He did this within a period of seven years, and prior to that he was basically a wage earner. He did very well; he built up $50 000 of capital in seven years.

The Hon. H. W. Gayfer: He didn't work eight hours a day.

The Hon. D. J. WORDSWORTH: He might not have, but he has done very well. His problem was that he could not supply a decent house for himself and his wife. His wife worked during all that period—I think she drove a school bus—and she is still working.

There is no way in which that farmer could get money to build a house. There are many people like him who will be looking to this legislation to provide relief; and they have been waiting for a long, long time. I think many members would have seen in the last five years periodic outbursts in the Press, where photographers have gone onto properties and photographed some particularly bad living conditions. Recently we saw a television film on the matter. I think some of these have picked rather poor examples, because I am afraid that when people live under substandard conditions they are inclined to become slovenly and untidy.

Their conditions are often made worse by rubbish left around the house and machinery parked too near to the garden; and lack of water means no garden at all. Many have built very good homes in the corner of the shed, but unfortunately this has been an awful waste of resources because, whilst the accommodation has been made fairly comfortable, it represents very little value and such people have saved themselves only 25 per cent of the cost of a house.

I think our CP system is one of the few land settlement schemes that has been set up without a housing scheme in conjunction with it. I think even the original land settlement projects of the south-west at least supplied some shelter as housing. Under the war service settlement Act houses were built on properties. Nobody could say those schemes were ideal. Unfortunately a standard house of not very good design was used. I am often staggered when I go around my electorate, even some 20 years after, to find that these houses are still not painted and do not have a garden around them. So there are obviously great disadvantages in the method of housing which was used in the war service settlement scheme.

The South Australian AMP scheme has also provided adequate housing. I hope that when we carry on with our CP land grants and land openings in this State we will see a form of housing incorporated in the scheme. I believe the transportable home will be the answer. In this way a house can be put on a property and the farmer need put up little more than the cost of moving that house, should he be unsuccessful. If at a later stage he wishes to build a brick home he can then dispose of the transportable home.

I think up to 500 people in this State will be hoping that the housing provided through this Bill will be their answer. I am thinking more of the first decent house on a property. I appreciate that there is another problem in the older farming areas where housing has become old merely through the passing of time, but I am speaking more of the new land farmer.

The Hon. H. W. Gayfer: Sometimes new land farmers have the nucleus of one unit.

The Hon. D. J. WORDSWORTH: This Bill provides for building extensions as well as a complete home. I have explained that there are some people who are financial enough to take on ordinary housing finance at 12 per cent interest. I know that this sounds very expensive money but those who are coping will be able to handle this high price. In fact, some of them are already paying 20 per cent interest on money for purchasing plant through leasing I think that today we are accepting this high interest rate because of the present inflation rate.

Of course the problem will undoubtedly be with the farmer who is not viable; indeed, we have enough of them. This Bill enables the Government to guarantee traditional home finance institutions when lending to rural house owners in much the same way as they lend to an urban home buyer; that is, by giving mortgage insurance. If the farmer is unable to make a repayment the Government will make that repayment on his behalf and add it to his commitments after he has fulfilled his commitments to the lending institution.

I do not wish to go over the Minister's second reading speech. I feel that it suitably outlines the work of this proposed authority and the method of guaranteeing payments. But I wish to raise two further points. Firstly, how many Government guarantee certificates will be issued? People who have studied this Bill will realise that an authority will be set up which will issue certificates to farmers, guaranteeing their repayments, which they will take along to the traditional lending institutions. The question is: How many of these certificates will be issued? I presume that such facts will be stated in the Budget. I certainly hope they will become a feature of Budgets. Members will appreciate that it is not a commitment the Government must make at this time but is one for the future if the farmer is unable to make a repayment. One would certainly expect that in the first year the Government would not be committed to anything.

Secondly, there is the question of how much Government housing money can go in with the traditional housing money from the private sector to give a mix. The idea is that by supplying cheaper housing money and averaging it out with the commercial rate, under certain circumstances the Government will be able to give cheaper rates to a certain group of farmers. Of course, this group will be the farmers who are not viable. I hope that in future Budgets we will see a commitment from housing grants to this proposed rural housing authority.

Finally, I feel that some acknowledgment should be given to those who have worked for the development of this proposed authority. I have mentioned that the problem was presented to the previous Labor Government. I appreciate that there were many problems to be overcome and that that Government put this matter in the "too hard" basket. It may have done so because it was contrary to its policies, I do not know; but fortunately with a change of Government we have seen a different interest.

I think we are lucky that the member for Roe (Mr Grewar) took up this matter as a subject in which he is personally concerned and raised it in the party room. The Government was willing to set up a joint party committee to look into the matter because it could see it was of a very difficult nature. This committee did a lot of research. It inspected transportable home sites and builders. It interviewed many building societies and bankers. Whilst it was not able to come up with a solution, it was certainly able to lay out the problems that had to be overcome. The Deputy Premier (Mr O'Neil) finally set up a committee within the State Housing Authority. It was a high level committee which worked very hard on this Bill.

The present Minister for Housing (Mr Peter Jones) was on the original committee and when he became the Minister he obviously gave the committee within the Housing Department a lot of encouragement and has finally brought this Bill to fruition. I hope he is able to obtain grants from the Federal Government so that we may see a reduction in interest rates by mixing Federal housing funds with the commercial rates. I understand he will have a problem in this regard because other States do not seem to have the same problems that we have or they are finding other ways to cure them.

I believe there is an opportunity for farmers to help themselves in this direction. Many farmers have money invested in commercial banks and building societies. I think we ought to be looking into ways of setting up rural building societies devoted entirely to providing funds for housing under the provisions of this Bill. This is a project that some of our farmers' organisations could look into. I think there will be a need for this because when one looks into the manner in which the present building societies work one notes that in many cases their agents are also real estate agents who tend to make money available to those who buy a house from them or buy land on which they are going to build a house. If this continues it is unlikely that as much money as we need will be given to rural housing.

I congratulate all those who have been associated with this Bill and commend it to the House.

THE HON. H. W. GAYFER (Central) [9.42 p.m.]: I had not intended to speak on this Bill, but some of the words uttered

by the Hon. David Wordsworth have caused me to get to my feet. First of all, I commend the architects of the Bill. I commend those who have worked on the various committees to bring this matter to fruition. I commend particularly the Minister for Housing for having steered it through his department.

I think the Hon. David Wordsworth should recall the occasion a few years ago when he made application to the then Labor Minister for Housing. He was a new boy in the game then and that was his first experience in dealing with country housing. I think many of us can remember even further back than that when we made representations to Ministers of our own political colour.

I wish to refer to the time when land in Western Australia was being opened up at the rate of one million acres a year; when we were insisting that without housing we could not expect women to go out to these blocks. Without the women there we could not expect men to work as comfortably or as contentedly as they otherwise would. This was always the prime reason that our party has insisted that some form of housing be supplied.

I well remember the committees that were set up in 1962, when I was elected to this House, in an endeavour to obtain the only aid that was recognised as possible in respect of this matter which was from the Federal Government of the day. That was also a Liberal-Country Party Government. I have many documents to hand at present wherein such requests were made. I also remember—and this can be checked—Senator Edgar Prowse speaking to a housing bill in the Senate on the 29th October, 1964.

In the Commonwealth *Hansard* at page 1437 he is reported as deploring the disparity between metropolitan and non-metropolitan areas in the matter of the provision of housing. He emphasised the need for the availability of long-term finance to make possible the housing of agricultural workers, whether self-employed or not.

This is exactly what the State is endeavouring to do under the Bill before us. However, I point out that this sort of representation has been made for a lot longer than the last two or three years. Speaking on the Appropriation Bill on the 13th October, 1964, as reported in the Commonwealth *Hansard* at page 1829, Mr J. M. Hallett said that the Australian way of life today hinges around the family home. He said that families in rural industries have not been able to participate in the cheaper money available for homes for workers in most industries over the years.

To a degree we can go along with what the Hon. David Wordsworth said; when he wondered why a political party has not fought harder to supply houses on farms. I say to him that over the years there has been a change in philosophy towards the housing of people generally. All of us did not come on to the land with silver spoons in our mouths. In my particular instance, in the first 14 years that we farmed we lived in a gimlet home lined with sail cloth. That was from 1905 until 1920 when my mother got her first decent home.

This was the attitude adopted in this State generally when the first million-acre-a-year scheme commenced. By and large we operated on the old pioneering spirit which seemed to be that as our forefathers could do it, so could we. This was wrong, I admit, but it was the attitude adopted by all the financial houses and the bankers.

We made representations in order to obtain decent housing or something similar at least to that being supplied to war service land settlement farmers. We went further because we approached the Federal authorities through the State, but again a Government of our own political colour told us that there was no money coming back to supply us with the houses we desired. The terms of assistance were not desirable in that Government's eyes when the conditional purchase lots were virtually only scrub land at that stage and the Government frankly could not see any future in them. Thank goodness those 10 million acres of land were opened up at that time because they helped to put this State agriculturally in the position it is in at present, especially in the grain-producing areas. Of the wheat qualified for quota, 34 per cent was in fact produced from these new land areas. Those farmers proved themselves, but in order to prove themselves, every available cent made had to be put back into the land in order that the crops might be produced and the farms built up. However this was expensive.

I have complimented the committee which has worked towards the introduction of the legislation. It was a committee comprising many people from all walks of life but they were all interested primarily in ensuring something was done after all these years and particularly following the 1969 to 1971 recession, when the viability of the farmers was in extreme doubt. Now we are back exactly where we were in 1964. In order for the dream to come true and the legislation to be a viable proposition as far as the farmers are concerned, we will need money to mix with private resource money in order that the homes might be built at a price to make the repayments attractive to the farmers. Again we need Commonwealth assistance or we will be right back to the position we were in when Senator Prowse and Mr Hallett spoke in 1964. I have already reported what they said; that is, that Commonwealth money on long-term loans was necessary at low interest rates in order to provide the mixture of money to enable the farmers concerned to meet the repayments.

I sincerely hope that the Minister in his eagerness and dedication to get this project off the ground can convince the people in Canberra that Commonwealth money is absolutely necessary. This is wonderful legislation and I do sincerely compliment those who are responsible for it. However without the assistance of the Commonwealth Government I do not believe the package deal will be suitable enough financially to entice the farmer, faced with heavy commitments on his property, to enter into another commitment. There must be this shandy mix of which the Minister speaks or some financial problems will be faced.

It is wonderful to think that the housewife who has lived at the end of a shed or in a sleeper home with a tin roof—and some have done that in the eastern corner of the State, as Mr Wordsworth knows—can now look forward to having a home erected on portion of the family's property. Of course it is hoped this property will remain in the family for years to come.

I hope the Commonwealth Government is more sympathetic to this State in respect of this matter than it has been in the past. The present Commonwealth Government is of the same political colour as the Government which showed no sympathy in respect of this matter previously. I know that other States are not altogether in favour of the Western Australian scheme and what this will mean when it comes to hand-outs from the Commonwealth Government for this particular venture I do not know. However, I hope common sense prevails with those other Governments which are not faced with the opening up of huge tracts of land such as those we opened up in the past and which we are now consolidating. In future we will have to open up more.

I hope that they will not adopt a dog-in-the-manger attitude, if that is the right expression, and put their heads in the sand merely because their lands are, by and large, developed, and their farmers have been through their periods of ups and downs. I hope they will not leave Western Australia to it and let us battle along on our own.

I can assure members that I cannot see this scheme getting off the ground unless adequate Commonwealth finance is injected into the SHC in order to supply the shandy mix to enable farmers to pay back the interest rates and amortize the capital.

THE HON. V. J. FERRY (South-West) [9.53 p.m.]: My remarks will be brief but I trust that although I am brief, my brevity will not be misinterpreted and members will think that I am unenthusiastic about the Bill. On the contrary, I am extremely enthusiastic about it and I applaud its introduction. I would just like to remind members that under the legislation the financial assistance for houses will be made available gradually. There will not be a flood of funds nor will there be a great influx of applicants in the first instance.

I would like also to remind the House that the provisions in the Bill do not only favour those on new land farms. The provisions make it quite apparent that any farmer qualifying under the terms and conditions in the Bill will benefit. I know of any number of long-established farms on which the dwellings are, to say the least, substandard. A number of these farmers will be very pleased to be able to obtain a modest sum of money under the Bill to effect modernisation of their homes and perhaps to make some small extensions to satisfy their particular needs. They do not want palatial new homes; in many cases they merely wish to update their existing homes to make them more comfortable.

I just wish to draw attention to that feature. The Bill will, hopefully, help many people and not only new land farmers. It will also help those on older established smaller properties. I commend the Bill.

THE HON. G. C. MacKINNON (South-West—Minister for Education) [9.55 p.m.]: There is little need for me to say much as all members have commented on the legislation. However I wish to raise one matter which apparently both Mr Wordsworth and Mr Gayfer have missed.

You are aware, Mr President, as well as I am, that one of the causes of the problem we face at present is that at the time of the release of the land there was serious pressure on the Government to release it to people who had only a minimum of capital. At the time applications for land were numerous and, admittedly, many of the applicants had adequate capital resources; but a number did not. Great pressure was exerted on the Government to spread the land among the sons of farmers and others who wanted to go on the land. However, many of these had insufficient capital in a realistic and objective sense. This is one of the major reasons there was very real sympathy for the farmers. Quite inadvertently some members suggested that there may not have been this sympathy, but it existed during all the years of the million-acre-a-year programme.

As Mr Ferry mentioned, the scheme is not designed merely for new land farmers. I felt I ought to remind members of that point, although one member has referred to it.

I thank members for their interest and comments which have been most detailed; and of course I will convey to the Minister the thanks and congratulations extended to him.

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 the Hon. G. C. MacKinnon (Minister for Education), and passed.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th May.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [10.01 p.m.]: This is a simple Bill and it sets out to deal with a problem in a practical manner. The problem, of course, is the question of representatives on appeal boards as provided for in the Government Railways Act.

On this side of the House we support the measure as being necessary and desirable. However, I must make one comment. One hears so much these days about the Government wanting to finance all sorts of elections for the union movement, under all sorts of circumstances, and yet in his second reading speech, the Minister advanced as one of the reasons for the alteration to the method of appointment of representatives that each election and by-election cost Westrail $700. The Minister also told us that since 1968 three general elections and six by-elections have been held. I make that comment because it seems to me on the one hand the Government wants to spend money on running elections and on the other hand one of the reasons advanced for the change of procedure contained in this Bill is that it wishes to save money by doing away with elections. We support the Bill.

THE HON. N. E. BAXTER (Central—Minister for Health) [10.03 p.m.]: I thank the Hon. D. K. Dans for his contribution to the debate. In regard to his remarks that on the one hand the Government wants to spend money on elections and on the other hand it wants to save it, I think the honourable member knows as well as I do that we are talking about two different situations.

The Government wishes to pay for elections in the case of officers of unions. In this case, we are speaking of the representatives on an appeal board, and in this Bill each of five different sections of Westrail will have the right to nominate a representative. At present an election occurs when there are two or more nominees by a particular railway section, and this measure will do away with the necessity for such an election. The saving of $700 an election to the department was mentioned only as a side issue. The main issue, of course, is to ensure that representatives are appointed from each section, and if they are not appointed, provision can be made in regard to appeals.

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 the Hon. N. E. Baxter (Minister for Health), and passed.

WESTERN AUSTRALIAN TERTIARY EDUCATION COMMISSION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. N. McNeill (Minister for Justice), read a first time.

House adjourned at 10.09 p.m.

Legislative Assembly

Tuesday, the 25th May, 1976

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

AUSTRALIAN CONSTITUTIONAL CONVENTION

Member for Melville: Resignation

THE SPEAKER (Mr Hutchinson): I wish to inform the House that in accordance with the terms of the motion moved by the Premier in regard to the appointment of delegates to the Australian Constitutional Convention, the member for Melville (Mr J. T. Tonkin) has forwarded to me advice of his formal resignation as a delegate to that convention, to take effect as from today.

QUESTIONS (18): ON NOTICE

1. MINISTERS OF THE CROWN

Statutory Responsibilities

Mr JAMIESON, to the Premier:

(1) Will the Premier make available a current list of statutory responsibilities of each of the 13 Ministers, specifically defining the duties of the Minister for Justice and the Attorney-General?

(2) When was the last such list published in the *Government Gazette*?

(3) Why has there been no such publication since the appointment of the 13th full-time Minister?