My own experience is that when we try to change these things we create further anomalies. This provision has worked before, and my advice is to leave well alone. However, I assure the honourable member that before the Bill is considered at the third reading stage I will confer with the Minister and the Crown Law Department and if there is any risk that the provision might be misinterpreted, I will suggest that the Bill be recommitted.

Clause put and passed.

Clause 3 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

House adjourned at 10 p.m.

Legislative Council

Wednesday, the 4th October, 1967

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

QUESTIONS (8): ON NOTICE

NICKEL

Harmful Effects of Underground Mining

1. The Hon. R. H. C. STUBBS (for The Hon. J. J. Garrigan) asked the Minister for Mines:

   (1) Now that the nickel mining industry has been established in Western Australia, has it been proved that the dust from nickel being mined by underground miners is harmful to their general health?

   (2) If the answer to (1) is "Yes," would the nickel miners come within the same category as gold miners suffering from silicosis, and be compensated on the same basis?

   (3) Has the Mines Department any information on the general health of miners mining nickel in Norway or Canada?

   The Hon. A. F. GRIFFITH replied:

   (1) No.

   (2) Answered by (1).

   (3) It is understood the general health of nickel miners in Canada and Norway appears to be similar to that of hard rock miners anywhere, with the additional problem of dermatitis due to sensitisation to nickel.

SHEEP

Destruction by Native-owned Dogs

2. The Hon. G. E. D. BRAND asked the Minister for Local Government:

   (1) Is the Minister for Native Welfare aware that large losses of sheep are being suffered by pastoralists in the Laverton Shire area caused by dogs owned by natives?

   (2) Will the Government give urgent consideration to amending the Dog Act, the Vermin Act, the Agriculture Protection Board Act, or the Native Welfare Act, whichever is appropriate, to allow doggers authority to destroy native-owned dogs that are obviously leaving reserves at night and killing the sheep?

   The Hon. L. A. LOGAN replied:

   (1) Losses of sheep in the Laverton Shire have been reported to the Minister for Native Welfare.

   (2) No. Sections 22 and 22A of the Dog Act provide the owner or occupier of land with the entitlement to apply remedial action. The amendment of the Dog Act assented to on the 1st October, 1965, deleted section 29, and native dog owners are now in the same position as any other dog owner and further amendment of the Act is unnecessary.

STAMP DUTY

Transfer of Motor Vehicles: Collections, 1964-1967

3. The Hon. N. E. BAXTER asked the Minister for Mines:

   For the years ending the 30th June, 1964, 1965, 1966, and 1967, what was the amount of stamp duty collected from the transfer of motor vehicles under section 76C of the Stamp Act?

   The Hon. A. F. GRIFFITH: replied:

   Duty paid on the registration of new vehicles and the transfer of used vehicles was as follows:—

			$
1963-64	....	....	271,782
1964-65	....	....	689,564
1965-66	....	....	965,768
1966-67	....	....	1,305,997

LAND AT KALBARRI

Allocation of Townsite Lots

4. The Hon. C. E. GRIFFITHS asked the Minister for Mines:

   (1) Under what conditions were townsite Lots 85, 86, 88, and 98 in Grey Street, Kalbarri, allocated by the Crown?

   (2) When were the allocations made, and who were the successful applicants in each case?

(3) (a) Have the necessary improvements, if any, been effected by the allottees in each case?

(b) If not, what action is being taken by the Lands Department to ensure that such improvements are carried out?

The Hon. A. F. GRIFFITH replied:

(1) Kalbarri Lots 85, 86, 88, and 89 are leased for residential purposes at an annual rental of $24 each and subject to the following conditions:—

(a) Lessee shall pay the cost of survey;

(b) Lease will terminate immediately on the lessee ceasing to be engaged in the fishing industry;

(c) Compensation will not be payable at the expiration or earlier determination of the lease for any improvements effected on the demised land.

(2) (i) Kalbarri Lot 85 was originally leased to Mervyn Henry Tester as from the 1st April, 1961. The lease is now held by Ernest Edward Crocos who acquired it by transfer on the 2nd April, 1965.

(ii) Kalbarri Lot 86 was originally leased to Edward Ainsley Cornell as from the 1st July, 1962. The lease is now held by Stanley Frederick Williams who acquired it by transfer on the 9th December, 1965.

(iii) Kalbarri Lot 88 was originally leased to Edward Thomas Blanchard as from the 1st October, 1961. The lease is now registered in the name of Hamish Harley Ross deceased, who acquired it by transfer on the 1st February, 1966.

(iv) Kalbarri Lot 89 is held under lease by Gordon Watson. This lease commenced on the 1st October, 1962.

(3) (a) No specific building conditions are imposed under the terms of the leases. Cancellation would ensue only for failure to comply with the provisions outlined in 1 (a) and 1 (b) or, for non-payment of lease rental.

(b) Answered by (3) (a).

TRAFFIC LIGHTS

Beaufort Street-Grand Promenade: Installation

5. The Hon. W. F. WILLESEE asked the Minister for Mines:

(1) Is the installation of traffic lights under consideration at the intersection of Beaufort Street and Grand Promenade?

(2) If not, will the matter be investigated with a view to improving the present situation?

The Hon. A. F. GRIFFITH replied:

(1) No.

(2) An investigation into traffic volumes and accident records will be undertaken to assess whether any consideration for signals is justified at this stage.

CARNARVON HIGH SCHOOL HOSTEL

Inadequate Accommodation

6. The Hon. H. C. STRICKLAND asked the Minister for Mines:

In view of the fact that several boy students have been unable to obtain accommodation for the 1968 year at the Carnarvon High School Hostel, and also that the upsurge of population in the Pilbara and Kimberley districts will probably result in further applications for admittance to the hostel, what action has been taken by the Education Department and the Country High School Hostels Authority to meet the situation?

The Hon. A. F. GRIFFITH replied:

An amendment to the Act to increase the borrowing powers of the Country High School Hostels Authority is at present being considered in another place. If this is passed, the authority will consider the need for extra hostel accommodation at Carnarvon and other country centres.

CROSSWALKS

Beaufort Street and Guildford Road: Installation of Lights

7. The Hon. W. F. WILLESEE asked the Minister for Mines:

Has consideration been given to the erection of pedestrian crossing lights at all or any of the following points:—

(a) Beaufort Street near Tenth Avenue;

(b) Beaufort Street near Fifth Avenue;

(c) Guildford Road close to the Institute for the Blind; and

(d) Guildford Road near Caledonian Avenue?

The Hon. A. F. GRIFFITH replied:

No. None of these sites meets the warrants accepted by the Main Roads Department for such facilities as based on Australia-wide standards. However, because of the difficulties of blind people and the movement of school children

the department is currently studying the feasibility of alternative facilities at Guildford Road close to the Institute for the Blind.

BREAKING AND ENTERING, AND VANDALISM

Incidence in Albany Highway Premises

8. The Hon. C. E. GRIFFITHS asked the Minister for Justice:

(1) On how many occasions during the last 12 months have reports been received of alleged breaking and entering, or offences of vandalism, to premises situated in Albany Highway between the Causeway, Victoria Park, and Nicholson Road, Cannington?

(2) Of these, how many culprits have been apprehended?

(3) Are precautionary measures taken by the Police Department in this area in the form of regular patrols?

The Hon. A. F. GRIFFITH replied:

(1) Between the 4th October, 1966, and the 3rd October, 1967, there were 118 reports.

(2) Forty-six.

(3) Yes.

POISONS ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by The Hon. G. C. MacKinnon (Minister for Health), and read a first time.

EXPLOSIVES AND DANGEROUS GOODS ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North-Metropolitan—Minister for Mines) [4.43 p.m.]: I move—

That the Bill be now read a second time.

You will doubtless recall, Mr. President, the passing in this Chamber last session of a Bill which was introduced by Mr. Stubbs with a view to providing for the prohibition of the sale of fireworks through retail establishments, while still permitting organisations to conduct public fireworks displays under permit by the Chief Inspector of Explosives.

When indicating my intention to support that measure, I expressed the hope that I would not be doing the wrong thing, as I was not too sure whether the restriction to be placed on the sale of fireworks, under the provisions contained in the Bill, would achieve the desired result.

I was in a quandary because I was not completely happy that this was the right step to take, but after having done a great deal of thinking about the subject, and having spoken to several members of my own party and to several members of the Country Party and to members comprising the rest of the House, I concluded that perhaps it would be wise to support the Bill that had been introduced by Mr. Stubbs.

While in the Committee stage in another place, Mr. Guthrie moved that that piece of legislation should not come into operation until a date to be fixed by proclamation; and later this Chamber concurred in that regard.

This restriction has proved, during the intervening period, to have been well warranted because of Crown Law advice which has been received in the interim indicating that certain administrative difficulties would have arisen had the Act been proclaimed in the form in which it was passed.

In addition to these administrative difficulties, the Act as amended would have prohibited the sale of relatively harmless fireworks such as snaps for bonbon crackers, streamer bonbons, and amorces or toy caps not intended by Parliament, I submit, to be prohibited.

Also, had the amending Act become operative in its existing form, any person would have been prohibited, except under permit, from using harmless fireworks and distress signal rockets, Very signal cartridges, and suchlike signalling devices, which are required by law for equipping boats and aircraft.

In response to representations made by the trade, I indicated publicly last May my intention to have prepared amendments to correct the position and my hope of introducing these amendments to Parliament in order that they would apply before next Guy Fawkes Day, the 5th November. In doing that, I thought this would still be giving effect to the will of Parliament in accordance with the intention of the Bill introduced by Mr. Stubbs.

This is the main purpose then of the Bill before members, but opportunity has been taken also to include a few minor amendments which have been drafted with a view to tidying up some sections of the Act in order to facilitate their administration and, in some respects, to bring certain provisions up to date.

I suggest it may be helpful, therefore, if I just content myself with dealing with the clauses *seriatim;* and this brings me to the point of explaining, for Mr. Stubbs's benefit, in particular, that clause 2 makes provisions for this Bill, when it passes into an Act, to become operative on the same day on which the honourable member's amending Bill of 1966 comes into operation. In other words, there is no intention of disposing of that enactment through the introduction of this measure.

Clause 3 makes provision for the appointment of a deputy chief inspector of

explosives. With the upsurge in industry, particularly in the north-west, associated with iron ore mining and prospecting by geophysical methods on land and sea, the administration of the Act entails considerably more work than in past years. I submit, therefore, that the time has arrived when it will be in the interests of the department to appoint a deputy chief inspector of explosives to assist the chief inspector. Furthermore Mr. Allsop, the present chief inspector, is to retire in February next year and the appointment of a deputy will assist in the administration of the department.

The next amendment, which is contained in clause 4, affects section 14 of the Act. This section provides for the classification and declaration by the Governor of any specified explosive to be an authorised explosive for the purpose of the Act. It is intended that this shall continue, but under subsection (2) of section 14, the Governor is also required to define the composition, quality, and character of explosives. This, I submit was an oversight in the preparation of the parent Act, for the chief inspector, who carries the necessary qualifications, has always defined the composition of explosives; and the purpose of the first amendment in this clause is to confirm this practice which was, no doubt, the original intention.

The second amendment in clause 4 is purely complementary in this regard.

Clause 5 amends section 22, which makes provision for places where explosives may be stored, such as in factories, magazines, and places specified in a licence to sell explosives—spelt correctly with a "c."

The Hon. R. Thompson: I noted that.

The Hon. A. F. GRIFFITH: I am glad the honourable member is paying attention. There is provision also for temporary storage of explosives in transit, but no provision has been made for temporary storage generally.

Under present-day conditions of prospecting, with parties moving about the country on mining projects and the construction of railways, there is a practical necessity for the Chief Inspector of Explosives to be empowered to specify in writing temporary safe storage places for any explosives being used in the field. It is therefore proposed to add a new paragraph (e) to subsection (1) of section 28 to enable this to be done.

Clause 6 contains amendments which have been drafted to accommodate the amendments passed last year for the purpose of controlling the sale of manufactured fireworks by permit through the introduction of paragraph (ca) to subsection (3) of section 30. Were we to leave the provisions in the Act, as amended by last year's legislation, a permit would be required by a person apparently under the age of 18 years to purchase a manufactured firework of the shopgoods class known as a snap for bonbon crackers, amorces or toy caps, or streamer bombs and such like.

For this reason, the Bill inserts a new subsection (4) of section 30 to remove the disability. It will be noticed that the draftsman has not spelt out all the exempted explosives but has referred to "prescribed manufactured fireworks," as there is a danger in specifying because, unless all are covered, some class would be almost certainly left out. The provision now contained in this Bill will give some flexibility enabling the exemption of any class of firework dealt with, when experience shows in the future that a class of firework should be exempted.

Members will note there is a necessity here to deal with persons apparently under the age of 18 years in respect of inoffensive types of fireworks—that is contained in paragraph (a) of the new subsection—to deal with persons of 18 years and older in respect of the same classes; and also in respect of distress signal rockets or other distress signalling devices of any kind.

The initial amendment in clause 6, which appears in paragraph (a), is necessary to remove these classes of fireworks from the overall restriction contained in subsection (3). The amendment in paragraph (b) is complementary to a later amendment which appears in clause 7. The amendment in paragraph (c) dovetails in with the new paragraph (ca) to subsection (3), and also, with the new section 30A inserted into the Act last year.

Members may note that, in general, sections 28 to 33 inclusive of the Act come within the provisions of division 5 dealing with the sale of explosives, while sections 34 to 36 inclusive more specifically refer to the use of explosives under the heading of division 6.

The next amendment in the Bill—that contained in clause 7—has reference to the blasting permit. This reference is somewhat illusory and no longer applicable, and is being replaced by the permit set out in proposed re-enacted subsection (4) of section 34, which is explicit in that a permit means a permit to purchase explosives. This is intended to clarify what the permit allows; namely, both purchase and use, coming as it does under division 6—the use of explosives.

Here again is the necessity to remove from the permit requirement the purchase of the inoffensive types of fireworks used for party celebrations. This is provided for in new subsection (5), which appears under paragraph (b) of clause 7.

The repeal and re-enactment of subsection (4) of section 42, as provided for in clause 8 of the Bill, is a tidying up provision. Members may note that at the head of page 24 of the Act there is a reference to packages or containers. The re-enacted subsection drops the use of the term "packages," as this is already implied by the definition of "container" in section

7 of the Act. The only other alteration in the re-enacted subsection is the insertion in paragraph (c) of a reference to explosive substances being stored or kept in prescribed quantities.

Section 42 of the Act makes provision for dangerous goods being divided into classes, and under subsection (4) authority is given to declare and classify substances that are being applied for use for prescribed purposes or in prescribed quantities, or contained in prescribed containers, but no power is given for the classification of such substances when stored or kept in prescribed quantities. The department wants to be able to classify stored substances and the omission of this power was, without doubt, an oversight in the preparation of the parent Act. For the information of members, the reference prescribing quantity has application through the regulations which do not apply to certain small quantities.

The final clause contains, in a commonly accepted form, provisions as affecting the regulations which will enable the chief inspector to define standards. It is not always possible to put into regulations details of a technical nature, as these can become subject to frequent variation and to spell them out at a particular point of time is not always practicable. This last amendment will permit flexibility in the administration of the Act which, experience has shown, is required for the proper functioning of the controls and safety restrictions basic to the requirements of the parent Act.

Since the introduction last year of Mr. Stubbs's Bill, I have received a number of representations from the wholesalers and retailers of fireworks complaining that proclamation of that measure would prevent their disposing of stocks in hand. These people have been advised that the Government will look into the question of compensation. This will have to be done on a reasonable basis and it must be clearly understood that the Government does not intend to be used as a source from which funds can be provided to compensate people in respect of unsold stocks of fireworks on a large scale.

The position has been examined with a view to ascertaining how much stock is on hand and following the passing of this Bill a further review will be necessary because, while Mr. Stubbs's Bill banned the use of all sorts of fireworks, this Bill—as has been explained—is more selective. I repeat, that no direct undertaking will be given but the question of compensation, in a reasonable way, will be examined following the passing of this measure.

In conclusion, I might add that I think this particular matter was not one to which Parliament gave any or much thought when the Bill went through the Houses last year. However, representatives of the industry quickly came to me and pointed out certain disabilities from which they would suffer if the Act was proclaimed. There were the sensible people, and there were also those who were perhaps seeking to take advantage of any offer the Government might make with respect to unsold stocks.

Those people have continued to question me and I have made it clear that this Bill would be introduced and the traditional Guy Fawkes Day celebration, as we have known it, would not be held if the Bill was passed. Also, fireworks as we have known them in the past will not be sold in that form. I did this in order to give as much notice as I could that legislation would come before Parliament. I hope that once again the Press will draw attention to the fact that this is to be the case.

THE HON. R. H. C. STUBBS (South-East) [4.59 p.m.]: I intend to deal with the Bill now, and I thank the Minister for giving me some indication of what was in it so that I would be in a position to carry on with the debate. Personally, I am concerned only with fireworks. However, we as a Parliament, are concerned with the other amendments, too. I agree entirely with those amendments, and I know that our party approves of them.

I wish to thank the members of this House, and those of another place, for agreeing to the Bill which I introduced last year. I appreciate that its passing meant that certain other items were also covered but that happens often when Bills of this type are introduced and something has to be done about it afterwards. There was no thought in my mind of interfering with the sale of caps for toy pistols, bonbons, and so on. I would not do a heinous thing like that! However, apparently, unwittingly, items of that description would have been brought within the ambit of the legislation that we agreed to last year. We now have a chance to rectify that position by agreeing to the Bill before us.

Also, I had no intention of interfering with the use of signalling devices. However, unwittingly, those devices too would have been brought within the ambit of the legislation. When I introduced the Bill last year I said—

> This Bill is to amend the Explosives and Dangerous Goods Act of 1961. Its purpose is to ban the sale of fireworks in shops, and to allow the conduct of public displays, for public entertainment, by authorised persons who have obtained the necessary permit from the Chief Inspector of Explosives.

That is exactly what I intended with the introduction of the Bill. I did not want to interfere with anyone's enjoyment, at Christmas or at any other time, children's pop-guns, signalling devices, or anything like that. My object was a humanitarian one; I did not want to do anything that was cruel or wicked; I had no intention of interfering with people's pleasures. I simply wanted to prevent injury to child-

ren; because, there is no doubt, every year a crop of injuries result from the use of fireworks.

I wanted to prevent the nuisance that is caused to old people, as well as others, when fireworks are put in letter-boxes and are thrown around. I wanted to prevent louts from getting hold of fireworks and to stop innocent children from causing injury to others. They were my motives in introducing the Bill last year. I do not know whether retailers are selling old fireworks this year, or whether they have purchased new stock; but whether the fireworks are old or new they are still a nuisance. To illustrate this I would like to read two letters which appeared in the Press on Saturday, the 16th September, this year. One letter was from a lady at Cannington, and she wrote as follows:—

> I wonder how many parents suffer as we do the agonies of fireworks three months before the supposed celebration?
>
> I have two small boys whom I have to keep home from the playground because of bigger boys throwing fireworks around.
>
> We have a dog so terrified that it is continually hiding under the bed, and horses that shy from fright and had canaries that dropped dead from the same cause. There is also a pensioner couple nearby that get no peace of mind and a husband on shift-work who gets no sleep.

That letter indicates that with the sale of fireworks we give some people an opportunity to make a complete nuisance of themselves. The next letter is from a person in Claremont, and it reads as follows:—

> In the best tradition of the retired generals who write to the Times to say they have heard the first cuckoo, I should like to say that I have heard the first cracker—some months ahead of the day.
>
> One wonders, if this goes on, whether there will be a continuous barrage the whole year round. The whole stupid business benefits no-one except possibly the eye surgeons and those who sell crackers.
>
> Is it not time that the late unlamented Mr. Fawkes was allowed to rest in peace?
>
> After all, what did he do except attempt to blow up Parliament House and its occupants?
>
> Perhaps it is the fact that he failed that counts against him. Some of us in moments of exasperation against our lawmakers may be tempted to think that possibly he was on the right lines.
>
> Be that as it may, Guy Fawkes Day is a stupid, expensive, dangerous and outdated affair. Let us abolish it.

On the question of fireworks I have the same views as the Western Australian Federation of Parents and Citizens Associations. That association has written to me about the matter, giving the following reasons for supporting the legislation:—

> Danger: (Even when no deliberate intent to harm is involved, there is often mishap.)
>
> Damage: (Again, even when not deliberate, ignorance of consequences often occurs. Films, especially TV, depict sabotage and warfare, which children in games imitate so often.)
>
> Nuisance: (For a long period prior to, and for some time after, the 5th November, considerable nuisance to the community is caused.)

Then the association makes the point that the purchase of fireworks is an economic waste; and I could not agree more.

When the Bill I introduced was passed by both Houses last session I received a letter from a prominent professor—an eye specialist—who said—

> I have been thinking a lot about your Bill this week and am delighted to see that you have been successful. May I congratulate you on your perseverance and public spiritedness.

I also received this letter from the Apex Club of Manjimup—

> We wish to congratulate you on your efforts in banning fire crackers in this State.

I would say it was the efforts of members of both Houses. The letter continues—

> Our Club was about to take steps to bring this matter to the Administrators of Apex which would have been with little reward.

In addition I received a letter from the Perth Women's Service Guild in similar terms.

Now I might as well tell the other side of the story. I received a letter from one lady and in it she referred to me as a frustrated old man. I did not mind being referred to as frustrated, but I objected to the reference to being old. She said that probably I mixed with a number of old people who had no sense of humour; and I suppose she intended to convey that if one had no sense of humour then one must be frustrated. My conscience would not let me tell only one side of the story; I felt I had to give the other side of the picture as well.

The Minister said that those storekeepers who are left with unsold fireworks will be compensated. I am happy about that, and I think everyone else would be too. However, I would like to read a letter about which I was not very happy. It was sent to all members of another place when the Bill I introduced last year was being

discussed. The letter referred to chemists as being irresponsible people, and I take exception to that. The letter reads as follows:—

Re: Fireworks Bill

We wish to bring to the notice of members of the Legislative Assembly, who will be required to vote on the above Bill to be presented to Parliament later this week, the following information.

This firm is the principal importer of domestic fireworks into W.A. and we serve some 500 storekeepers throughout this State.

In order to consider the proposed legislation from all points of view, we wish to take this opportunity to bring to your notice the following points:

1. A total ban on the sale of fireworks could have the following effects:

(a) Serious injury could result to children from the illegal manufacture of fireworks from ingredients readily obtainable through chemist shops.

That is the part of the letter to which I took exception; because all the chemists I know are responsible people. I wrote to the Secretary of the Pharmaceutical Service Guild of Australia enclosing a photostat copy of the letter which had been sent to members in another place and said that I felt the guild had a perfect right to object to the statement that ingredients were readily obtainable through chemists' shops. I concluded the letter by saying—

I know quite a lot of chemists, and I am not aware of any who are irresponsible enough to "readily sell ingredients for fireworks composition."

I received the following letter from the Pharmaceutical Council of Western Australia:—

Please accept my thanks for your letter of 2nd December, and attached photostat copies of the circular issued by . . . . .

My Council appreciates your comment on the unfair stress that has been laid on Chemist Shops. The tone of the writer's statement seems to indicate that a chemist would supply such ingredients to children, well knowing the purpose for which they were to be used. This is far from being the case.

It is true that there are many inert substances which could be purchased singly from various sellers, not only chemists, and could form a dangerous product when mixed. Knowing this, many chemists refuse to supply chemicals of any type whatsoever to young persons.

The first quota of Associateship Graduates are ready to commence their year of practical training in various pharmacies.

I quote paragraph 46 of the brochure issued not only to Master Pharmacists accepting trainees, but to all chemists conducting pharmacies.

"The sale of potentially dangerous chemicals to minors must call for special caution. Even three harmless substances such as Sulphur, Charcoal and Saltpetre purchased in separate shops could lead to disaster. For this reason he should be advised to sell chemicals only to adults who he is satisfied understand their use."

I also received the following letter from the Federated Pharmaceutical Service Guild of Australia:—

I wish to thank you and to advise you that we greatly appreciate you sending us a copy of the letter members received from . . . concerning the Fireworks Bill.

In the past our members have been asked not to supply chemicals that could be used for the manufacture of explosives and have honoured this direction.

Now that the Act has been passed further instructions have been issued to our members.

I am enclosing a copy of a letter sent to . . . and also a copy of the directions given to our members.

The following letter was sent to the company to whom reference has been made:—

I have received a copy of a letter forwarded by you to Mr. Stubbs, M.L.C., in which you made the following remarks:—

"1. (a) Serious injury could result to children from the illegal manufacture of fireworks from ingredients readily obtainable through chemist shops."

It is regretted you made such a statement, because chemists have been asked not to supply chemicals to children unless a written order is obtained from either the head master of the school or the parent, and honour this direction.

Now that legislation has been passed to restrict the sale of fireworks, the attention of our members will be again drawn to the care in selling chemicals that could be used in the making of explosive substances.

This was the circular sent to all pharmacists—

Now that the sale of fireworks has been banned, members are asked to be extra cautious when asked to supply chemicals that could be used in the manufacture of explosives. A signed

order from the Headmaster of the school, or a child be accompanied by one of the parents, should be insisted on.

An interested party made a statement that ingredients for the manufacture of explosives can readily be obtained from chemists' shops. Enquiries show that members will not readily supply such chemicals.

In view of the letter from the company alleging that chemists were selling dangerous chemicals, I thought it only fair that the chemists should be given the opportunity to refute the statements made and to show that they were responsible people. With those remarks I support the Bill.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.14 p.m.]: I wish to thank Mr Stubbs for his ready support of the Bill and to make only two points in reply. The first is, of course, that the measure passed by Parliament last year has not been proclaimed for reasons that I gave when I introduced this Bill and, therefore, the sale of fireworks is still permissible.

The other point is in connection with the payment of compensation. I did not say that compensation would be paid. I made it clear that the Government intended to look into the question of compensation.

The Hon. R. H. C. Stubbs: I am sure that in common justice you will find that to be necessary.

The Hon. A. F. GRIFFITH: In common justice, if the words of my second reading speech are examined, what I said at the time will be understood perfectly.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 14 amended—

The Hon. J. HEITMAN: In his second reading speech the Minister mentioned that a chief inspector would be appointed, but that it would be impossible to specify all the duties which he would have to perform, and for that reason they would have to be made fairly elastic. Does that mean that the chief inspector will be guided by by-laws in the administration of the Act, or will he be able to make by-laws in regard to the sale of fireworks?

The Hon. A. F. GRIFFITH: I do not think I said that a chief inspector would be appointed, because there is already one. I said that a deputy would be appointed, and I gave the reason; that is, because the amount of work in this section of the department has increased. Mr. Allsop, the chief inspector, will be retiring shortly, and it will be an advantage to have a deputy appointed. The intention is that the chief inspector will not be bound too stringently by the conditions imposed.

The Hon. F. J. S. Wise: That is referred to in clause 9 of the Bill.

The Hon. A. F. GRIFFITH: The provision in clause 9 is—

> The regulations may prescribe that any act or thing shall be in accordance with a standard specified in the regulations or with the approval of, or to the satisfaction of, the Chief Inspector.

This envisages the chief inspector will be given some elasticity in his operations, and he has to be given that because the types of explosives vary to some extent. If he is bound too stringently by having to act under the regulations then he may be placed at a disadvantage. As far as the regulations are concerned, approval will have to be obtained from the Governor-in-Council; furthermore they will have to be laid on the Table of the House and will be subject to disallowance by Parliament.

Clause put and passed.

Clauses 5 to 9 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

DENTISTS ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

BILLS (2): THIRD READING

1. Evidence Act Amendment Bill.

   Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Justice), and transmitted to the Assembly.

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

   Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

EDUCATION ACT AMENDMENT BILL

Recommittal

Bill recommitted, on motion by The Hon. J. Dolan, for the further consideration of clause 2.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clause 2: Section 13 amended—

The Hon. J. DOLAN: I move an amendment—

> Page 2, line 8—Insert before the word "during" the words "not exceeding seven school days".

I have been very unhappy since yesterday with this clause. I would express the opinion that members evidently did not give it the close attention they should have given. There was apparently some conflict between clause 2 and clause 3, as a consequence of which references were made to such matters as rehabilitation; but those matters have no part in the clause under discussion. The clause refers to second and third year high school pupils who are following a certain course.

The Hon. J. G. Hislop: What ages are they?

The Hon. J. DOLAN: Generally between 13 and 14 years of age. This is really an extension of vocational guidance. During the discussion on this clause one member referred to the vocational guidance which he got when he was attending school; he said all he did was to fill in a form as to what he wanted to be.

I can give an example of what happens by referring to teachers who are undergoing training, just as the pupils at high schools are in training for certain careers. One part of their training consists of going to various schools in each term. Before they go to the schools the lessons they are to give and the type of teaching they are interested in are taken into account. All this is arranged in advance, just as the taking up of an occupation by children for a certain period is arranged in advance.

I am sure the good employer would arrange for a child sent to his establishment to get the benefit of seeing just what the industry does. A child gets a certain period in each term during the second year for this purpose. After that I suggest the child should know whether or not that is his bent.

In the case of trainee teachers, some have a preference to teach mathematics, others social studies, and others science subjects. They become aware of their bent in certain directions, so during the second term of their training they are allotted the particular type of teaching in which they are interested. As a consequence their bent is developed during this period. That is the purpose of the provision in the clause under discussion, and there is no question of the high school students going out to do trade work. They are merely sent as observers to the industry or calling. It is not a question of their having to work, to ascertain whether or not they like the occupation.

If the particular occupation is what a child wants, he will go back to school with a greater incentive to pursue his learning in this direction. There is nothing a child wants more than an incentive to pursue his studies. I can give an example from my own experience of the value of giving an incentive to a person. I used to teach children in subjects such as trigonometry, but many of them showed no interest. Consequently when they left school they had little knowledge of those subjects.

Some of the boys joined the Air Force during the last war, and they found that trigonometry was a necessary subject for acceptance as air crew, so they returned from their training school and within a fortnight had learned more trigonometry than they learned previously in a period of 12 months.

I cannot see the necessity for having an unlimited period. Provision is made in this clause for the headmaster to sign the application form, and no doubt the Minister will approve the application. If an extension of time is required after the first seven days, all that is required is for the headmaster to sign another form. It is all very well to say that the provision should be elastic, but elastic stretches both ways.

The only way to grant extra time is by the amendment I have moved, because the Bill provides that the last day must be specified. If the child and the firm decide that a few more days are required, all that has to be done is for the headmaster to sign another form. When I moved the amendment yesterday I thought it would be accepted.

I do not want to cramp the Education Department in any way whatever, and therefore I suggested yesterday that if the Minister could convince me it was in the best interests of those concerned I would withdraw my amendment; and this I did. However I have been very unhappy since because I feel there is absolutely no necessity to make the period unlimited. I think the first thought of the Minister in another place was that it should be one week. He indicated by interjection that it would not extend over a week, but if this were necessary, all that was required would be for the employer to notify the headmaster who would then send another form to exempt the child.

I have had practical experience of this scheme, and I have suggested seven days in order to allow for the travelling involved for a country child.

The Hon. H. K. Watson: It is employment, is it not?

The Hon. J. DOLAN: Yes. That has to be done in order to comply with the Factories and Shops Act, and also to bring the children under the provisions of the Workers' Compensation Act, which previously could not be done if an accident occurred.

Red herrings have been introduced and someone wanted to know what the position would be if an employer wanted to give a child an apprenticeship immediately. Provision already exists for this contingency. An amendment was passed last year to allow a child to be exempt from school if this would be to his

advantage. The provision in this Bill is to extend the vocational guidance period in order that a child might have the best opportunity to decide what vocation he desires to follow.

My idea is that in the first term the child would spend a week in one section and in the second and third terms he would spend the week in different sections again, so that at the end of the year he would be able to decide in which particular section he would like to work. He would then know what study he would have to undertake in order to perfect himself.

I feel there should be a limitation because—and I have experienced this before—headmasters are worried by parents when the children have days off. This causes a considerable amount of dissatisfaction which would be eliminated if a limit were placed on the period. If an extension were required the principal could send another form, and in those circumstances there would be no skin off anyone's nose.

The Hon. L. A. LOGAN: I think Mr. Dolan is worrying unduly. I must correct him on one point. He said this is merely a matter of vocational guidance and that the children will only be observing. I can assure him that these children will be working. There is no doubt about that because they are to be paid award wages. Occasions may arise when they will observe others, but they themselves will also be working.

The Hon. F. R. H. Lavery: We were not told that last night.

The Hon. L. A. LOGAN: It is in the Bill.

The Hon. F. R. H. Lavery: That they would be paid?

The Hon. J. Dolan: Yes.

The Hon. F. R. H. Lavery: I am sorry.

The Hon. L. A. LOGAN: I obtained the advice of the Education Department which is as follows:—

> The Department strongly opposes the amendment.
>
> In reply to Mr. Dolan's misgivings about classes being interrupted by some pupils being absent for different days, the Department advises that it is planned that the class as a whole would be placed in employment for a pre-determined period. Therefore, there would be no interruption of class work through several students coming or going at different times owing to varying terms of employment.
>
> As to Mr. Dolan's contention that the period of employment would be at the end of the term, the Department does not agree.
>
> There is no particular reason for the period allotted to be at the end of the term. It is more important to retain flexibility in the matter because of the need for the Department to fit its plans in with the employers' requirements.
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> Should it be necessary for the period to be extended for the whole of the class, for instance, the Hon. Minister can, under the Bill as presented to Members, delegate his authority to a departmental head as has been done in the past. Were the time limit desired by Mr. Dolan agreed to, it would not be possible for the period to be extended, even though such extension was considered to be in the interests of the pupils.

I think I said all this last night. The Education Department will not keep children away from school any longer than it can help. Only in cases of emergency, or where there are extenuating circumstances, will the flexibility be required. The department must have flexibility, and therefore I oppose the amendment.

The Hon. J. DOLAN: The Minister mentioned that I had referred to extending the period to include the term holidays. That consideration does not really exist and I think the department is quibbling a little. If an extension were required the signature of the headmaster would provide it. Nothing in the Bill prevents this.

The Hon. F. J. S. WISE: In such matters as this I think we must realise that children of all ages need a little inducement to make up their minds, particularly in respect of their future. All of us who are parents know full well that a lot of the searching examination of children in regard to what vocation they wish to follow is very premature. It confuses the children, to impose upon them not only the will of the parents but, at times, the desire of the school teachers.

Whether a child is 13 or 17, it needs to give a great deal of thought to the question before determining its vocation. Many children will decide today to follow a scientific course, and tomorrow will change their minds and decide to be, for instance, a professional in the Air Force. The following day the decision will again be changed. Children have the utmost difficulty in making up their minds, and consequently I think Mr. Dolan's amendment is on the right track. I do not think that by unlimited absences from school the opportunity should be given to a child to serve a sort of semi-apprenticeship. I believe the amendment will assist rather than deter the department in its efforts to do the best for the children.

The Hon. R. F. HUTCHISON: I also support Mr. Dolan's amendment, and for the very reason just given by Mr. Wise. As a mother of seven children—four daughters and three sons—whom I

brought up single-handed, I experienced this difficulty. One of my sons altered his mind three times and caused me many headaches and cost me money, too. The same applied to the girls. They all eventually went out to business.

Children do not know their own minds, and it would be most unjust to tie a child down to his first decision on the matter, because he might easily want to change his mind. Often after talking to his friends, a child will do this. Mr. Dolan has had teaching experience and would have a good understanding of this problem, too.

I have faced this difficulty with children other than my own, too; and it would be wrong to force a child to do something he has decided against; and therefore we should support the amendment.

The Hon. V. J. FERRY: This clause was designed to help school children to decide what they wanted to do when they left school. I think we all have the one desire which is to do the best for them.

I wish to emphasise two points. The first is that I consider the Bill, if it becomes law, will enable a child to attend a place of possible employment. To fully understand such employment, the child must participate in its activities. By merely attending as an observer, a child would not be fulfilling the purpose of the proposal. Therefore I am convinced that the child will be participating.

Secondly, I envisage a situation arising at times when an employer may come to hear of a particular child, or even a number of children who may be interested in his industry, whatever it may be. He will negotiate with the education authorities so that this child, or a number of children may go to him at a particular time of the year when he can conveniently and efficiently attend to this trial system. Therefore, I cannot see that we should tie the proposal to any particular period of the year, whether just prior to a school vacation, or just after a school vacation. It should be completely flexible so that the maximum advantage can be gained in all the circumstances to fit a child or children in a certain way for the future. I must oppose the amendment which is before the Chamber, because in my view the department will have the need for flexible discretionary powers and I believe the Bill, as printed, provides these powers.

The Hon. F. R. H. LAVERY: I am sorry that I have been brought to my feet to speak on the measure, but I must support Mr. Dolan. In doing so, I would like the Minister who is handling the Bill in this Chamber to understand that I appreciate he is not the Minister for Education and is only representing that Minister.

Sometimes history has a way of repeating itself. Mr. Dolan would know of a case which I intend to mention now. This is somewhat similar to some of the analogies which were drawn by members while I was in the Chair last evening. The case I wish to refer to concerned a young student at the Fremantle Boys' School. Mr. Stewart was the headmaster and he was a man of no mean reputation. He was very highly thought of by the Education Department. The student in question brought along his 30s., or 36s.—whatever the amount was—in order to pay his entrance fee for the Junior Certificate examination. The headmaster, Mr. Stewart, sent him home with the money and a letter advising the father and the mother to find the boy an industrial job because he just would not be able to pass his Junior. The father did what I believe was the right thing. He went back to Mr. Stewart and said to him. "I never had the opportunity either to fail or pass a Junior examination, because I had to leave school at 13 and earn a living, but my son is going to have the opportunity at least to fail. There is the 30s."

Mr. Stewart was somewhat taken aback and replied, "Of course; I only thought that I was doing the right thing by the boy. However, it is your money and I am quite happy to go along with your ideas." Not only did the boy pass his Junior, and pass it well, but later on he became a headmaster in the Education Department.

That example illustrates that a teacher could surmise that a certain boy was not fit for an administrative occupation, or for any kind of vocational training which leads to a profession, and consider that the boy should go into industry. The boy could, in fact, as Mr. Clive Griffiths said last night, go out into industry and become a "spark" in an electrical shop. He might consider that the job was not bad, but if his parents decided that he should go back to school, he might want to change what had been arranged for him by the Education Department.

Not one of us here in the Chamber, or in any Parliament for that matter, would deny that we all try to do the best for our children, or the children still unborn. Mr. Ferry mentioned the fact that all parents try to do the best for their children. With that in mind, we have to be very careful that in some plans for the future, such as vocational training, guidance, and that type of thing, any elasticity which can be given should be at least for the benefit of the child and not the department. That is the reason why I support Mr. Dolan's amendment.

The Hon. C. E. GRIFFITHS: I wish to oppose the amendment for the reason I mentioned in my speech last night; namely, in my opinion this is the beginning of a new approach by the Education Department, to get away from the old traditional ideas which have been held as far as secondary education is concerned, and particularly in relation to children

who are taking high school certificates and that kind of thing. Because this is the beginning of something new, I have no doubt whatever that as time goes by it will be necessary to subject the legislation to different amendments. Nevertheless, I believe it is a start and also that it is a wonderful thing which is being commenced.

I still contend that at 13 or 14 years of age, very few boys or girls know what they want to do, or even what they are really cut out to be when they leave school. Notwithstanding this, at the age of 12 they have decided upon the course they will take. This may be a professional course and the student will take the Junior which will include certain subjects, or he may decide upon a trade course which will include other subjects. But the decision has been made and the child proceeds on that basis. He might have no reason to believe that he has made the wrong decision. Subsequently, he reaches the school-leaving age and then goes to work.

Perhaps the boy might sign an apprenticeship indenture which would tie him for five years, and it is five years before he can have another look at what he is going to do. He has signed papers to say he will serve his master for five years, but he may hate every moment of it. Perhaps there are some ways of getting out of it, but nevertheless the principle is still there. The student has to leave school before he can obtain work, and sometimes it is only then that he realises the subjects he took at school were the wrong ones. Perhaps he should have taken a professional course instead of a trade course, and vice versa.

I believe that by going out into industry for a week, or a couple of weeks at the end of every term, or the beginning of every term, or some time during the course of the year, it gives the boy or the girl an early opportunity to decide whether the type of course being pursued is the one which should be followed, or whether in fact the student should be following a professional course.

The Hon. E. C. House: Couldn't he do that during the holidays?

The Hon. C. E. GRIFFITHS: He may not have the chance. What is proposed will be organised by employers and by the department.

The Hon. J. Dolan: It will be organised by individual teachers, not by the department.

The Hon. C. E. GRIFFITHS: I used the term "department" for want of the correct term. Whether it is organised by the teacher or by the department, at least every child who wants to participate will be able to do so. I do not think it will be organised for a child to do it during his holidays.

I do not think it matters whether the period the child is away from school exceeds seven days. The amendment ties the hands of the teacher, if it is the teacher who is making the arrangements. It is not necessary, because I am quite sure the department would not allow the children to stay away for three months. I could not imagine that occurring. I have had occasion to try to get permission for someone to leave school, under the provisions of the Act as amended last year. I know how difficult it was to convince the headmaster that the Minister's approval should be given to a certain case. I cannot imagine the department allowing this to go on for an unreasonable length of time. I think the measure should be left as it is and I wish the department every success with the venture. I oppose the amendment.

The Hon. L. A. LOGAN: I think it would be as well if I read the proposed subsections of the Bill. These are as follows:—

> (5) Notwithstanding the provisions of subsection (1) of this section, where—
>
> (a) a child wishes to be exempted from attendance at school for a period during which he intends to engage in employment of a nature that is related to his education at the school that he attends; and
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> (b) the principal of that school is satisfied that the engaging by the child in that employment for the proposed period would be in the best interests of the education of the child,
>
> the Minister may exempt the child from attendance at school for such period as is specified in the instrument of exemption.
>
> (6) Any exemption granted pursuant to subsection (5) of this section may, notwithstanding that the period specified therein has not expired, be revoked at any time by the Minister, and unless so revoked expires—
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> (a) upon the expiration of the period specified; or
>
> (b) when the employment with respect to which it was granted comes to an end,
>
> whichever first occurs.

I cannot see anything wrong with the Bill as it is printed. Surely it is perfectly plain that what is intended is in the interests of the child.

It is only an extension of an experiment which was started last year. This experiment proved successful and the Education Department wishes to extend it. I do not consider that we need tie anyone's hands. The department, the teacher, and the Minister, are interested in the education of the child. The employer will take an interest in the education of the child, too, and I am quite sure everybody will do the right thing. Consequently there is no need to tie anyone's hands.

Amendment put and negatived.

Clause put and passed.

Further Report

Bill again reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 3rd October.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [6 p.m.]: In essence, the Bill contains only one amending clause. However, I consider it is a very important clause, because, in principle, as the Minister has said, it introduces flexibility to the principal Act when arriving at a conclusion on the ultimate subdivision of land over which at the moment there is a blanket order preventing subdivision.

My interpretation of the amendment is that if agreement is reached between two parties, whereby the owner retains a portion of the land and agrees to sell the balance to an intending purchaser, upon the agreement being submitted to the town planning authority and approved, within six months the subdivision becomes an accomplished fact. I know some owners who hold land and who cannot subdivide it until this legislation is passed. I can think of many owners who would quickly make applications to the town planning authority, following the passing of this legislation, to have their land subdivided, in the knowledge that they would be given every consideration on the merits of their applications and would have a good chance of the applications being approved.

There are obvious benefits in such an arrangement. I have in mind a five-acre tract of land, the owner of which has been unable to sell portion of it to assist him in building a house for himself on the half-acre he wishes to retain. If he were able to subdivide the land he could build a war service home on his half-acre and sell the balance at a lucrative figure. Of course, at the moment, until the blanket cover over the land is lifted, nothing can happen; but under this amendment that man would have an excellent chance of having his application to the town planning authority approved. He could then put into execution the arrangements he has had in mind for some time.

For a start he will be able to exercise his rights by building a home under the war service homes scheme. On the other hand, the intending purchaser would have an opportunity to purchase the land at the current valuation and so, when the subdivision was approved, he would save himself a considerable sum of money. If the blanket cover remains over the land, and the purchase of the land is deferred, when subdivision eventually takes place he would pay a much higher price for it.

A similar position would be reached if we applied the same reasoning to urban land. With urban land, in many instances, the position is that a man with a wife and young family has in earlier years taken up a block of land of approximately five to 10 acres. With the growth of the city and the growth of the family, the sons and daughters marry and the man desires to subdivide his land for the sole purpose of building homes for his sons and daughters. If such a subdivision were approved the family would remain united on the one piece of land, because as they can no longer live off the five-acre or 10-acre block they find employment in the city or suburbs and commute to this piece of land.

In such circumstances it is a complete anomaly that an application for subdivision should be refused, purely for the reason that it is urban land. It is obvious, of course, that any situation such as I have outlined would have to be treated on its merits, and there would be a time limit.

Therefore this piece of legislation, small though it is, is very timely and could have a beneficial effect for many people. If an application for subdivision can be approved for any man who requires to keep only a small piece of land for himself—and there are many such men—this would, to some extent, reduce the scarcity of available blocks for housing. Further, the intending purchaser would be paying a price for the land which, if sold in a few years' time, would fetch a much greater sum. To express the position in more simple terms, the purchaser this year would pay a price much cheaper than he would pay in the following year; or, taking the argument a little further, in five years' time the land could be double the valuation it is today.

The Bill could therefore be the means of speeding up the sale of land, having full regard for all the problems associated with subdivision, with drainage being one of the most important factors. The Bill could also be the means of lifting the blanket cover over the subdivision of land

at the moment. In my opinion, therefore, this Bill could pass without any objection whatsoever.

Sitting suspended from 6.8 to 7.30 p.m.

THE HON. L. A. LOGAN (Upper West—Minister for Town Planning) [7.32 p.m.]: I think Mr. Willesee was a little off the track in his assessment of this measure. In effect, all the Bill seeks to do is to make legal an agreement between two persons when an application for subdivision is forwarded to the Town Planning Board, which subsequently approves of the application within a period of time. But if people enter into an agreement, and a subdivision is to take place, and an application is forwarded to the Town Planning Board, which refuses the subdivision, the whole transaction becomes null and void. That is the purpose of the Bill.

I think this came about because of a certain case which went to law. There is provision in the Act at the moment which makes a subdivision illegal if it is not approved by the Town Planning Board. In the case to which I have just referred the person in question sold something like six one-acre blocks of land and received payment for them. In effect, however, this was an illegal transaction. When the Town Planning Board refused the application for subdivision, I understand the owner tried to get the land back; and, if my memory serves me aright, when summing up the case Mr. Justice D'Arcy said that the people concerned were in possession and the previous owner had no right to kick them out because the transaction was illegal.

The Bill ensures that if a transaction is not approved by the Town Planning Board it is completely null and void, and the *status quo* is maintained. I know there have been cases where people have taken similar action to that which I have just mentioned, as a result of their being ignorant of the law. I know that ignorance of the law is no excuse, but there are occasions when people do things without knowing that they are doing wrong.

Where a subdivision can be expected to be approved there is no reason why the parties concerned cannot reach prior agreement. It will still, however, be subject to approval by the Town Planning Board.

The Hon. W. F. Willesee: I never denied that.

The Hon. L. A. LOGAN: I did not want any misunderstanding in the matter.

The Hon. W. F. Willesee: If it does not expedite approval you may as well not bring it here.

The Hon. L. A. LOGAN: I do not know whether it will expedite approval.

The Hon. W. F. Willesee: In that case what is the good of it?

The Hon. L. A. LOGAN: The provisions in the Bill merely seek to overcome the legal problem which has been raised. If an agreement is reached prior to a subdivision it is only legal if it has been approved by the Town Planning Board, which will, or will not, approve of the subdivision in the light of the situation that exists. I hope I have made myself clear to the satisfaction of Mr. Willesee.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. L. A. Logan (Minister for Town Planning) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 20B added—

The Hon. H. K. WATSON: My understanding of this clause is that it is designed not so much to deal with town planning as such, but rather to correct a very nice and rather obscure legal point in respect of the law of contracts. In effect, section 20 of the principal Act says that any contract for the sale of land which is to be subdivided shall be null and void if the subdivision is not first approved by the Town Planning Board.

For many years the average citizen, and most lawyers, felt that there would be a binding contract between buyer and seller if the contract entered into provided there was going to be a subdivision, and part of the subdivided land was to be sold to the buyer. The whole contract however was subject to the approval of the Town Planning Board. There have been hundreds of contracts of that nature, and they are quite logical.

I might agree to sell a block of land provided the Town Planning Board approves. If the Town Planning Board does not approve the parties, in accordance with the intention and the wording of the agreement, remain as they were. If the Town Planning Board approves, the understanding of both parties would be that the agreement would be carried out at the price agreed upon beforehand. By a peculiar interpretation of section 20 it was held that even if the Town Planning Board did subsequently agree to the subdivision mentioned in the contract, the contract was still null and void—there was still no binding contract—with the result that if the price had gone up in the meantime the vendor could call the contract off which, while being strictly legal, is pretty immoral.

The provision in clause 3 will remove that technicality so that henceforth a sensible agreement can be made between a buyer and a seller, whereby one can agree to sell to the other a certain part of subdivided land subject to the subdivision being approved by the board. If it is not approved by the board the contract fails by agreement. If it is approved by the

board then the contract continues as it was intended to continue, and both parties are bound by it. The provisions in the Bill seek to remove the anomaly I have just mentioned.

The Hon. L. A. Logan: You have got it quite right.

The Hon. W. F. WILLESEE: Like the Minister I am grateful to Mr. Watson for his lucid explanation of this clause. Perhaps I misled the Minister and, indirectly, the Chamber, when I cited instances of what could happen. But I see no reason to change what I said. It is the subdivision situation that causes the holdup in the sale of many blocks of land. The transaction is generally made with a view to subdividing, and if this legislation will not help in that direction it is not worth bringing here. Nothing will be gained, and transfers of land will continue to be held up as has been the case in the past.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

PREVENTION OF POLLUTION OF WATERS BY OIL ACT AMENDMENT BILL

Second Reading

Debate resumed from the 3rd October.

THE HON. R. THOMPSON (South Metropolitan) [7.45 p.m.]: As was pointed out by the Minister, this legislation is most necessary in order that we may fall into line with similar legislation being adopted throughout Australia. I can recall dealing with the parent Act several times when amending Bills have been before the House. We can do nothing else but give our general support to a measure such as this if its provisions will be the means of stopping pollution of our harbours and beaches and also preventing a disruption of our marine life, particularly along the coastline where the marine life could be adversely affected if there were an overflow of oil and it was washed on to our coastline. This applies particularly to the prawning areas in the north-west.

It is interesting to note that in 1961 there were 37 occurrences of oil spillage in the Fremantle Harbour; in 1962 there were 35; in 1963, 30; in 1964, 21; in 1965, 19; in 1966, 16; and this year, 13. I think there are reasons why there has been a decline in the number of oil spillages in the Port of Fremantle.

It was said by the Minister that the Port of Fremantle is either the fourth or the fifth largest oil bunkering port in the southern hemisphere. It was only a few years ago that Fremantle was the second largest bunkering port in the world. Possibly Fremantle's bunkering tonnage might have increased since the Suez crisis. Aden was the number one bunkering port in the world because it serviced most of the ships that passed through the Suez Canal.

With the modern type of ship that is now entering the harbour there is less chance of a spillage of oil than was the case with the older type of ship. I can recall my experiences around the waterfront, particularly with the old Victory and Liberty ships which were built during the war. These ships were designed for a particular purpose and built very quickly; and the tanks on the boats were so constructed that a tremendous back pressure was created and sometimes 30 or 40 gallons of oil would come up in short bursts. This might go on for half an hour and the oil would go out to the back of the boat and find its way into the harbour.

The construction of these boats did not allow for the scuppers to be blocked, which is quite a common occurrence with most boats when bunkering so that oil spillage will not run off in to the harbour. We should give our wholehearted support to anything that will prevent oil spillage.

My mind goes back to a fire which occurred during the war years and which could have been quite disastrous for the Port of Fremantle. The ship involved was the *Panamanian*. It was quite a large ship and was taking on flour in Fremantle Harbour. A welder was working on the deck of the ship and, possibly because of his carelessness, some of the sparks from the weld got on to a chaff bag or a corn sack which was saturated with oil and lying on the deck. A fire started immediately and the first thing the welder did was to throw the bag or sack over the side of the boat into the water.

In those days two or three ships used to be banked up side by side at a berth and they extended out into the harbour. One of the ships just in front of the *Panamanian* had taken on bunkers and probably some hundreds of gallons of oil had been spilled around the *Panamanian*. This incident could have been disastrous in more ways than one, as no firefighting equipment could have been brought to any of the ships that were not alongside the wharf.

Had the *Panamanian* tried to leave she would have been ravaged by fire and probably sunk in the harbour. So it can be seen there are dangers when there are oil spillages within harbours.

The Hon. F. R. H. Lavery: At the time the mother ship of the British Navy was in the harbour with submarines.

The Hon. R. THOMPSON: Yes; at the time there were in the harbour quite a number of ships which were carrying munitions to various parts of the world and half of Fremantle could have been blown up.

In the outports of Albany, Bunbury, and Geraldton the authorities will have to reach the standard of policing that exists

in the Port of Fremantle where the policemen, the berthing crews, the waterside workers, and others are most conscious of the dangers that exist in this respect. If any of these groups of people see oil in the harbour, the first thing they do is contact the port authority and within minutes the port officials are there and remedial action is taken forthwith. There is no dillydallying about.

Some years ago the Fremantle Port Authority went to considerable expense to put baffle plates under the North Wharf, because with the sweep of the tide the oil usually finds its way to No. 5 or No. 6 berth at North Wharf. If there is an oil spillage, on high tide the oil gets over the baffle plates and is contained in a confined area.

The amendments in this measure make it obligatory on the person who is responsible for a spillage of oil to pay the cost of the cleaning up. That is fair enough. If there is a spillage of a few gallons of oil within the harbour, and there happens to be an intide, a great deal of anxiety and trouble is caused to the owners of small craft on our river. This applies particularly to yacht clubs. The Swan Yacht Club is situated at Preston Point; we have the aquarama and the East Fremantle Yacht Club further around; and then we get to the Royal Freshwater Bay Yacht Club. Any spillage of oil would result in dirty rings around these small boats, and this would cost the clubs hundreds of pounds and the yachtsmen, or the boat owners, thousands of hours in cleaning down their boats.

The Hon. A. F. Griffith: Hundreds of dollars.

The Hon. R. THOMPSON: What did I say?

The Hon. A. F. Griffith: Pounds.

The Hon. R. THOMPSON: Hundreds of dollars and pounds of energy.

The Hon. A. F. Griffith: I remember you picking me up on that point one evening and I thought I would remind you.

The Hon. R. THOMPSON: As I said before, the authorities at the outports should be as vigilent as they are at Fremantle. According to what I heard in another place, no-one at the outports is prepared to take action against offenders. It is true the ships do not take on large quantities of bunkers in the outports, as they usually have enough oil to reach Fremantle, where they finish unloading. If they take on bunkers at Fremantle and go to Geraldton, they may just top up their tanks at that port.

Not a great deal of bunkering is done at the outports, but the port authorities and the police should be made aware that a danger does exist and that the wrongdoers should pay the penalty. However, according to what I have heard this does not happen and there are very few prosecutions, even when oil is floating around different harbours. It appears that no-one is prepared to take action against the wrongdoers. This is completely wrong.

I am in general support of the Bill because I feel it is so difficult to stamp out oil spillage, whether it be just outside the harbour, within the three-mile limit, or anywhere along our coastline. There are many foreign ships under flags of convenience which use our ports and they are interested in a quick dollar. The people commanding these ships are just as rough as the ships they command. Possibly this is a carry-over from the old coal-burning days; but these people will gradually die out, as will the old ships, and a better type of ship with a more responsible person in charge will call at our ports. I give my support to the Bill.

THE HON. F. R. H. LAVERY (South Metropolitan) [7.58 p.m.]: In supporting the Bill I wish to draw attention to the fact that with the large type of tanker now travelling throughout the world many problems arise. In the Kwinana area the manager of the BP Refinery said he was not prepared to allow bulk raw fuels transported across the world for refining to go into the sea. Therefore, that company has set up an elaborate filtering system whereby any oil that constitutes a danger can be reclaimed. Something like 3,000,000 gallons of water per day go through this set of filters for cooling purposes and in order to reclaim the oil.

I want to take this opportunity to refer to the tragedy of the *Torres Canyon*. I was in England when this tragedy occurred. The British Government made available all the resources possible to the local boroughs in the south of England and allowed the Army and the Navy to move in. The Government made £500,000 available within the first four hours, and at the end of seven days a further amount of £600,000 sterling had been provided. Everything possible from an engineering point of view was attempted to try to stop this enormous amount of oil reaching the southern coast of England.

These efforts were not completely successful and in the final analysis the Air Force was called in to blow up the ship. However, as a result of that not only did the oil disperse further and cost the British Government another £500,000, but it also spread to the coast of France and put that country in the same position. Whilst that case does not come within the scope of the Bill, it is an instance of pollution.

An investigation is being carried out in insurance circles as to the tonnage of oil which can be carried by a ship. Ships capable of carrying 100,000 tons of ore will be used in the north of this State. An accident involving one of those large ships, or any large tanker, would not only affect the harbour, but would also affect a

large part of the coastline of Western Australia. The British authorities tackled the accident I have just referred to within four hours and the position was brought under complete control. I repeat that it cost over £1,200,000 sterling to clean up the oil, and the Government paid for that. Of course, the Government is now claiming from the insurance companies.

I rose to draw attention to that incident, and while this Bill refers to harbours, more than just the harbours could be affected on the Western Australian coastline. Pollution, of course, would affect the plans and the future of the fishing industry of this State.

THE HON. A. F. GRIFFITH (North Metropolitan — Minister for Mines) [8.2 p.m.]: I merely want to thank Mr. Ron Thompson and Mr. Lavery for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

SHIPPING AND PILOTAGE BILL

Second Reading

Debate resumed from the 3rd October.

THE HON. H. C. STRICKLAND (North) [8.4 p.m.]: I support the Bill. As the Minister told us, the measure has been introduced for the purpose of further consolidating some very old Acts. It repeals an old Act of 1855, and also an Act of 1917. The Shipping and Pilotage Act, 1855, is, of course, very old and it is 112 years since it was assented to. That Act contained many provisions which have since been placed in other appropriate legislation. The Minister cited deaths and burials at sea, which are now covered by the Coroners Act. Referring to deaths on ships at sea, it is rather interesting to read section 14 of the Shipping and Pilotage Act, 1855. That section reads as follows:—

> That the corpse of any person dying on board any ship or vessel in any port, harbour, or anchorage of this Colony shall be carried on shore and interred in a lawful and accustomed burial ground, and if any corpse shall be thrown overboard within the precincts of any of the ports, harbours, or anchorages of this Colony, the master or commander of the ship or vessel from which such corpse shall have been removed shall forfeit and pay a sum not exceeding twenty-five pounds.

That is a rather strange provision to find still in existence. Of course, it would be much cheaper to throw a corpse overboard these days than to make arrangements for an undertaker. However, presumably the undertakers have been at work and put pressure to bear somewhere.

The Bill will become a new Act relating to shipping and pilotage, and it has all the provisions which are required and necessary for shipping and pilotage around the Western Australian coast. It provides that a harbour master—and a harbour master need not necessarily be a master mariner—will control the traffic in a port, and will control labour and every activity that takes place within that port. Somebody has to be in charge, and in this case that person will be termed the harbour master. In our north-west coastal ports we have wharfingers who act as harbour masters, and they simply control the labour, the handling of cargo, and the berthing of ships. They also release ships which are due to sail.

In some ports a pilot is necessary and those ports are compulsory pilotage ports. Broome has a harbour master; a wharfinger acts in that capacity. The same applies at Point Samson, Onslow, and at Derby. These men know their work. The same applies at Wyndham, where the harbour master is a wharfinger. During the meat season a pilot is also stationed at Wyndham.

All pilots, of course, are master mariners and the pilot stationed at Wyndham looks after all the overseas ships which enter and leave the port. Any member who has travelled in that area will know that the journey through Cambridge Gulf, which is something like 40 or 50 miles, is not an easy one. It is not well marked so it is necessary to have a pilot of experience. No-one in the State can become a pilot unless he is a licensed and registered master mariner. I have been to Wyndham on the State ships and the markings in to the harbour are very poor indeed. For instance, I know that to get around one sandbank the pilot had to line up a post in a mangrove swamp, on which there was a 44-gallon drum, with an outhouse near the meatworks. Otherwise, he stood a chance of running on to the sandbank. That is a positive fact and that situation existed in the early 1950s, before things were tidied up.

We must remember that the north was evacuated during the war years, and navigation leads were removed, particularly at these ports. I see no danger at all in any of our north-west ports being run in the same manner as they have been run for many years. The wharfingers have been acting as harbour masters, and master mariners have been doing the pilotage when overseas vessels use the ports. In the case of some overseas vessels, such as the *Centaur*, the captains have been into the ports as often as some of the captains of the State ships. Those captains have pilot certificates and they enter ports, including Fremantle, without a pilot. They are competent men.

However, it is necessary to have pilots available for the ore ships. Port Hedland has a wharfinger, a harbour master, and also two pilots. That port is kept very busy indeed. I was there recently when a 45,000 ton ship was being turned in the basin to pick up ore. When one ship leaves, there is very little time lost before another comes in.

Another busy port is Dampier, which is a private port and not controlled in any way by the authorities because it has not yet been proclaimed as a port. But it could be proclaimed under this Bill when it becomes an Act. If the Government desires to proclaim Dampier as a port there is authority in the Bill for it to be so proclaimed. This also applies to any other port, and the position can be reversed, if necessary. Therefore, I can find nothing wrong with the Bill.

I was a cadet steward on the *Bambra* in 1919, and during my experience of the north—which is nearly 50 years—I cannot recall one accident of a serious nature —certainly no fatality. There has not been an accident, in which a person has been injured, caused by a harbour master or a pilot, or the master of one of the vessels. I have consulted with my colleague, Mr. Wise, and he cannot recall any accident occuring either. So surely to goodness the harbour masters and the wharfingers, acting as harbour masters, and the masters of the State ships, and the pilots of the overseas vessels, have a wonderful record.

I know that minor mishaps do occur. For instance, I remember having a discussion with the works foreman on the Port Hedland jetty one day. I was commenting on the good job he had made of replacing a corner pile at the sea end of the wharf. It was the pile most frequently used because the State ships, and other ships entering the port were tied up to it so that they could be pulled around. That pile took all the weight.

I can remember being at the jetty one day and I said to the foreman, "You made a good job of putting in that new pile." About five minutes later a vessel was departing, the tide caught it and swung it on to the new pile, and it snapped. The job had been completed only a couple of days before but these things can happen through no fault of the captain of the boat. A wind can be blowing a boat on to the jetty and anybody knowing the tide at Port Hedland would realise how it swirls around. It simply caught the little vessel that was there that day and it snapped this new pile which had been put in only a couple of days before to replace the old one. I was told it cost about £80 to do the job but the ship broke it like a match. Consequently, the foreman had to take that pile out and replace it with another one.

I cannot recall any serious accidents in any of the ports, including those at Esperance, Albany, Bunbury, Busselton, or anywhere else along our coast. I was at Geraldton in 1954 or 1955 when a cyclone came down the coast. A big wheat vessel was moored alongside the wharf and as it was empty—loading had not started—it was sitting very high in the water. I was Minister for the North-West at the time and the harbour master said to me, "I am glad you are here. I do not know what we can do about this." The swell and the strong wind from the cyclone were causing the ship to bash itself against the wharf and it was breaking pieces of concrete from the edge. The harbour master said, "I have the authority to scuttle the ship and I am not quite sure what I should do about it."

It might sound rather strange to give the harbour master authority to scuttle a ship, but his idea in this instance was to save the wharf from being broken up. Fortunately, while these discussions were taking place, the wind veered around, the ship obtained more protection and the position eased. Also, somebody came to light with a couple of big tractor tyres which he had found in the goods shed and these were placed between the vessel and the wharf. Now rubber fenders are provided.

Because of these untoward incidents it is necessary to have certain provisions in our Acts. The harbour master at Geraldton was most concerned about the damage being done to the wharf and, as I said, he did have authority, as harbour masters will have under this legislation, to scuttle a ship if he deems it necessary. His idea would have been to sink the ship and, when the storm abated, pump it dry and refloat it. As I said before, I cannot find anything wrong with the Bill and I give it my support.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [8.19 p.m.]: I thank Mr. Strickland for his remarks in support of the Bill. I thought, because of the tenor of the debate in another place, it may have been necessary for me in some way to defend the wording of clause 4 of the Bill. However, after listening to the honourable member's approach to the measure I do not propose to spend any more time on the point other than to say that similar legislation is in existence in South Australia and Victoria where harbour masters do not have to be qualified persons. That was the point raised in the Legislative Assembly.

It is taken for granted that the right type of person is selected to be in charge of a harbour, bearing in mind, of course, that one harbour may be of greater importance than another and, as a consequence, the harbour master of the more

important port would require greater skills than the harbour master of the other port.

Mr. Strickland's approach to the measure has left me in the position where I believe there is no need for me to pursue the matter any further, or to explain further the point raised in another place. Had the matter been raised I could have offered other points in support of the proposal in the Bill. However, I think it is unnecessary now.

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.

BULK HANDLING BILL

Second Reading

Debate resumed from the 3rd October.

THE HON. J. HEITMAN (Upper West) [8.24 p.m.]: I do not know of any farmer who would be willing to oppose the Bill in view of the amount of help all farmers have received from Co-operative Bulk Handling over the years. From time to time in this Chamber we have heard a good deal of the history of this company, but one point which has not been mentioned is the fact that when it came into being in 1933, Westralian Farmers and another company each provided £50,000. No-one seems to remember that fact or that at the time wheat was worth only 2s. a bushel.

The Hon. F. R. H. Lavery: I mentioned it last night.

The Hon. J. HEITMAN: A sum of £50,000 was a tremendous figure in those days.

The Hon. L. A. Logan: The other company you are thinking of was probably Louis Dreyfus and Company.

The Hon. J. HEITMAN: Yes. Outside of the Chamber there are several photographs which illustrate the history of C.B.H. since it was first established. In 1932 a few bins were established and the bulk handling of wheat was tried out. However, it was not until 1933 that many more bins were built in different country centres to receive bulk grain.

I well remember the various methods used for carting bulk grain in those days. Most farmers carted their wheat in bags on flat-top trucks; no-one thought of using bulk bins for carting the grain to the siding. So that they could cut down on labour—this was at a time when farmers could not afford to pay for labour—the farmers tried out several different methods. They used different knots on two-bushel bags. One person would tie the bags and throw them on to the truck. At the siding the knots would be untied with a jerk and the wheat would be poured into the hopper. After a time I think it was found that this method wore out bags, string, and fingers, too.

After that farmers used two men on the job. The man driving the header would give the man who was carting the wheat a hand and they would lift the bags, which were left open, on to the truck and when the driver reached the siding with his truckload of wheat it would be tipped in from the bags. That method was used for some considerable time, until someone thought of the idea of using bulk bins. The first of the bulk bins had a flat bottom with corrugated iron sides. At the siding a door on the bin would be opened and a man would shovel for all he was worth until he got rid of the 90 bags, or whatever was being carried. I think it was a test of a good back and plenty of brawn. One can imagine carting wheat at 108 degrees in the shade and shovelling wheat from one of those bins with chaps on the outside urging because they were waiting for their turn to do the same thing.

Today, it is a different story. Farmers use the latest "A"-type bins which have an eight or 10 ton capacity. The bin is hydraulically tipped and within two or three seconds the whole load is tipped into the bulk container and it is on the weighbridge by the time the truck is ready to move. This is a tremendous saving in manpower, time, and expense.

In the old days, if one had to cart for 15 miles, one would be lucky to cart four loads a day. Today it is quite easy to cart six or seven loads a day because one does not have to wait too long to have the truck unloaded. In the earlier days of bulk handling it was quite common to have a line of 30 or 40 trucks waiting to be unloaded, and it would take 1½ hours or so before one could receive attention. Today, if one sees 20 or 30 trucks in the line one knows one will not have to wait too long because, with the double unloading, 20 tons of wheat are handled every three or four seconds. The load is weighed at the scales and that is all there is to it.

All these matters are important in the handling of wheat, and I do not think any farmer would like to go back to the old days when bags had to be bought, filled from the header, sewn, and then manhandled, as was the position prior to 1933. I think everyone is pleased with the new set-up.

In 1943, when the companies handed over to the farmers, the method of electing the nine directors to manage the affairs for the farmers was to call meetings throughout the country districts. The whole State was broken up into nine zones so that nine directors could be elected, and men came to Perth to represent their vari-

ous districts, and to vote for the nine representatives. I was sent to represent the Morawa district, not because it was thought that I should be a director, but to present the views of the farmers of Morawa when the election took place for the nine directors. The idea was to get the best men for the job.

The person who was elected to represent the northern districts, or the No. 1 zone, was Mr. Forrest, from Carnamah. I would like to mention what a mighty job he did as a director of C.B.H., and later as chairman of the committee. One other interesting personality who was elected at the time was Mr. Nelson Lemmon. Later on he represented the Forrest electorate in the Federal Parliament. At the time I thought he would go a long way, because on the occasion of the election of the first directors he was very fiery in his speech. I thought he would go a long way in politics, but the people of Western Australia thought differently.

The Hon. J. Dolan: He was the father of the Snowy River scheme.

The Hon. J. HEITMAN: In this House we have heard the story of C.B.H. on many occasions.

The Hon. F. J. S. Wise: The present Chief Justice helped with the original job of drafting.

The Hon. J. HEITMAN: I understand that Mr. Wise also had a finger in the pie. That was in 1935, after bulk handling had its first taste of success. The Government did a wonderful job in providing the means to enable the company to operate successfully over the ensuing years. I suppose Mr. Wise can tell us a good story about all the troubles and worries that he experienced, and of the people who approached him to say that they would be out of work at the ports, and that fewer men would be needed for the country depots. This opposition can be expected to any new scheme that is introduced.

I now wish to refer to the rates payable by C.B.H. to various local authorities in this State. Mr. Ron Thompson mentioned that the Fremantle City Council had been done out of its rates for just over two years, and as a consequence the ratepayers of the district had to bear an increase of .65c in the dollar to make up the leeway. I would like to refer to the position at Morawa. Previously the local authority there received $1,400 from C.B.H. after it had built its silos outside the townsite, and away from the railway property. This proved to be of great benefit to the farmers, although the resiting of the depot resulted in C.B.H. having to pay rates to the shire. It paid the rates for two years, but this year it will not do so and the ratepayers of Morawa will have to pay an increase of 10c in the dollar. But people will have a hard task to convince the ratepayers of Morawa that this resulted from the exemption of Co-operative Bulk Handling from paying rates.

The Hon. R. Thompson: The difference is that one is a residential area but the other is a farming area.

The Hon. J. HEITMAN: The town of Morawa is a residential area, although admittedly on a smaller scale than Fremantle.

The Hon. R. Thompson: How many farmers are on the shire council?

The Hon. J. HEITMAN: There are 11 members, and most of them are farmers. They adopt a good method to look after the needs and amenities of the town. The shire has built a swimming pool, but I do not know whether there is one in Fremantle. The fact is that the Fremantle City Council has had a good spin in that it has received rates from C.B.H. for two years, although it did not cost the council anything to provide the installations.

The Hon. R. Thompson: They were not installed for the benefit of the Fremantle ratepayers, but for the farmers.

The Hon. J. HEITMAN: That is right; but the installations help the Fremantle people considerably.

The Hon. R. Thompson: Tell us in what way they help the people.

The Hon. J. HEITMAN: The installations enable the ships to be loaded quicker, with a consequent increase in the turnaround of ships. There is no necessity to build more berths to accommodate the ships. In these days when there is full employment the ships can be loaded quickly by the improved methods adopted by C.B.H. The additional installations have been effected solely by C.B.H., which is owned by the farmers of the State.

Mr. Ron Thompson went on to say that Co-operative Bulk Handling owns His Majesty's Theatre and the adjacent hotel. That is not correct. The property was acquired by the Grain Pool of Western Australia from the sum accumulated over the years from the fractions of a penny which could not be distributed. This was a very worth-while acquisition. Quite often the Grain Pool is confused with C.B.H., although I do not deny that in the early stages the Grain Pool worked in close co-operation with the company to get it started.

Provision is made in the Bill to enable C.B.H. to increase the maximum toll from 5c to 7c a bushel. It was said that a very small percentage of those eligible voted at the recent referendum. This proves that the shareholders of C.B.H. are very satisfied with the operations of the company, with its directors, and with the tolls that were charged in the past. They are prepared to let the company continue along existing lines. The toll represents a revolving fund which will in time be repaid; in other words, it is an interest-free loan.

One clause in the Bill has not been mentioned in this debate, and I would not have referred to it had it not been for a

telegram I received inquiring if C.B.H. is to restrict the cartage of wheat further than 60 miles from a port. Clause 42 provides—

> (2) Notwithstanding the provisions of subsection (1) of this section, the Company—
>
> (b) is not obliged to receive any grain except at a reasonably convenient time and place nominated by it nor, unless the Minister so directs, at any terminal elevator to which the grain tendered has been transported more than sixty miles by road.

This provision has been inserted as a precaution to cope with the situation when there is a tremendous carry-over of wheat at the ports. Should such a position arise in the future, C.B.H. will be able to curtail the cartage of wheat from centres a long way from a port, because, if it does not do that, those who use the port as their natural terminal will be prevented from carting wheat to it. This provision will be applied only with the approval of the Minister.

Throughout the Bill safeguards have been provided, so no complaint should arise. Parliament will have control of the legislation and of the organisation. I think this is a very good set-up, and I support the Bill.

THE HON. E. C. HOUSE (South) [8.39 p.m.]: This Bill has had a very good airing not only in this House, but also in another place. However, I cannot let this opportunity pass without saying a few words in praise of C.B.H. and its general management. One of the proposals in the Bill will enable the company to increase the toll by another 2c if need be, and there has been a good deal of criticism in the past 12 months of any increase in the toll. This criticism has come from some unexpected quarters, and some of the arguments used against the need for any increase have not been in accordance with the facts.

One pleasing feature of this debate is the amount of homework which a number of members, who have no real connection with the farming industry, have done in a survey of C.B.H. and its operations. As a result of this survey those members have given great praise to the company's ability and to its very efficient handling of the wheat production of Western Australia. The ballot which was conducted by C.B.H. has been criticised. One can only say that, as with all such ballots, those who were interested in defeating the proposal were the keenest to vote; but the low percentage of the shareholders who voted is a true indication of the lack of opposition to the Bill before us.

It is pleasing to have this opportunity to cast one's mind back to the old days of the bagging of wheat, of sewing the bags in the paddocks, and in many cases of the bagged wheat standing in the paddocks for long periods before it could be taken off. Mr. Lavery referred to the lumping of bagged wheat by individuals, and they performed this task with sweat and toil. In some cases they carried up to 1,000 bags a day, and they did this day after day. I do not know whether Mr. Lavery was in our area at the time, but we had to wait for long periods before the wheat was stacked. The company did a wonderful job in coping with the bagged wheat, and great credit must also be given to those who lumped the wheat onto the great stacks.

It was not until I returned from the war that the new facilities were established in our area. They revolutionised the handling of the wheat crop of the State. Many of those facilities were established as experiments. Pig pens, which were very cheap to erect, were provided to cope with the overflow of grain.

A great tribute is due to those who had the foresight to erect something which catered for the whole of the wheat crop in an efficient and expeditious manner, and which was cheap to provide. Mr. Heitman made reference to the quick unloading of wheat. It is of interest to anyone who has not witnessed the loading operations to know that trucks of seven to 10 tons can be unloaded in approximately one minute into the storage bins, from where the grain is carried to the big silos by elevators which are electrically controlled and which can direct the wheat to any part of the silo. In addition, railway trucks can be loaded very quickly by means of the installations.

The importance of the bulk handling of wheat to the railway system should not be underestimated. The huge quantity of wheat handled by the organisation contributes greatly to the revenue of the railways. Without that revenue the Railways Department would be experiencing even greater losses than it is at present. One other good aspect of the bulk handling of wheat and of the storage facilities provided is that the system acts as a watchdog on the quality of wheat that is delivered into the bins.

The grain is sprayed with malathion as it goes up the elevator, and this guards against any weevil infestation. This means a lot when it comes to selling the crop. It guarantees that when the grain arrives at the ports of disembarkation, it will be weevil free and of very good quality. If the grain were handled in any other way, we would not have the same ability to test it as we have now. It is tested for quality and size, and it is sprayed as well.

The co-operative has provided this facility at the various sidings and therefore prevented the need for farm storage, which would be very costly if each individual farmer had to outlay the necessary money for it. This is the situation in America

where the people concerned are always hopeful that the previous crop will be out of the way before the next one is ready. I believe that the farmers there get paid for providing this storage on their farms, but even so it is not the same as having the whole job cleaned up and out of the way quickly, as is the case here.

The cost of the port facilities is something which does not need to be underestimated. At present new silos are being established at Geraldton and Albany at a cost of $4,000,000 at each port. These are in addition to the facilities that already exist at Esperance. These facilities have been a great boon to that newly developed area. Bunbury and Fremantle, as we know, can also store grain, and this allows the big modern ships to be loaded because of the up-to-date facilities. This cuts down the very high cost of port and harbour dues which are ever-increasing in these modern times.

The need for the 2c increase which is provided for in the Bill would only arise, or be likely to arise, if there were a part crop failure. It is one of the unfortunate features of this scheme that when the farmers can least afford it, they will have to face up to this increase.

However, I think that the situation will not be too bad if it is worked out over the new 10-year period coming into operation in 1968. At the end of 10 years a tenth of his accumulated money would be paid back to the grower each year; which means that if a farmer had, for example, a static 2,000 bags of wheat every year, after a 10-year period he would only pay out what he would be getting back. This will replace the present 15-year-foundation fund and the five year port toll—repaid by ballot system. Therefore it will not be quite as bad as it might appear in the first instance.

The question was asked at the time of the referendum as to why this money could not be borrowed overseas, and Mr. Willesee touched on this matter. The money was available and could have been borrowed but would have been repayable at an interest rate of between eight and 8½ per cent., and this of course would, on a long-term basis, have added to the increasing burden of the wheatgrowers.

Another suggestion made was that it could have been done by way of Commonwealth grants or loan moneys. However, we are unfortunate, as everyone knows, in that we are a claimant State and therefore we would be restricted in the amount of money that could be allocated to a wheatgrowing authority, if one existed as such. I suppose it would have been limited to $300,000, the same as is any other borrowing authority.

On the other hand we must remember that even the standard States such as New South Wales and Victoria, which have much larger populations and greater access to money, do not have facilities anywhere near as good as those available in Western Australia. I am quite convinced that we are the envy not only of Australia, generally, but also of most of the wheatgrowing countries of the world.

The Wheat Board could not come into the picture, of course, because it has only a five-year life, and no one board could possibly commit another. In those circumstances it would not be possible to ask the board for a contribution towards this amount.

Not only has C.B.H. provided these facilities for wheat, but also for oats and barley. Another one of the criticisms of this proposed increase, or the ability to make the increase if the need arises, came from the oat growers who claimed the price of oats was so low that to pay an extra levy would provide an increased burden they could not carry. However, if we examine the situation of the oat and barley growers, in particular, we will see that the use by them of the C.B.H. facilities has enabled them to gain millions of dollars. No other State has provided bulk facilities for these coarser grains. Our growers would have to resort to bags, bag sewing, and to carting, generally, along lines which would increase their costs at a far greater rate than they will be increased by this increased levy.

If this increased toll is necessary, another reason would be the expansion of the wheatgrowing areas in parts of the State which, a few years ago, were not visualised as potential wheatgrowing areas. Such places as Tacup, Gairdner River, and East Hyden have bins costing $500,000; but eight years ago these areas were virtually scrub. In what other place in Australia or even the world would these facilities be provided in such a short time, thus giving them the same advantages which are available to the older wheatgrowing areas? I feel, too, that sometimes it is a case of those who have the good facilities being a little reluctant about having their own purses used to provide the same facilities for those without them.

I feel we in Western Australia can be very proud that we virtually lead the world in this field. Another aspect to be considered is the employment of University students, and so on, at these wheat bins during the season. It helps considerably to supplement their income in order that they might buy the necessary books and pay the fees required at the University. This also is of immeasurable help on a State-wide basis.

I do not want to buy into Mr. Ron Thompson's argument at Fremantle.

The Hon. R. Thompson: You can if you want to.

The Hon. E. C. HOUSE: I know the honourable member would like me to. However, most of the farmers are rather disappointed that those new bins were established there and not at Kwinana.

Had they been installed at Kwinana, it would have simplified things from the cost angle, especially as the standard gauge railway runs through that area. However, if the facilities at Fremantle were Government-run, the council would still not have the benefit of the rates; and as the co-operative is providing the facilities on a reasonably non-profit basis, I feel it should not worry its conscience too much on the matter.

The Hon. R. Thompson: It is a profit-making concern. Do not try to fool us by that. The farmers are getting the profits from the company.

The Hon. E. C. HOUSE: Profits from the company?

The Hon. R. Thompson: Yes.

The Hon. E. C. HOUSE: I do not agree with that one.

The PRESIDENT: Order! Please address the Chair and do not invite interjections.

The Hon. E. C. HOUSE: I did not realise I was entering a hornet's nest! As far as His Majesty's Theatre is concerned, the part played by C.B.H. was brought about mainly during the war when it was difficult to get materials to build, and the co-operative invested the money in the theatre in order to save it from decreasing in value, rather than with any idea of making a profit. Although it has not been a lucrative sort of investment, it has at least saved the value of the money invested.

I have much pleasure in supporting the Bill, and I am pleased I had the opportunity to say a few words on C.B.H. as this organisation has been of great benefit to every farmer in Western Australia.

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [8.58 p.m.]: I think that C.B.H. should be happy with the very favourable comments which have been made here during the debate on this Bill. We have by now a fairly complete record of C.B.H.

Perhaps the only other aspect which has not been mentioned, although Mr. Heitman touched on it somewhat, is that it was the ingenuity of many farmers in keeping up with the times which brought about many of the patents used today. The farmers themselves had to work this out, and they did so in no uncertain terms. They battled along and kept up with the times, and today, with all the terrific machinery available, it is quite big business.

I do not think there is any need to say any more except to reply to Mr. Ron Thompson, who, in fact, was talking outside the Bill; but I suppose that as he was allowed to speak on the subject, I should be allowed to reply.

He told us that as the $20,000 was not to be received by the Fremantle City Council, the council had to increase its rates by .65c. But what he did not tell us was that in 1964, when the council received the bonanza of $20,000, it reduced the rate by 2d. in the pound.

The Hon. R. Thompson: You are on dangerous ground, now.

The Hon. L. A. LOGAN: No, I am not.

The Hon. R. Thompson: Yes, you are.

The Hon. L. A. LOGAN: No, I am not. In 1963 the rate was 3s. 6d. in the pound and in 1964 it was 3s. 6d. However, in 1965, when the council received the $20,000, it was 3s. 4d., as it was again in 1966.

The Hon. R. Thompson: There is another reason for the reduction.

The Hon. L. A. LOGAN: There is another reason why it has gone up this year.

The Hon. R. Thompson: The Minister knows what brought it about.

The Hon. L. A. LOGAN: Yes, the $20,000.

The Hon. R. Thompson: Don't be silly.

The Hon. L. A. LOGAN: The situation which is silly is that in 1963 the building was there, but no rates were payable on it by C.B.H., but in 1964 the building was still there and C.B.H. had to pay rates of $20,000. This is the ridiculous situation which arose. One day there was nothing to pay and the next day there was $20,000 to pay.

The Hon. J. Dolan: It should have been thankful for the period in which it paid nothing.

The Hon. R. Thompson: The Minister knows that there was a different council, and C.B.H. would not pay.

The PRESIDENT: Order! I have allowed a great deal of latitude during the debate on the Bill. I think the Minister has made his point and I wish to proceed with the Bill.

The Hon. L. A. LOGAN: The other point mentioned by Mr. Ron Thompson concerned my promise to discuss this same question with C.B.H. I do not know whether Mr. Thompson has not been informed of the situation, but he is certainly well behind the times. I have had two discussions with Mr. Lane, who is the manager of C.B.H. The company wrote to the council on the 13th June, 1967, and again on the 15th August, 1967. The council replied to C.B.H. on the 17th August, 1967. Last night I had the impression that Mr. Thompson thought that I had done nothing or, more generally, that nothing had been done. However, as I have said, C.B.H. did write in June.

The Hon. R. Thompson. That is correct. I did not criticise C.B.H. at any time.

The Hon. L. A. LOGAN: If Mr. Thompson knew this, he must have known I had done something.

The Hon. R. Thompson: I was criticising the Minister.

The Hon. L. A. LOGAN: Surely this was the result of what I had done.

The Hon. R. Thompson: The Fremantle City Council does not think so.

The Hon. F. J. S. Wise: Is this a dialogue or a debate?

The Hon. L. A. LOGAN: Whether the council has agreed to the offer made by C.B.H. is a different matter.

The Hon. H. K. Watson: What was the offer?

The Hon. L. A. LOGAN: The offer was $600. When this matter was first raised with the Fremantle City Council, I suggested that in view of the steep increase, it should have a look at rating this particular property on unimproved capital value.

The Hon. H. K. Watson: That is what should have been done.

The Hon. L. A. LOGAN: That is what I suggested, but the council said "No."

The Hon. R. Thompson: You know that the council could not have agreed.

The Hon. L. A. LOGAN: I think this could have happened and I would have been quite prepared to declare the area one which could be rated on unimproved capital value.

The Hon. R. Thompson: But you did not suggest that.

The PRESIDENT: Order!

The Hon. L. A. LOGAN: I should imagine that when I told the Fremantle City Council that this was the way out, what I said was equivalent to a ministerial offer. Together with C.B.H., I have endeavoured to have unimproved capital value placed on this property, but we have not been successful. We have to work in from the country. We have looked at the properties in the country areas and ports which are rated on unimproved capital value, and the amount of grain which is handled by the ports. We work on the basis of a certain number of dollars for each 500,000,000 bushels. Of course, some local authorities will receive a little bit more and some a little less. I understand that Albany and Geraldton both receive $300 and Fremantle would be $600. This is the only basis on which it can really be worked.

What happened was that C.B.H. wrote to all the councils concerned, Fremantle included, and made offers. The company gave the councils the opportunity to negotiate. Fremantle City Council acknowledged the letter and said that when it worked out its budget for 1967-68 it would notify C.B.H. what it thought should be paid. If there is a difference of opinion the matter has to be referred to the Minister for adjudication.

The Hon. R. Thompson: Didn't the Fremantle City Council write to the Minister recently?

The Hon. L. A. LOGAN: Yes, it did.

The Hon. R. Thompson: What did it say?

The Hon. L. A. LOGAN: I have not a copy of the letter with me, but I do have a copy of the letter written by C.B.H. on the 13th June. In view of the fact that the letter was sent on the 13th June, I want to know why the recent letter was written. I have only just received the letter from C.B.H. and I have not had a chance to answer the council yet.

I have had two discussions with Mr. Lane and another appointment was made for next Tuesday morning, but as Cabinet is sitting I may not be able to keep the appointment. The other day I saw a letter which stated that Geraldton had accepted the $300 offered by C.B.H., but I do not know about the others.

The Hon. R. Thompson: The sum of $600 would not pay for the rubbish.

The PRESIDENT: Order!

The Hon. L. A. LOGAN: I think I have covered the points which have been raised, and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 41 put and passed.

Clause 42: Company to receive all bulk grain tendered—

The Hon. L. A. LOGAN: Mr. Heitman raised a question concerning this part of the Bill because he had received a telegram in regard to it. Perhaps it would be better if I gave the Chamber the information, because a record will enable members to answer questions much more easily.

The Hon. J. Heitman: The Minister has already answered this question.

The Hon. L. A. LOGAN: The relevant portion is as follows:—

> This provides for the Company to receive all grain offered in bulk as distinct from wheat at country sidings in the original Act. It also extends the receival to cover undergrade grain, but does not make its immediate receival mandatory. It requires the Company to make adequate arrangements for the receival of such grain. The Section has been worded to allow the Company to receive grain at a reasonably convenient time and place. It also allows the Company to refuse to accept grain which has been transported more than 60 miles to a terminal. This safety valve has been included should rationing of space or direction of deliveries due to excessive carryover ever become necessary. There is

a safety provision for the growers in (3) in that the Minister may require the Company to make other arrangements if he is not satisfied with those that it has made.

Clause put and passed.

Clauses 43 to 54 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

House adjourned at 9.15 p.m.

Legislative Assembly

Wednesday, the 4th October, 1967

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

QUESTIONS (27): ON NOTICE

PAROLE BOARD

Female Representation

1. Mr. FLETCHER asked the Chief Secretary:

(1) Is there any female representation on the Western Australian Parole Board?

(2) If not, will consideration be given to such an appointment so that, among other things, the female point of view can be given in like manner as women justices in the summary relief court?

(3) Does he know if New South Wales has appointed a woman to its prisons' parole board?

Mr. CRAIG replied:

(1) Section 21 (2) (c) (ii) of the Offenders Probation and Parole Act provides that where the Parole Board deals with a matter affecting a female prisoner, membership of the board shall include two women. Two women have been so appointed.

(2) Answered by (1).

(3) The New South Wales Parole of Prisoners Act, 1966, provides that one, at least, of the members of the Parole Board shall be a woman.

HOUSING

Position at Mandurah

2. Mr. RUNCIMAN asked the Minister for Housing:

(1) How many applications for State Housing Commission homes are there from Mandurah?

(2) What was the price paid for the land on which the State Housing Commission is now building homes at Mandurah?

(3) What is the estimated cost price of the homes, including the installation of bore water supply and septic systems?

(4) What rent will be charged for these homes?

(5) Has the State Housing Commission a policy regarding the use of building materials for homes in the country such as brick *versus* timber and asbestos?

Mr. O'NEIL replied:

(1)

Large families	13
Small families	14
Couples	3
Pensioner couples	4
Lone unit	1
	35

(2) $1,365 per lot.

(3)

	$
(a) Houses	9,105
(b) Duplex houses	8,328
(c) Cottage flats	6,175

(4)

	$
Houses	11.60
Duplex houses	10.80
Cottage flats	8.35

(5) The commission policy is governed by the level of incomes of applicants and their ability to meet the rents assessed without undue subsidies or rental rebates. Where the income of applicants indicates ability to meet the rents of brick or brick veneer construction, tenders are invited for this type of construction. Tenders called over recent years at Albany, Geraldton, Merredin, Narrogin, and Northam have indicated capital costs and rentals well beyond the tenant's capacity to pay without substantial rebates. Only in Bunbury has it been considered possible to build in brick veneer.

METROPOLITAN TRANSPORT TRUST

Bus Services: Profits and Losses

3. Mr. BRADY asked the Minister for Transport:

(1) Are all or any routes of the M.T.T. bus services making a profit?

(2) What routes are making a profit?

(3) What routes are losing money?

(4) What action is being taken to avoid losses?

(5) Is any action being taken to popularise M.T.T. services; if "Yes," what is the nature of the action?

Mr. O'CONNOR replied:

(1) No.

(2) and (3) Answered by (1).