

We want to maintain the standard of production, but we should also effect saving wherever possible. The Mines Department produces a bigger report. It seems to be a £4 4s. job, because of the number of lithos in it. The department produces 500 copies, which amounts to a lot of money. The member for Boulder-Eyre, and possibly two or three other members, would require a copy in order to have a detailed report, but most other members would not require a copy. The Mines Department or the Government Printer would not know this unless they had detailed information of the mailing list. Here is a matter of indulging in excess.

Sir Alex Reid complained about the quality of the paper, but I do not think his complaint stands any test. These reports certainly do not look like rubbish; they have not been roneed, with a paper binding on the front and back. I would point out to the Government that there would be a considerable saving in cost if it could find out who really required these reports. Those people who did not require them should not receive them. I am quite sure that a large number of copies would not be required. I hope the points I have raised will be considered by the Ministers concerned, and that we will hear of some improvements.

Progress

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

ADJOURNMENT OF THE HOUSE: SPECIAL

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

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

Question put and passed.

*House adjourned at 12.56 a.m.
(Wednesday)*

Legislative Council

Wednesday, the 4th December, 1963

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The PRESIDENT (The Hon. L. C. Diver) took the Chair at 11 a.m., and read prayers.

QUESTION WITHOUT NOTICE

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL (No. 2)

Tabling of Papers Relevant to Preparation

The Hon. F. J. S. WISE asked the Minister for Mines:

Could the Minister advise whether he has the files ready for laying on the Table of the House, for which I asked last Thursday?

The Hon. A. F. GRIFFITH replied:

The honourable member will recollect that when he asked me this question the other day I said I wanted to consult my colleague, the Minister for Labour, in another place. I did that, and the request of the honourable member was also considered by the Government. The Government has determined that it is not prepared to lay the files on the Table of the House.

The Hon. F. J. S. Wise: A very unsatisfactory answer.

FISHING INDUSTRY SELECT COMMITTEE

Withdrawal of Member: Personal Explanation

THE HON. R. C. MATTISKE (Metropolitan) [11.8 a.m.]: Have I your permission, Sir, to make a personal explanation regarding the Select Committee to inquire into the crayfishing industry?

The PRESIDENT (The Hon. L. C. Diver): Yes.

The Hon. R. C. MATTISKE: At the commencement of this session, when Mr. Ron Thompson moved for a Select Committee to inquire into the crayfishing industry, he approached me in view of my previous interest in this matter and asked whether, if the appointment of a Select Committee was approved by the House, I would be one of the members of it.

At the time I indicated that I would, thinking that it would, as an ordinary Select Committee, be conducted during the period the House was in session, and that a report would be submitted to the House before it rose.

Since the Select Committee has been approved by the House, however, I have realised that as I will be leaving for overseas early in the New Year it will be impossible for me to devote the time necessary for the thorough investigations that will be required; and I feel that in order that justice may be done to this very important matter, it would be preferable for the House to select some other member in my stead. I would therefore move—

That I be given leave to withdraw from the Select Committee.

The PRESIDENT (The Hon. L. C. Diver): Under Standing Order No. 272 members may be discharged from attending a Select Committee and other members appointed either by nomination or ballot if previous notice has been given. The honourable member has moved in accordance with that Standing Order, and I would ask for a seconder to the honourable member's motion.

THE HON. R. THOMPSON (West) [11.10 a.m.]: I formally second Mr. Mattiske's motion, although I do so with some regret. It is unfortunate that the Select Committee was not appointed earlier so that we could have made some progress.

I have canvassed the majority of Liberal Party members in the Chamber asking if one of them would be prepared to act as a member of the Select Committee. I would rather see it as an all-party committee than have two members from one party and one from another party. Therefore it is with regret that I second the motion, but to fill Mr. Mattiske's place I would still like to see a member of the Liberal Party appointed because, as far as I am concerned, there is nothing political about the matter. I want to see the industry inquired into from all angles without any political bias whatever.

Question put and passed.

Appointment to Vacancy

THE HON. R. THOMPSON (West) [11.12 a.m.]: I am not in a position to nominate any member of the Liberal Party to serve on this committee because, as I pointed out on a previous occasion, the majority of them have declined to act. If there are no volunteers—

The PRESIDENT (The Hon. L. C. Diver): Notice will be required for such a motion.

The Hon. R. THOMPSON: Then, Mr. President, I will give notice that at the next sitting of the House I will move that The Hon. S. T. J. Thompson be appointed to fill the vacancy.

PARLIAMENT HOUSE

Resetting of Foundation Stone: Motion

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [11.13 a.m.]: I wish to inform the House that the foundation stone of this building was set in position on the 4th December, 1963, in a new location on the north-eastern frontage adjacent to the main entrance. Prior to the foundation stone being laid, a lead casket enclosed in an outer covering of stainless steel, and containing the following documents, was placed in a recess beneath the stone:—

1. *The Official Year Book* No. 3, 1962.
2. Copy of *Minutes* and *Hansard* containing details of old documents recovered on the 10th October, 1962.

3. Copy of *The West Australian* of Tuesday, the 5th November, 1963.
4. Copy of the *Government Gazette*, No. 95, of 1960, proclaiming the floral emblem for the State.
5. Lists of members of both Houses.
6. Copy of booklet *The Parliament of Western Australia*.
7. A selection of the documents previously deposited and recovered in October, 1962.

To ensure that this information is available for the future I move—

That a record of these occurrences be made in the Minutes of the Proceedings of this House.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [11.14 p.m.]: I second the motion.

THE HON. A. L. LOTON (South) [11.15 a.m.]: I would like to say a few words on this motion. I am sorry that more notice was not given to members that the function was going to take place this morning. It is one of those occasions when most members would have liked to attend, because it happens probably only once in a generation. We can all recall that when the excavations were taking place, and the old casket was unearthed, reference was made in the House to what had taken place.

I have taken it on myself to ask one of the Clerks to obtain a photograph of the ceremony that took place at the laying of the foundation stone of the Houses of Parliament on the 31st July, 1902, and with your permission I would like to show it to members, Mr. President.

Had it been possible I would have liked to have a copy taken off and placed in the casket. I think it would have been a fine gesture; and, as members can see, this photo is in excellent condition even though it was taken 61 years ago. It is in a remarkable state of preservation; and, when one looks at the photograph, one can see the old Hale School building and the place where the new Government buildings will be, the old Observatory, and the barren hill where the tennis courts are now placed.

In 100 or 150 years' time it would have been most appropriate for a reproduction of this photograph to be unearthed in the casket which is placed where the foundation stone was implanted this morning. I consider this to be one of the treasures of Parliament House, and I hope it will be preserved because, as far as I know, it is the only copy in existence. I have been in many of the old homes in Western Australia and I have never seen any other copy of this photograph.

If it is possible, I would like the House Committee to have a copy made and do something about preserving it, or putting it in a casket somewhere in the foundations

of the new building. I think a copy should also be kept for the record in case this photograph is destroyed, lost by accident or fire, or is damaged. I am happy to be associated with the motion moved on this day, the 5th December, 1963, when the foundation stone was placed in position.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [11.18 a.m.]: I support the motion. I think it is most important that this morning's happening, when the new stone, with the documents which were placed in the casket, was laid in its new position, should be recorded. I regret that I was not present, but it was not possible for me to be present. However, it was an opportunity for members to be here and, as Mr. Loton said, be associated with an important and historical occasion so far as parliamentary matters are concerned.

It is important that we agree to the motion of the Leader of the House and place on record this morning's happening so that it may be referred to at some time in the future by those who are interested.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [11.19 a.m.]: I feel disposed to say that I, too, am a little sorry the notice in respect of the function, if we can call it that, this morning was somewhat short. I do not want to be excused from the position, but naturally I did not have anything to do with fixing the time. I also regret that my duties this morning did not enable me to attend the function.

While I moved the motion—and I think it is important that this action be recorded in *Hansard* so that it goes down in history—I cannot help but wonder myself at the value of burying something which I hope will be buried for all time. I sincerely hope and trust that the foundation stone upon which the building was originally aligned, and which has now been placed in its new position, will be a fixture of such permanency that the records that were buried this morning will never be rediscovered.

However, having said that I wonder whether, in contrast, it might not have been better and more desirable to have perpetuated these historical documents in a place where they could have been viewed, perhaps, by our great-great-grandchildren and their children, because, apart from the historical record in *Hansard*, they will not have the privilege of seeing the documents as members of this House saw them unearthed from the original foundation stone some twelve months ago. Be that as it may, this is the sort of move that is made on a historical occasion such as this, and I am pleased to be able to move the motion that a record of this occurrence be made in *Hansard*.

The Hon. R. C. Mattiske: Would it not be possible to have a duplicate of the records sent to the museum?

The Hon. A. F. GRIFFITH: It is too late for that now, the documents are buried beneath the ground.

THE PRESIDENT (The Hon. L. C. Diver) [11.21 a.m.]: I would like to make some comment on this motion because if anyone could be regarded as being remiss over the holding of this morning's ceremony, I suppose the blame could be laid upon my shoulders to a degree. The function this morning commenced in an innocent way a week or two ago when pressure was put on those responsible to ensure that a suitable container for the documents was ready, and that the documents which were to be placed in the container were properly prepared.

The setting of the container in the foundation stone, of course, was something that was arranged almost overnight because of the incomplete state of the present building operations. As to having a large number of people attending the ceremony, I am afraid that would have been extremely difficult, because the area surrounding the foundation at present, with building operations still continuing, would have made the conditions extremely uncomfortable for a large gathering of people. Further, a large attendance would have meant something more than the informality associated with the resetting of the foundation stone. Such arrangements would have interfered with the building programme of Parliament House which the Joint House Committee is anxious to have completed as soon as possible, in view of the fact that the building operations are behind schedule.

I feel my position in this matter rather keenly, because Mr. Toby James intimated to me some time ago that he would like to be present when the new Parliament House is opened. I am wondering whether he would have also cared to be present at the ceremony this morning; but, on reflection, I have in mind that if he had been invited there is no knowing where a stop could be made to the invitations that would have had to be issued. All the old families of this State associated with Parliament House and its history would have been eligible to be invited to such a ceremony.

As to the old framed picture which Mr. Loton showed us depicting the original setting of the foundation stone in 1902, I am informed that another copy of the photograph has been taken but was not placed in the container with the other documents.

I make that explanation because, as Chairman of the Joint House Committee, I feel my position somewhat keenly in view of the events this morning; but, knowing the full circumstances, I do not think there was any alternative.

Question put and passed.

BILLS (2): RECEIPT AND FIRST READING

1. Alumina Refinery Agreement Act Amendment Bill.

2. Mining Act Amendment Bill (No. 3).
Bills received from the Assembly; and, on motions by The Hon. A. F. Griffith (Minister for Mines), read a first time.

PROSPECTING INDUSTRY

Inquiry by Select Committee

Order of the day read for the moving, by The Hon. E. M. Heenan, of the following motion:—

That a Select Committee be appointed to inquire into all aspects of the prospecting industry with a view to making recommendations which would bring about a revival in the search for gold.

As to Postponement of Order

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [11.25 a.m.]: Mr. President, is it in order for me to move that this motion be taken at a later stage of the sitting? I know that the honourable member who has given notice of this motion is, for the time being, unavoidably absent.

The **PRESIDENT** (The Hon. L. C. Diver): I would point out to the Minister Standing Order No. 109, which reads as follows:—

If a Member or some other Member on his behalf fails to rise and move a Motion of which he has given notice, it shall be withdrawn from the Notice Paper.

Motion

THE HON. F. J. S. WISE (North—Leader of the Opposition) [11.26 a.m.]: I move—

That a Select Committee be appointed to inquire into all aspects of the prospecting industry with a view to making recommendations which would bring about a revival in the search for gold.

In moving this motion, it is obvious how important the appointment of a Select Committee would be in furthering the search for gold. Most of the rich and important finds in the goldmining areas of Western Australia have been traceable to the original efforts and operations of the humble prospector. In his sphere, the prospector has undertaken, without any promise of reward for his labours—but with a great deal of satisfaction to himself—various hazardous projects through the years and through the centuries in his unflagging search for gold.

As a result of his activities on many goldfields and on many enterprises, his work has meant a return of many millions of pounds to this State. I think the

total value of gold won in Western Australia to date exceeds well over £400,000,000, and an extremely large proportion of that sum could be attributed to the initial operations of the prospector.

In the provinces represented by gold-fields members, it is extremely important that these men should be given an opportunity to continue in their way of life; and I strongly urge this motion for the very obvious reason that I am on my feet at this stage to enable someone to move the adjournment of the debate until a later stage of the sitting.

Debate adjourned until a later stage of the sitting, on motion by The Hon. A. R. Jones.

CONVICTED INEBRIATES' REHABILITATION BILL

Second Reading

Debate resumed, from the 3rd December, on the following motion by the Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. W. F. WILLESEE (North) [11.30 a.m.]: My leader was most discerning when he apportioned this Bill to me, because I am very interested in this subject. I feel that the material in the measure is good, because it creates machinery whereby the treatment of convicted inebriates will be carried out basically on a policy formulated by Alcoholics Anonymous, giving to the inebriate the opportunities of rehabilitation, and of treatment, at the same time.

I do not think there is any point in delaying the passage of the Bill at this stage of the session. After having read it, there are only one or two points on which I would like to comment. Where an alcoholic is convicted of a crime, and it is also established that he is an alcoholic, the penalty to be imposed upon him could be, for example, two years in gaol, after which term in gaol he would be sent to the Karnet Rehabilitation Centre.

On the premise that an alcoholic is a sick person, it seems to me somewhat out of proportion that an inebriate should have to go straight into gaol to serve a two-year term while he is in this sick, mental condition, and that, at the end of that time, he should be transferred to a home basically for the purpose, I should imagine, of treatment. I suppose there are good reasons why this should be so. It did seem to me, however, that the illness of the person should be the paramount factor when considering the point of the crime.

The Hon. A. F. Griffith: I think he may not necessarily be in gaol because of his inebriate habits, but because of some crime he has committed as a result of those habits.

The Hon. W. F. WILLESEE: That is a probability which I read into the Bill; but it would be very difficult to discern. It must be appreciated that we are still left with the person of the inebriate; with his body as it were. I do not wish to suggest that the man should be shown any leniency if he has committed a crime, but I do think his mental condition should be treated first, and then, if it is considered necessary, he should be sent to prison later. If that is not done it could mean that his health would be jeopardised.

Another point in the Bill refers to the fact that if a person so misbehaves that his parole is taken from him, the court need not take into consideration any period of time he has served up to the point at which he was granted his parole. This seems to me to be rather harsh because, from my knowledge of the subject, an inebriate is just a helpless person; he cannot help himself. He suffers from a disease, which is incurable in some cases; it is a disease similar to some of the major diseases contracted by individuals through no fault of their own.

Those are the only points I would like to bring before the Minister. I realise the principle contained in the Bill is a good one, and I support the idea that we should do something for these people on a practical basis of high level training. It is quite obvious that in the ultimate only good can come from such a situation; in fact I do hope that this measure is a forerunner of other legislation to help people who are tending to become inebriates. Such legislation could give them an opportunity to be treated before they reach the stage where they are not only a loss to themselves, but a loss to their families, to the community, and to the enterprise of the State.

THE HON. R. THOMPSON (West) [11.36 a.m.]: I also support the Bill. I think it is a step in the right direction. So far as the positive treatment of alcoholism is concerned, I think it is something about which the world knows little. Members may recall that at my invitation some four years ago, Professor Eric Saint addressed members during the dinner break, and pointed out the urgent need for something to be done along the lines we now have established at Karnet.

I think this legislation will be the forerunner of other legislation which will ensure some good being done. If we examine the position that has prevailed in the past, we find that previously a person would serve his term of imprisonment in Fremantle Gaol, and later be placed in the inebriate section of the Claremont Mental Hospital. This was not at all conducive to his well-being, because there would always be some stigma left with that person after his release from Claremont.

Now we find that a scientific approach is to be made, and I congratulate the Minister on taking this step. This legislation is well overdue. There is no doubt that the countries of the world will have to pay greater attention to this matter in the future, because it is one of the social evils which requires more consideration. Not even the medical profession has been able to iron out the cause of alcoholism, or why a person becomes an alcoholic to the extent that he leaves himself open to being convicted and classed as an inebriate. We know that alcoholism is a social evil, but we do not know, nor can we understand, why a person becomes an alcoholic.

I support the legislation. I have no fears so far as Fremantle Gaol is concerned, because I am sure that, while he is there, the convicted inebriate will be given all the attention that is desirable and necessary. The new psychiatric block in the Fremantle Gaol would lend itself admirably to early treatment. By the time the person concerned has served his term of imprisonment, and before he is transferred to the Karnet Rehabilitation Centre, much of the groundwork will have been done. I have pleasure in supporting the Bill.

THE HON. F. R. H. LAVERY (West) [11.40 a.m.]: I support this Bill, but would like to ask two questions. The first has already been put forward by Mr. Willesee, but I wish to extend it a little further. Why has a convicted person to be imprisoned for two years before he is given treatment? I do not know how many members of this House have taken part in the affairs of Alcoholics Anonymous; but I have played a small part in them. The affairs of this organisation are not made public, but people who attend its meetings—such as the annual conference which was held for the first time in Western Australia this year—are amazed at the standing of some of the members of that body, who had been drunkards previously. Today they are still alcoholics, even though some of them have been in Alcoholics Anonymous for some years. These people believe that a great deal more could be done to assist convicted inebriates.

I have attended more than one meeting conducted by this organisation at the Fremantle Gaol. I have seen members getting up, stating their cases, and revealing the degradation they brought to themselves and their families. It has been proven that drunkenness is a disease, and a voluntary complaint. I have listened to the radio broadcasts of Bishop Sheen, a great American theologian, who regularly broadcasts on these matters. He said there was no such thing as an incurable alcoholic. It is through co-operative treatment from friends, neighbours, and members of their families, that inebriates can be cured.

One of the worst alcoholics I have known has now been cured, and is working as a traveller for a whisky firm. Today he does not drink; but if ever there has been temptation in the way of a reformed alcoholic, here is an outstanding example. He was rehabilitated through the aid of Alcoholics Anonymous. I would like to know why it is necessary for a convicted inebriate to serve two years in prison before he is given rehabilitation treatment.

The second question I raise concerns the Karnet Rehabilitation Centre. I am at a loss to understand why the superintendent of that centre was not selected from the Gaol Officers' Union members, whose only opportunity of promotion is by appointment to outstations. I cannot understand why an ordinary member of the community, with no previous training in the care or supervision of prisoners, was appointed as superintendent of Karnet.

I have nothing but the highest regard for this officer who was appointed to his present position from the Chief Secretary's Office. This person, with no previous training in this type of work, was sent out of the State to receive training in an Eastern States gaol before he was appointed. I would like the Minister in charge of these matters to know that the Gaol Officers' Union is very perturbed about this type of appointment, because the opportunity for promotion in a very limited field has been denied to its members. Is this another Government procedure to be adopted for appointments to senior positions?

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [11.45 a.m.]: In answering the queries raised, particularly by Mr. Willesee and Mr. Ron Thompson, I may be going beyond my depth.

The Hon. R. Thompson: I did not ask any questions.

The Hon. A. F. GRIFFITH: The honourable member did pose some queries, which were also raised by Mr. Willesee. If he did not ask any specific questions I am sorry I indicated that he did. It must be appreciated that under this Bill we are dealing with convicted inebriates, as distinct from inebriates who, despite their bad habits, do not break the law. Here is a simple set of circumstances.

I know a number of people who are regarded as inebriates, but who live within the law; on the other hand there is that category of inebriates who break the law; and whether they break the law through their state of drunkenness, or through some other cause, is not of any great consequence. A crime has been committed, and upon indictment the case is heard. If the person is found guilty, a term of imprisonment is imposed for the crime. I can foresee a difficult state of affairs arising should a judge direct a convicted

person to receive 12 months' treatment at the Karnet Rehabilitation Centre to assist him to overcome his inebriate habits, before serving his term of imprisonment in gaol.

The Hon. R. Thompson: That would be enough to send anyone back on the grog.

The Hon. A. F. GRIFFITH: That would be out of the proper sequence. The offender should first serve his prison sentence for the crime he has committed, and then be sent to receive treatment at the rehabilitation centre. It would be difficult to send such persons to the Karnet Rehabilitation Centre for treatment first, and then later to the Fremantle Gaol to serve their prison sentences, which, in effect, would be postponed for 12 months.

I am not able to answer the question raised by Mr. Lavery concerning the appointment of the superintendent of Karnet. I imagine this appointment was made after due consideration by the Minister.

The Hon. F. R. H. Lavery: No applications were called for.

The Hon. A. F. GRIFFITH: I cannot say. This is a matter which concerns a Government department over which I have no jurisdiction, and I can make no further comment. If the honourable member wants further information it would be relatively easy for him to ask questions of the Chief Secretary.

Turning to the question of imprisonment of inebriates, a judge is in a position to impose a sentence according to the severity of the crime. If he considers it desirable, he can direct rehabilitation treatment to follow the term of imprisonment. Nothing in this Bill impinges in any way on the parole legislation which this Parliament passed a short time ago; one piece of legislation will not conflict with the other. I particularly inquired about that at the time. I think this is a step in the right direction and I am glad the Bill has received support.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. A. R. Jones) 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: Convicted inebriates may be placed in institutions—

The Hon. W. F. WILLESEE: I thank the Minister for his reply in connection with the remarks I made on this clause. While listening to the Minister it crossed my mind that in the overall we are being a little harsh. A person is punished for a crime committed while under the influence of liquor; and, after serving that punishment, he is then committed to Karnet for

up to 12 months. He could serve two years in gaol before going to the rehabilitation centre.

The Hon. A. F. Griffith: You are suggesting he will get two years summary punishment.

The Hon. W. F. WILLESEE: Plus another 12 months in the centre.

The Hon. A. F. Griffith: Where in the Bill does it say he will get two years?

The Hon. W. F. WILLESEE: I am assuming he would get a two-year sentence and a year in the rehabilitation centre.

The Hon. A. F. Griffith: The Bill does not define his period of sentence.

The Hon. W. F. WILLESEE: That is true. It could be six months of one and two years of the other. In the course of time I think we should blend the sentences so the person concerned can receive rehabilitation while serving his period in gaol. After all, the period at the rehabilitation centre is a form of punishment; and as it is at the moment I think we are requiring more than the normal demands of justice call for.

The Hon. A. F. GRIFFITH: While Mr. Willesee was speaking, I was wondering from where he was getting the two years, and I started to go through the Bill. The length of punishment would depend on the type of crime and the punishment laid down in the particular Statute under which the person concerned was punished.

The Hon. W. F. Willesee: I think there was a reference in your notes to two years. Surely I am not that imaginative.

The Hon. A. F. GRIFFITH: A summary conviction under the Police Act brings a lesser penalty than some convictions for indictable offences under the Criminal Code; so there would be a difference in sentences. Under this measure a person will serve his term of imprisonment and then can be committed to an institution for a period not exceeding 12 months. This does not seem unreasonable to me.

Clause put and passed.

Clauses 5 to 9 put and passed.

Clause 10: Rescission of orders—

The Hon. R. THOMPSON: It is possible that Karnet may not ever reach full capacity. It may for certain periods of time, but then the numbers would drop off. During my work with Alcoholics Anonymous many requests have been made that some clinical treatment other than that which was available up to several years ago at the Heathcote Reception Home should be provided for inebriates on a voluntary basis. Since that time the Salvation Army has opened up a small clinic which is doing a wonderful job.

I know this is something which is not covered by this measure, but I think the Chief Secretary could have a close look

at the position so that if a person wanted to take advantage of rehabilitation, or his family wanted him to, the inebriate concerned could go to Karnet. I am of the opinion that this facility should be made available to people who are genuinely trying to rehabilitate themselves and break away from the curse of alcoholism.

The Hon. A. F. GRIFFITH: I think the honourable member must not lose sight of the fact that Karnet is part of a penal system.

The Hon. R. Thompson: That is right.

The Hon. A. F. GRIFFITH: It is not the same system as applies at the Salvation Army home at Seaforth, which takes voluntary inebriates or inebriates other than convicted inebriates. As Karnet is part of a penal system, I do not think it would be possible for a person to be admitted voluntarily.

The Hon. G. C. MacKINNON: It is a pity that circumstances prevented a visit being made by members to Karnet this year, because I think such a visit would have answered many questions raised in regard to the establishment. As the Minister said, Karnet is part of a penal system. One of the difficulties there is that some fellows remain completely unconvinced that the principles of Alcoholics Anonymous will work. They are not the slightest bit interested. The only thing they are interested in is getting out and going to the nearest hotel again.

As most of us know, the effectiveness of the principles of Alcoholics Anonymous depends entirely on the wholehearted co-operation of the individual concerned. He cannot be half-hearted. In the main hall at Karnet—the dining room, which is about as large as this Chamber—the 10 main points of the Alcoholics Anonymous creed, are printed on large blackboards, so that the men see them every day.

A number of fellows not in the inebriates' section, who have been committed for other types of crime, have attended one or two meetings at the inebriates' centre. After these meetings they have realised for the first time in their lives that their problem is really alcohol, and that they are really in the wrong section, because the underlying reason for their crime has been drink.

I do not think it would work to open a place like this to volunteers. The whole attitude would be completely different. I repeat that it is a shame the proposed visit to Karnet had to be postponed, and I sincerely hope that in the new year such a visit will be possible. I am quite sure that Mr. Driscoll will welcome members and show them the establishment, which he is running very well and of which he is justifiably proud.

The Hon. F. R. H. LAVERY: I would like to support the Minister and Mr. MacKinnon. Karnet is part of a penal system and volunteers could not be accepted.

As has been said, this establishment is one of the dreams of Professor Saint, and it is worthy of the support of all the community.

As I said by way of interjection, a prison is not a place where a person is sent to be punished. He is punished when the judge sentences him; and this establishment, in particular, is designed to rehabilitate those convicted.

I support Mr. MacKinnon regarding the postponed trip to Karnet, and I hope some time early in the new year, a trip will be arranged.

The Hon. J. G. HISLOP: All I want to try to bring to the notice of members is that no one form of treatment can be regarded as a complete cure for the subject as a clinical entity. Members would be surprised to realise the number of conditions in the nervous system and the mind of human beings which would tend to create alcoholism. If I give a list of possibly 10 causes, members will know that quite obviously there must be a series of therapies directed towards their cure.

One of the first causes of alcoholism is a low tolerance of frustration. Any sort of frustration of effort may make an individual seek some form of escape, and that escape can be alcohol. Others will find that the origin may be an inability to endure tension or anxiety; and any undue tension or prolonged anxiety may send the individual to alcohol as a degree of solace.

A marked feeling of isolation is also a great possibility, and this feeling of isolation in a human being is one that is very hard to overcome. It is a very difficult condition. An individual who feels he has been rejected from his home life—he has perhaps not had the amount of parental affection to which he is entitled in early life—can develop a feeling of isolation. That isolation may end up in alcoholism. Then we have the individual who is unduly sensitive, and criticism of any sort will send him into deep depression or to the stage where he feels he must seek relief.

These are some of the variations which force individuals to over-indulge in alcohol. Then there are those who have a tendency to compulsiveness. When anything happens to those individuals which disturbs them in any way, the first thing they do is make for alcohol. Members may see the same thing happen in the case of an individual who is a compulsive eater. The moment that any disturbance of a nervous character occurs, that individual will go to food and will only feel well after having eaten. The result is that one will see a large individual who cannot lose weight because of this compulsion that overtakes him.

Then there is a group of individuals that tend to make an exhibition of themselves. This type is probably not quite so frequent as some of the others I have mentioned;

but it seems that this desire to make an exhibition of themselves and to create public interest in themselves is allied with alcoholism.

Extreme moods of depression recurrent in nature will, in some cases, lead to alcoholism. Unconscious rebellion against society; hostility towards others; and inability on the part of individuals to associate themselves as individuals in a social sense may also lead to alcoholism. I think one of the real causes of alcoholism is, possibly, immaturity.

This means, therefore, that one must look at each individual case as an individual problem. There is no doubt whatever that Alcoholics Anonymous has discovered one of the secrets. There are some people who join in with a group because it does away with their feeling of isolation. Many aspects of the problem can be discussed in relation to Alcoholics Anonymous.

One has to realise that in a number of cases prolonged psychiatric treatment in an institution, which these convicted inebriates are likely to obtain, has a major part to play. All the field of psychiatric training on the part of those in charge of these people has to be called into action. Analysis of the individual on a psycho-analysis basis must be helpful. Pure psychotherapy, apart from analysis, is also of great help. Group therapy, which would possibly be part of the work at Karet, has produced favourable results over the years.

We also have individuals with nervous conditions who react to tranquillisers, and to new types of drugs which cause an unpleasant sensation by producing a chemical content in the body which makes alcohol repulsive to those individuals. There are others who need cortisone drugs.

I would point out that in regard to the treatment of individuals, nothing can be regarded as certain of being successful, and an inquiry into the needs of each person is essential before any progress can be made or any cure effected. I am quite certain that this can be achieved if individuals are placed under the care of an institution; and I think this measure is a fine step forward.

Clause put and passed.

Clauses 11 to 17 put and passed.

Title—

The Hon. F. J. S. WISE: Mr. Willesee was trying to catch your eye, Mr. Deputy Chairman, when you were putting the clauses en bloc, and I rose to my feet when you put the question. Mr. Willesee wished to draw attention to clause 13. In the second line of the clause there appears to be a misspelling to be corrected by the Clerk. The word "fall" should be "fail".

The DEPUTY CHAIRMAN (The Hon. A. R. Jones): The Clerk informs me that the wording is correct.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

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

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 3rd December, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [12.18 p.m.]: This Bill deals, in the main, with the approval of the list of insurers, and it seems to be something that is requisite.

The Minister has furnished me with a list of those who are now the approved insurers and, because of the reducing of the list, circumstances may arise when it will be necessary for those who are the approved insurers to be buttressed; and therefore the provision in this Bill should be approved.

The repealing of the existing provision in the Act will introduce a slightly different formula; but it is all based on the business that is done by each individual insurer, and the proportion of the business that each does in so far as his share in the trust is concerned. I have no objection to the Bill. I think this is something which has to be safeguarded. The trust itself has to ensure that it has the insurers willing and anxious to share their business, and I think that is the position in which we should keep this section of the Act.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

WHEAT INDUSTRY STABILISATION BILL

Second Reading

Debate resumed, from the 3rd December, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. N. E. BAXTER (Central) [12.22 p.m.]: I think this is one of the most important pieces of legislation that comes to Parliament periodically. I say that because the wheat industry of Australia means not only a great deal to the farming community, and particularly the wheatgrowers, but also to the Australian public in general. The fact that we can export huge quantities of wheat overseas means that the Australian people can import into this country many of their requirements.

It is interesting to look back through some of the history of the wheat industry, and to go back to the early days when the first wheat farms were started in this State. There was no organisation by the growers in regard to sales, and their wheat was sold through agents, who either distributed to flour mills in the State, or exported some of it overseas. The farmers were at the mercy of these agents to a large degree for many years. Then, when the 1914-18 War started, things took a slightly different turn. The compulsory Government pool was established and wheat had to be stored because it could not be shipped overseas.

At the time a number of difficulties were encountered in regard to the storage of the wheat, and I well remember the position during the war years, although I was only very young at the time, when my late father was a Minister without portfolio in charge of agriculture in this State. In those days he had the problem of handling the wheat pool of Western Australia, and the first storage building in this State was built at Spencers Brook. It was a huge galvanised iron building, and one of the main problems at the time was mice. Ways and means had to be devised to keep the mice out of that huge storage shed. Iron had to be sunk into the ground so that the mice could not dig their way into the shed and, of course, those in charge of the construction had to make sure that there were no timber beams showing along which the mice could climb into the wheat. In the early stages the mice certainly did get in and they made quite a mess of the wheat that was stored.

I can remember my father stating on one occasion that this State had had a bad year and we had to import wheat from New South Wales. The New South Wales Government held the gun at the head of the Western Australian people and charged them a high price for the wheat purchased from New South Wales. However, the tables were turned a few years later when New South Wales had a drought—I think it was in 1919 or 1920—and we got our own back. The New South Wales Government had to come to the party and pay our price.

Following that there was an attempt—I think it was in 1921—to introduce bulk handling. Information was obtained from America and a Bill was introduced into this Chamber to set up a bulk handling

scheme. A lot of lobbying was done, particularly by people interested in the sale of jute, which is used for the manufacture of cornsacks, and the Bill was finally thrown out by one vote. It was not until some 11 years later, in 1932, that bulk handling was agreed to by both Houses of Parliament, and the scheme came into being. What a boon that has been to Western Australia.

The policy adopted by the Country Party has always been for the stabilisation of primary industries, and that policy has resulted in the Wheat Industry Stabilisation Act being introduced. It is strange that an amendment to the Act is not introduced from time to time, but the legislation introduced is always to repeal the existing Act and re-enact new legislation, although the main provisions are practically the same. As it is complementary legislation—similar legislation being introduced in the Commonwealth—it is necessary to adopt this procedure.

It is rather interesting to look back through the Acts that were passed from 1948 onwards. We find a variation in the price payable for wheat and, although I do not want to go into details, in the early stages it was calculated on one basis without any limitation of the guaranteed price. But from 1954 onwards we have had a minimum quantity and a guaranteed price. In the 1954 measure the amount shown was 100,000,000 bushels, and that figure was continued in the 1958 legislation. This year it has been increased to a minimum of 150,000,000 bushels.

This has been brought about by a greater production of wheat, and to a certain degree by the fact that the farmers of this State have agreed to accept a lower guaranteed price. Some mention was made during the debate about the cost of production, and it does show that farmers, when they can reduce their cost of production, and increase their production, to meet a contingency, will accept a slightly lower price for their products.

These agreements are made from time to time, and they necessitate the periodical introduction of Acts such as the one we are discussing. However, these agreements are not arrived at easily.

I clearly recall the late Mr. Garnet Wood, who was then Minister for Agriculture—in 1954, I think it was—attending at least four or five conferences of the Agricultural Council to have incorporated in the Bill that was to be introduced in that year a provision to ensure that farmers in this State, particularly, were well served under the Wheat Industry Stabilisation Act. I can recall his asking me in the House one day if I would care to attend his office to discuss, with representatives of the wheat section of the Farmers' Union, the details of what they considered the Minister should put forward at the Agricultural Council.

As an observer I heard the arrangements made, and the late Mr. Garnet Wood put up a great fight in putting forward the suggestions that had been made by the representatives of the wheat section of the Farmers' Union at the various conferences held by the Agricultural Council. As I mentioned a moment ago, four or five conferences were held in the various capital cities of Australia. At the time a certain party took exception to what the late Mr. Wood had done, even though he had obtained more for the industry than was asked for by the wheat section of the Farmers' Union.

There is no doubt that the late Mr. Wood did a wonderful job towards bringing the wheat stabilisation agreement to fruition, and since then farmers have had a minimum guaranteed price properly inserted in the Act, which does help to ensure that the farmers in this State, particularly, obtain a reasonable price for their product. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. G. C. MacKinnon) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Commencement—

The Hon. L. C. DIVER: I would like to have a few words to say on this piece of legislation: the re-enactment of the wheat stabilisation agreement. My reason for so doing, Sir, is my long and close association with the wheat industry. My first excursion into wheatgrowing was in 1915, following the 1914 drought. This was brought about by somewhat unfortunate circumstances which ultimately turned out to be to my advantage.

At the time my father who, one might say, was a pioneer farmer, had lost several of his horses in the 1914 drought, and he did not have sufficient power to draw the agricultural machinery. A neighbour who is now a very old man, and whose name is well known to the Labor Party, had several horses, but no manpower. As a result, a swap was more or less made between him and my father. I was loaned to the neighbouring farmer, and he loaned my father three horses. At the completion of my three weeks' labouring I was given a pound note and half a bag of wheat. I subsequently sowed that bag of wheat, and I have been a wheatgrower ever since. Therefore, I have been growing wheat for the best part of 50 years.

I have seen the ups and downs of those engaged in the wheat industry, but it will be appreciated that our wheat industry has now really blossomed forth. In support of that I have in my hand a document which was compiled by the late Hon. T. H. Bath,

one of the greatest champions of the wheat industry the State has ever known. In fact, in my opinion, the wheat silos at the Fremantle wharf should be named the Bath silos in memory of the man who did so much for the wheat industry in this State. The title of this document is—

A Plea for Just Parity Prices for Farm Products

In the table which he has set out in this document, he commences with the year 1911 when our total wheat production was approximately 5,500,000 bushels. The actual price for wheat in that year was 3s. 6d. a bushel f.o.b. The table also shows the disparity which existed between the income of the wheat farmer and the prices he had to pay for his requirements in the various years from 1911 onwards. In 1911, the base in the wheat industry was 1,000 units, but by 1941 it had increased to 1,793 units. It was because of this great disparity that the late Hon. Thomas Bath toiled and laboured to place the wheat industry on a sounder footing.

With the introduction of the Commonwealth wheat industry stabilisation plan towards the end of the 1940's, many of the trials and tribulations of the wheat farmers were at long last being recognised. Yet, with Mr. Strickland's words in mind, it is realised that even today there are some people who do not appreciate that there is a tendency for the wheat farmer, once again, to lose his grip on price parity. I am not sure whether I should take Mr. Strickland's remarks seriously, because I noticed there was somewhat of a twinkle in his eye when he spoke; but as that fact cannot be recorded in *Hansard*, his comments will appear in print as cold, hard facts.

Consequently, in speaking to the Bill, I would like to point out to the honourable member that the manner in which the price of wheat is fixed is investigated thoroughly by the Bureau of Agricultural Economics at Canberra. Having had experience as a Minister, Mr. Strickland knows as well as I do how any civil servant guards the money in the Treasury as if it were in his own pocket. Consequently, when the officers of this bureau are engaged on the computation of what those in the wheat industry are entitled to, their duties are performed with the greatest of care. All sidelines of farming operations are taken into consideration. A questionnaire is circulated among the 250 farmers in the State, and from the returns received they assess the average wheat price. In making their computation as to what the guaranteed price will be fixed at, so much is deducted from the wool income, and so much for all the sidelines. Mr. Strickland wanted to know how it was that there was such a great disparity between the price guaranteed for wheat, and that returned for oats and barley.

This is a simple exercise. I am sure the honourable member overlooked the fact that a bushel of wheat weighs 60 lb., a bushel of oats weighs 40 lb., and a bushel of barley weighs 50 lb. If we take out the export market price for oats, which is approximately 7s. a bushel of 40 lb., and give the relief of one-third, we immediately lift our oat weight from 40 lb. to 60 lb., to get it in tune with wheat. So the leeway in this regard has already been made up. The economics of growing the two crops are vastly different. I should have thought the honourable member would know that, because of his family associations with the agricultural industry.

In the case of oats it is more or less an insurance; a catch crop. The prudent farmer puts in a rather large area of oats as a rule, mainly to ensure that he has plenty of coarse grains for hand-feeding his stock. He could put in an area of oats cheaper than he could put in a similar area of wheat. He would only need about 60 lb. of superphosphate and 30 lb. of oaten grain seed. It is quite likely that the yield per acre for the crop put in—without the tilling of the soil that is necessary for the production of wheat—would be from 20 to 40 bushels, or more, per acre from oats, than from wheat. This is quite extraneous from the fixing of the figure under the stabilisation plan.

Mr. Strickland also mentioned that some farmers got 20 or 30 bushels of wheat to the acre. There are very few farmers who get 20 or 30 bushels to the acre on an average; though I must admit there are a few exceptions who do get over 20 bushels on the average.

The Hon. A. F. Griffith: That is in this country?

The Hon. L. C. DIVER: Yes, in Western Australia. I was taught very early in life that even though the basic wage is fixed by the Arbitration Court, one does not take into account the best worker or the worst worker when considering these matters. One fixes a fair day's pay for a fair day's work; or, in other words, the average. In a big undertaking like the wheat industry, we must take the average. Much against the wishes of many Western Australian wheatgrowers, the average has been computed to be in the vicinity of 17 bushels to the acre. The average in Western Australia is considerably less than that; but because we are an integral part of the Commonwealth stabilisation plan, we must join in. Increased yields have been brought about through the application by the modern farmer, modern techniques, and modern machinery. This has made it possible for him to increase his yield per acre on the Commonwealth basis.

Sitting suspended from 12.45 to 2.30 p.m.

The Hon. L. C. DIVER: Before the luncheon suspension I was pointing out how the price for wheat was determined under the wheat stabilisation legislation. We have heard all about what the taxpayer has to pay, but nothing about what the farmer has to pay in this cost structure. As I have already pointed out, after all of the relevant factors are taken into consideration the new guaranteed price will be, I think, 14s. 7d. It is 1s. 5d. a bushel less than farmers were guaranteed under the legislation which has been operating for the preceding five years.

This has been made possible through the sheer efficiency of the wheatgrowing industry, which has taken advantage of all the modern techniques. Of course, it does not matter how industrious a farmer may be, if he does not apply himself at the right time, his efforts are wasted. The right time is, of course, determined by the good Lord to whom we, in the wheat farming industry, are very grateful. We know that unless the rain comes regularly and in suitable quantities, we cannot make much progress; and, fortunately, we are blessed in this regard year in and year out. Because the wheat farmers have been ready at the right times, the production figure has tremendously improved.

We must ask ourselves what contributions the wheat farmers have made to the national economy. I claim they have made a vast contribution. Because of the wheat stabilisation legislation, the farmers have been able to obtain the wherewithal to reinvest in the farms. This has a beneficial effect upon the economy of Australia. Every facet of industry and commerce feels the beneficial blast of the infusion of this money into our internal economy. Consequently, surely, despite the doubts of some people, the average citizen of Australia has benefited far more from the wheat industry than from even the wool industry. In order that the wheat industry might progress, the farmers must buy the machinery, fertilisers, and services, and these factors improve the economy of the State in general.

Consequently, I make no apology for the price which has been determined under the agreement on this occasion. I would ask those who are inclined to query the matter, what other industry in Australia will accept a reduction in its guaranteed income? As I have said, it has only been possible in the wheat industry because of the efficiency of the farmers themselves; and, in this respect, I would say the industry would be almost unique.

However, I must be fair. I must pay tribute to those people representing the wheat industry who have worked to formulate the new agreement. They have induced the Federal Government to agree to an increase in the guaranteed quantity from 100,000,000 bushels of export wheat

to 150,000,000 bushels. This is in addition, of course, to the wheat which is used internally in its various forms.

The increase from 100,000,000 to 150,000,000 bushels means that the charge to the Commonwealth, or the risk to the Commonwealth, through having to underwrite this amount has been increased only slightly over the risk the Commonwealth undertook in order to underwrite 100,000,000 bushels; for it is a simple mathematical exercise to work out the amount involved on the basis of 100,000,000 bushels, plus the home consumption price that was guaranteed for 160,000,000 bushels at 1s. 5d. a bushel. I think it comes to about £3,330,000 or £3,500,000. Then we add that sum to the amount involved in the 50,000,000 bushels extra that the Commonwealth has now underwritten. When we do that we find that under the worst possible conditions the Commonwealth will only be about £900,000 worse off than it was under the 100,000,000 bushels scheme. Consequently the overall picture is much sounder, in my opinion, for the great wheat industry under this new arrangement than it was under the last five-year plan.

I trust that in the coming months, all the great thinkers in the world will really make progress in the international arena in the matter of stabilisation of world prices of primary products. Most members will know that Mr. McEwen, who is Minister for Commerce and Industry at the Federal level; the late Mr. Kennedy; and men of their ability, were, and are, trying to arrange at world level that the primary industries of the world be set on a far more stable footing than they have been in the past.

Their operations are to go into Europe where they have to try to penetrate the market for primary products; that is, the European Common Market. It will be a difficult task, but not an insurmountable one; and I am one who looks very optimistically to the future in that regard, because I point out that we talk about getting world export parity for our wheat when it is sent overseas by negotiation; but there is no such thing as world export parity for wheat. The price we get for our wheat from any European country is considerably less than that country—wherever it may be—pays to its own growers. Consequently, the exporting countries that negotiate to sell wheat in other countries, to this date, can only take the price that those other countries will collaterally agree to give; and, in every instance, it is shillings and shillings below the price they pay the producers who produce wheat within the borders of their own country.

I emphasise that, because it may indicate to some people within Australia who complain from time to time about the price they are paying for a loaf of bread, that they are getting the cheapest loaf of bread in the world. That is simply because of

the stabilisation scheme that holds the price firm; and, as I have already indicated, the price is considerably below that at which we can buy wheat in any other country in the world. Even the great United States of America, with a price stabilisation scheme, pays its farmers considerably more than the Australian farmers get for their product.

I think I have given a short resume of this expanding and important industry in Australia. Before I conclude I would like to add a few remarks to some that I made earlier in regard to the late Thomas Bath who was well known to Mr. Wise, and who negotiated over long periods in respect of matters concerning the wheat industry with Mr. Wise. Mr. Bath fought tenaciously, justly, and fully on behalf of the wheat industry over a long period of years in order that some equity might be given to—or, should I say that justice might be recognised by—the people of Australia in order that the wheat industry should be given parity; and the wheat stabilisation scheme, since its inception, has had as its objective the bringing about of such a state of affairs as was in the mind of the late Hon. Tom Bath. Therefore, I would think that the Bill could be just as well titled the Great Australian Economy Stabilisation Scheme; because that is the effect it will have upon the welfare of every man, woman, and child within the shores of this continent.

Before resuming my seat there is one point I missed that I would like to deal with. Mr. Strickland mentioned that he was not aware of any contribution made by the farmer regarding the shifting of wheat. At least, that is the way I took it. If I am wrong—

The Hon. H. C. Strickland: Wharfrage.

The Hon. L. C. DIVER: I thought the honourable member made a far greater contribution than just referring to wharfrage. I have before me a last year's pool certificate showing that a farmer paid—this would be the average wheat freight for Western Australia—16.73d. per bushel freight, and 6d. per bushel toll. This farmer delivered 17,150 bushels to the pool, and his first advance was 11s. 2d., out of which was taken for freight and toll charges £1,624 5s.

This brings me to the point of wharfrage. I think ours is the only State—I am not certain of this—where the wheat farmer finds the whole of the capital required for the port silos; and he pays the total cost of the handling of wheat at ports. Consequently the Fremantle Harbour Trust has not been called upon to pay one penny towards the expenditure on that huge battery of wheat silos at Fremantle Wharf. As I have already indicated, the farmer pays the bulk of this expenditure, and in this instance the toll charge of £428 15s. is in the nature of a free of interest loan.

As Mr. Strickland has pointed out, the farmer is not directly taxed for wharfage, but I claim he is indirectly taxed, which tax is imposed willingly by himself. This is a tremendous question, and I could take up a great deal more of the Committee's time by outlining the history and activities of the wheat industry still further, but in an abbreviated fashion I have tried to span a history of the wheat industry ranging over almost fifty years so that someone may read what I have had to say, and glean at least a few of the facts relating to this most important industry.

The Hon. H. C. STRICKLAND: I am grateful for the information supplied by Mr. Diver.

Clause put and passed.

Clauses 3 to 13 put and passed.

Clause 14: Price to be paid for wheat—

The Hon. A. R. JONES: In speaking to this clause I take the opportunity, because it deals with the prices to be paid for wheat, to outline some further information for the benefit of Mr. Strickland. I will be brief because I think the matter has been extremely well covered by the President (The Hon. L. C. Diver).

Mr. Strickland did ask why farmers were prepared to accept a lower price for oats and barley, but insisted on a guaranteed price for wheat. In the first place, I suggest that most farmers in Western Australia grow wheat as their main crop. A barley crop is grown for two or three reasons. One would be that it forms a better first crop on some types of land. Secondly, it is a better crop in ley country—that is, ground that has been grassed for a period of years—in the wetter districts of the State. Thirdly, barley is grown because, invariably, it will give greater production on better types of soil.

In trying to make that clearer, I would point out that a wheat crop and a barley crop sown alongside each other will generally result in the barley crop yielding $1\frac{1}{2}$ or two bags more to the acre than a wheat crop. If sown in light land, that is generally the result. In the wetter areas of the lower great southern, wheat cannot be grown successfully, but excellent crops of barley are grown. I am referring to those parts where the rainfall is about 20 inches.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): The honourable member is aware that the clause deals only with the price to be paid for wheat.

The Hon. A. R. JONES: I said that I would take the opportunity to deal with this price. It is amazing that you have come to the conclusion I am not speaking on the price to be paid for wheat Mr. Deputy Chairman, when the previous speaker got right away from the subject.

The DEPUTY CHAIRMAN (The Hon. G. C. MacKinnon): I think there was ample reason for my allowing the President a great deal of latitude whilst he was speaking. He has not much opportunity to speak on most occasions, especially during debate on the second reading of any Bill; and this is a subject which is dear to his heart. I think the Committee was behind me when I allowed a great deal of latitude to him. Of course, I cannot continue to extend the same latitude towards other members, who have had an opportunity to discuss the Bill during the second reading stage.

The Hon. A. R. JONES: The price of wheat has already been set at a certain figure; and it is due to the stabilising effect of farming in Western Australia that it is set at that figure. I commenced to explain why oats and barley were not taken into consideration in assessing the price of wheat, but undoubtedly they will be eventually, because already a board has been constituted to inquire into the price of barley, along similar lines to the inquiry into the price of wheat.

The growing of oats is not so pronounced in this State, but I think in the near future, as farmers grow more and more oats, a stabilised price will be set for this grain. I trust this information has proved to be of some interest to Mr. Strickland.

Clause put and passed.

Clauses 15 to 24 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

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

BILLS (4): ASSENT

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

1. Superannuation and Family Benefits Act Amendment Bill.
2. Factories and Shops Bill.
3. Constitution Acts Amendment and Revision Bill.
4. Constitution Act Amendment Bill.

ADMINISTRATION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. E. M. Heenan, read a first time.

ALUMINA REFINERY AGREEMENT ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban
—Minister for Mines) [3.3 p.m.]: I move—

That the Bill be now read a second time.

This brief measure and attached schedule are required because of the necessity to enter into an agreement to amend the original agreement dated the 7th June, 1961, between the Government and Western Aluminium No Liability. Though the refinery Act is known as the Alumina Refinery Agreement Act, 1961, the industry associated with this agreement is known in more general terms as the Alcoa alumina refinery at Kwinana established to process bauxite from the Darling Range.

The amending agreement which requires ratification deals with—

The title to the works site.

Provisions related to the effluent disposal area.

Annual fee payable for the right to occupancy of the temporary reserves.

Variations clause.

Clarification of the expression "Crown Land".

Clarification of the areas to be treated as temporary reserves within the meaning of the agreement.

It was necessary to introduce this Bill to Parliament in the interests of both the State and the company and to dispose of legal doubts concerning some matters which have arisen. Under the original agreement, the company need not have commenced construction of the refinery until about 1965, but it has already made great progress in establishing the industry. Actually, the refinery has been completed to a stage where bauxite is being processed as part of the plant test run processes. The railway from Jarrahdale to Kwinana has been laid, some very up-to-date aluminium trucks have been constructed and are in operation for the transport of bauxite, and mining and loading terminals at Jarrahdale are operating.

The refinery will cost about £10,000,000 compared with £5,000,000 specified in the original agreement. It will be able to process 210,000 tons of alumina a year compared with 120,000 tons required by the agreement. Furthermore, the design and construction of the plant is such that expansion to many times the present capacity will be possible without serious dislocation of the operations.

The State is empowered under subclause (4) of clause 3 of the agreement to sell the works site to the company for £250 an acre. When this was drafted it was not realised that just prior to the sale some of

the land in question would be Crown land subject to the Land Act. It was thought it would all be dealt with under the special Acts dealing with industrial land and Kwinana land.

An additional complication arises through the company, for domestic reasons, desiring the Crown grant to issue subject to existing mineral lease, and to be limited to surface only, except where necessary to excavate for foundations. In the amendment to the agreement, it specifies a depth of 40 ft. only, which differs from the normal title which is given.

Clause 5 of the agreement overcomes difficulties which have arisen with respect to effluent and the provision of effluent areas. With regard to this amendment it is pointed out that when the main agreement was drafted, the residue areas had not been acquired, nor had the properties or nature of the effluent been properly examined. The company intends to conduct experiments on effluent from processing on a pilot scale to determine the degree of natural settlement and whether residue would readily support vegetation and so on.

The amending agreement provides that the land made available by the State under the terms of the original agreement be filled by the company in a manner and to a level or levels as agreed to by both parties or, failing that, in a manner provided in the original agreement. This gives a degree of flexibility not found in the agreement, because there will probably be better methods developed from time to time for dealing with effluents. It is emphasised that this Bill provides, in effect, that where agreement cannot be reached between the Government of the day and the company, the terms of the original agreement shall prevail.

There is an amendment which increases from £50 per annum to £100 the rent of temporary reserves. The company accepted this in its discussions with the Mines Department. It is related to the altered temporary reserves areas covered by the amending agreement. The variations clause has been amended to give greater flexibility in the administration of the agreement than the original clause. It has been found by experience that the Government would be unduly hamstrung in the day to day administration of an agreement, such as this one, if the original clause prevailed. This comes about through the difficulty of being certain as to what constitutes a "material or substantial alteration of the obligations and rights of either party".

The amended variations clause is undoubtedly in the interests of all concerned. An agreement of this nature will continue for a long time and many problems will occur which will require to be resolved

without recourse to legislative action. This does not imply that the objectives of the original agreement can be interfered with.

The following summary of the relevant clause should be recorded for the information of members: Clause 28 of the Alumina Refinery Agreement permits variations only "so long as such cancellation, addition, variation or substitution shall not constitute a material or substantial alteration of the obligations or rights of either party under this Agreement". The expression "a material or substantial alteration" is not a term of art. It could be argued that unless an alteration were material, there would be no need for a new agreement of variation. In any event, the courts are likely to give a narrow construction of the expression.

In an agreement of the magnitude and novelty of this agreement, minor variations are likely from time to time to arise, as there have been in relation to many of the other agreements approved by Parliament in recent years. The problem is to give to the Government of the day some measure of power to make binding minor variations without making the power too wide.

A perusal of the Commonwealth Statutes of 1961 show the following clause 10 of an agreement between the Commonwealth and the State of New South Wales with respect to certain coal loading works approved by the Commonwealth Act No. 93 of 1961:—

10. To the extent that it is necessary for the more efficient fulfilment of the objectives of this agreement, the Schedule to this agreement may be varied in such manner and to such extent as the Treasurer and the State Minister agree and all references in this agreement to the Schedule shall be deemed to be to the Schedule as varied in accordance with this clause.

This clause seemed to give the two Governments power to make binding variations of a minor character, provided they were necessary for the more efficient fulfilment of the objectives of the agreement. If the variation agreement should conflict with any of the objectives of the agreement, then clearly they would be outside the scope of the authority conferred by the respective Parliaments.

It was thought that a precedent approved so recently by the Governments of the Commonwealth and of the State of New South Wales would be likely to be more acceptable to the Parliament of Western Australia than any new original drafting.

The proposed new clause 28 is limited in its scope by each of the following expressions—

- (a) "to the extent that";
- (b) "it is necessary";

(c) "for the more efficient fulfilment of the objectives of this Agreement"; and

(d) by the fact that the parties must mutually agree.

One of the main objectives of the variation clause is to provide the necessary machinery to make alterations of no great significance which may arise over the years; without having to bring them to Parliament; but at the same time not giving power which is wide enough to interfere with the original objectives approved by Parliament.

Yet another amendment in the agreement is to clarify the position in respect of Crown land. In particular, it deals with land within the leased area and land within the temporary reserves, which lands might be within the boundaries of the water reserves or catchment area constituted under any Act of the State Parliament.

The position is fully protected in view of the wording of subsection (2) of the proposed new section 33—

The Company shall at all times comply with and observe the provisions of the Metropolitan Water Supply Sewerage and Drainage Act, 1909, and all other Acts for the time being having application to any water reserve or catchment area within the leased area of temporary reserve aforesaid and nothing in this Agreement shall be construed so as to abridge limit or qualify those provisions in their application as aforesaid.

Finally, the amending agreement provides for clarification in respect of temporary reserves 2445H and 2446H. It has been understood from the inception that these reserves were part of the project and at the appropriate time could be considered together with the temporary reserve area referred to in the original agreement.

It was intended that if bauxite in payable quantities were found on these reserves, areas could be converted to lease conditions as part of the special lease provided for in the original agreement. It has been found by reference to the Crown Law Department that this is not so; and although the company held temporary reserves 2445H and 2446H with a clear intention that at the appropriate time those parts having payable quantities of bauxite in them of suitable grade would form part of the lease area, it is not now practicable to do this without the authority of Parliament. Therefore, this amendment has been inserted.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

RAILWAYS (STANDARD GAUGE) CONSTRUCTION ACT AMEND- MENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [3.15 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Railway Standardisation Agreement Act, 1961. Plans 54405, 54406, and 54407, as required by the Statutes have been tabled.

Considerable research and survey work have been undertaken by the Railways Department and the Consulting Engineers, G. Maunsell & Partners, following the completion of the agreement with the Commonwealth Railways for the standard gauge project. As a consequence, this amending Bill is necessary.

It has always been understood that the original route and method of constructing the railway would be critically examined as each phase of the project received consideration. Some major changes became apparent, which, in the interests of the project and the overall system, were required to be discussed with the Commonwealth and, when approved by the Commonwealth, submitted to the State Parliament. These have been discussed with and approved by the Commonwealth in accordance with the requirements of the original agreement.

It is desired to have these amendments passed this session so that further planning and the letting of contracts can proceed without interruption. Parliament earlier approved the revision of the project dealing with the connection of the great southern line to the standard gauge railway in the Northam area.

There are two main parts to the variations covered by the Bill; namely, the Southern Cross—Kalgoorlie sector and the metropolitan sector. The original Act provides for construction parallel to the existing railway between Southern Cross and Kalgoorlie with a spur between Southern Cross and Koolyanobbing.

Examination has disclosed that deviations to obtain the stipulated grade of 1 in 150 would be necessary over about 60 per cent. of the length. This would entail construction of an additional length of about 35 miles over that existing, or a total of 174 miles. The total length of construction, including the spur line, would therefore approximate 208 miles at an estimated cost of £10,073,900.

An examination was made of the possibility of constructing the railway in a direct line, more or less from Koolyanobbing to Kalgoorlie, with the original spur

becoming part of the main line. A survey party worked right through, and aerial photographs were obtained. The result of the survey established it would be practicable to construct such a railway. It would cost much less and traverse much easier country, because the route would be removed from the north-south ridge country existing on the present route.

The length of the alternative construction proposal is—

Southern Cross—Koolyanobbing	34
Koolyanobbing—Kalgoorlie	124
Total	158

That is a saving of 50 miles of construction at an estimated saving in cost of £1,989,900.

Apart from gypsum, which is loaded at Yellowdine, there is practically no traffic handled at any of the stations east of Southern Cross on the existing railway. The deposits of gypsum are closer to Koolyanobbing than to Yellowdine, so there would be no ill-effects on this traffic by adoption of the amended route.

However, the revised plan raises the question of the future of Coolgardie.

It was proposed in the original conception that the standard gauge railway would follow the general line of the existing 3 ft. 6 in. gauge line from Southern Cross to Coolgardie and Kalgoorlie.

With the retention of the Leonora—Kalgoorlie—Coolgardie—Esperance line as a 3 ft. 6 in. line, Coolgardie would have been the obvious transshipment point between this 3 ft. 6 in. gauge line and the standard gauge railway.

The research undertaken indicates, nevertheless, a strong case in favour of re-routing direct from Koolyanobbing to Kalgoorlie. This, in effect, would bypass Coolgardie from the standard gauge.

The 3 ft. 6 in. line operating from Leonora - Kalgoorlie - Coolgardie - Esperance would continue and the new transshipment point between the two systems would obviously be Kalgoorlie in these circumstances. Although the surveys are well advanced and have demonstrated the desirability of the Southern Cross—Koolyanobbing—Kalgoorlie route, a final decision has not been reached on whether a deviation to Coolgardie is desirable.

The Minister for Railways promised the local authority that before any final decision was made, the economics of the matter would be carefully examined. One can appreciate a local desire to have the standard gauge operate through Coolgardie. Present indications point to the capital costs of the deviation, plus the increased costs of operating the additional distances in each direction being so heavy as to outweigh any other advantages that might accrue.

It should be pointed out, however, that the project will not be completed so far as the Coolgardie area is concerned until the end of 1967. Also the effects of the main mines ceasing operations in the town will have been felt long before standard gauge reaches the area. The most positive advantage to Coolgardie, should the standard gauge railway pass through the town, would be its possible use as a trans-shipment area in lieu of Kalgoorlie. This would provide some employment, though not enough to offset the considerable drift from the town which may well have occurred before standardisation is completed.

Estimates of the increased costs of making the deviation vary. No final figure has yet been determined, but a figure in the vicinity of £460,000 seems likely. That would not have regard for the additional mileage that would have to be travelled in each direction because of the deviation. In view of the undertaking to consider the matter very carefully before a final decision is made, the Bill provides a permitted deviation factor in the area from Koolyanobbing to Kalgoorlie of 10 miles on either side. This is sufficient to include Coolgardie in any final deliberation. I refer members to clause 4 of the Bill.

In the authorisation of the line from Koolyanobbing to East Northam, this deviation factor has been reduced to five miles on either side; and, for the remainder of the line, it has been further reduced to a distance of one mile on either side. The same degree of deviation is not needed, nor could it be tolerated, in the more built-up areas as is requested in the areas east of Northam and east of Koolyanobbing.

The proposal to construct a standard gauge railway closely parallel to practically the whole length of the narrow gauge main tracks in the built up area of the city has been the subject of critical examination with a view to easing the problems and reducing costs. The main problems are the attendant difficulties of negotiating existing yard and stations, under and over bridges, and the numerous other features, such as sewerage, drainage, and communication facilities to be encountered in the restricted space available.

It is realised there would be many difficulties in the construction of the standard gauge line in the metropolitan area on the route laid down in the agreement. The cost per mile would be much greater than the average for the whole project, and substantially in excess of the cost in the open country between Northam and Kalgoorlie.

A major obstacle to construction between East Perth and Fremantle, for instance, is the limited clearances of the two bridges at either end of the present Perth station. To obtain the required clearance it would be necessary to lower the tracks approximately five feet, as the bridges cannot be

raised above their present level. Lowering in this locality would be expensive, would create drainage problems, and would interfere with the foundations of the bridges. The lowering could not be carried out until the freight terminal could be constructed and in operation at Kewdale, and the passenger terminal erected at East Perth.

An outlay of £9,794,000 is the preliminary reassessment of the cost of carrying out the work set out in the agreement. While this is based on an intelligent appreciation of work involved, costs could vary when detailed plans are prepared. It is considered, nevertheless, that the costs shown are not overstated when the adverse conditions under which the work would be carried out are taken into account.

It is desired that the route of the standard gauge railway in the metropolitan area, west of Bellevue, be varied to the extent set out hereunder—

- (1) Omit construction Welshpool to East Perth.
- (2) Omit construction East Perth to Leighton.
- (3) Fremantle-Kwinana sector. Omit dual gauge construction Fremantle to Robb Jetty, also Coogee to Kwinana.
- (4) Deviate the Kewdale to Kwinana line from a point approximately six miles south of Kewdale, in a westerly direction, to cross the narrow gauge Armadale to Fremantle railway at a point near the junction of the Cockburn cement railway, thence continue in a southerly direction as dual gauge to Naval Base, thence as a standard gauge line to Kwinana marshalling yard.
- (5) Construct a standard gauge line parallel to existing narrow gauge Cockburn Junction to Fremantle via Robb Jetty. This line to junction with the Kewdale to Kwinana railway at or near Cockburn Junction.

The comparative estimated cost of construction between the reassessed cost of the routes in the agreement and the cost of variation, is shown hereunder—

	Standard Gauge Project
Routes as per agreement	£9,794,000
Routes as varied	£7,628,000
Estimated reduction in cost of revised method as compared with doing it as laid down in the original agreement	£2,166,000

The grade between Northam and Kewdale is 1 in 200. From Kewdale to Leighton, via the route in the agreement, it is

1 in 100; therefore, unless the route is varied, trains would have to enter Kewdale yard to reduce load.

On investigation it has been found that there are definite financial advantages to be gained if most of the grain for export is transported on standard gauge west of Northam, but only if the full load leaving Northam can be taken straight through to Leighton. This can only be done if the route described in the variations is constructed.

The proposed route south of the river preserves the correct grades and will have the effect of permitting the same locomotive power to haul 2,400 tons with an 1,800 h.p. locomotive as compared with 1,575 tons by the originally proposed city route.

It is anticipated construction of the standard gauge line to Kalgoorlie will be completed as far as Merredin by early 1966, or late 1965, and Koolyanobbing by early 1967. As soon as the line reaches Merredin and Koolyanobbing it is proposed to bring these sections into use for the carriage of export grain from the former, and iron ore from the latter. Advice has been received from the Broken Hill Pty. Co. Ltd. that this is acceptable to them. In turn, it means an earlier completion of the Kwinana blast furnace.

The south-of-the-river route from Kewdale to Leighton can be completed by late 1965 or early 1966, in time for grain transport, but the route in the agreement could not be brought into use until after completion of the Kewdale yard in 1967, followed by lowering of the tracks through the city.

The organised transport of export grain in full train loads, but only if the south-of-the-river route is used, would have a profound effect on the size and complexity of the Kewdale yard, as trains would not enter that yard at all, and much of the construction originally proposed would not be required.

Other advantages to be gained from transfer of grain, early use of the main eastern line, and the construction of the south-of-the-river route are—

- (1) Simplification of layout and reduction in the size of both the railway and harbour trust yards at Leighton.
- (2) Education of train crews and traffic staff in the handling of the larger standard gauge trains at higher speeds and with a different brake apparatus.
- (3) Experience in the maintenance of standard and dual gauge lines before the introduction of high speed passenger trains.
- (4) Diversion of a great deal of heavy freight movement from the city area.

- (5) Reduction in operating costs by being able to run block trains from point of origin to destination.
- (6) Avoidance of construction of additional narrow gauge rolling stock, other than special purpose vehicles, for many years.
- (7) Increased availability of narrow gauge rolling stock through the reduced length of haul on that gauge.
- (8) Simplification of rail facilities and enhanced operating results at the North Fremantle grain silo.
- (9) Increased locomotive loads, for example, increase from 1,575 tons to 2,400 tons for 1800 h.p. locomotives between Kewdale and Fremantle.

Some general comments regarding progress on the standard gauge rail project are appropriate at this point. Considerable numbers of contracts have been let for the Avon Valley sector which we are endeavouring to have completed by the end of 1964, ready for operation in 1965.

It is estimated that the saving in operation on this route down the Avon Valley, as compared to the existing Northam-Chidlow-Midland route, could be as high as £500,000 per annum, because of the improved grades and curves.

It has been a very difficult period of construction because of the heavy weather, but this has had the advantage of enabling our engineers to make a first-hand appreciation of the effects of abnormal rains on the route.

The original agreement has been varied to permit double dual gauge tracks instead of single dual gauge in the Avon Valley. Some of the country through which the line has to be constructed in the Avon Valley is proving to be more difficult than original samplings indicated, and this could have the effect of increasing the cost of this sector. At this juncture, it is impossible to be specific as to what will be the final cost of the whole project.

Two of the proposals covered by the changed routes will effect a saving as compared with the original routes, but there are indications that other components of the total project will result in the overall cost being in excess of the original estimate or approximately £41,000,000. Some of these increases will be due to the normal increases due to wage and other cost increases. Other parts will be due to improvements in the standard of the line and greater capacity.

Some increases will also be due to increased costs that arise when work is finally undertaken in an area such as the Avon Valley, and the construction problems prove to be greater and more costly than initial surveys indicated.

All these factors are carefully watched by the W.A. Government Railways representatives and the consultants. In addition, the Commonwealth, through the Department of Shipping and Transport and the Commonwealth Railways, maintains a very close liaison on what is proposed and what is approved. The original agreement provided a very desirable clause regarding rolling stock requirements.

The particular section in the 1961 Act is section 3 (2). It reads—

The estimates set out in the Second Schedule in regard to rolling stock are accepted by the parties as including minimum requirements for general traffic, but constituting, unless otherwise agreed under this subclause, the extent of the objectives of this agreement in that regard. The extent of the objectives in that regard may be varied by agreement between the parties following a review, which shall be carried out by the parties in or about the end of the year 1966, taking into account the quantity of rolling stock of the State suitable, and fairly available for conversion to standard gauge, and such other factors as are relevant at that time.

In other words this provides for a reappraisal of the rolling stock requirements to operate the standard gauge railway when we get closer to the actual date of operation.

The intention of this was to allow sufficient flexibility should the build-up in traffic be greater than foreshadowed between the time of signing the agreement with the Commonwealth, and the coming into operation of the railway.

This review is already being undertaken by the W.A. Government Railways so that the railways will have the necessary information ready in good time to negotiate the actual rolling stock requirements. This will not prevent the commencement of construction for the immediate basic requirements in good time. Any variations will refer almost entirely to additions, rather than to other variations in the rolling stock and locomotives provided for in the schedule to the 1961 Act.

The lowering of the line through Perth is not a requirement so far as the remaining 3 ft. 6 in. system is concerned, and therefore it becomes a matter of town planning and redevelopment, rather than a railway problem. The Government has the problem actively under consideration, for which purpose expert advice has been sought.

Incidentally, there appears to be no insurmountable engineering problems. It mainly becomes a question of finance and timing. There is no doubt that the lowering of the line through the city, and the redevelopment of the whole of the railway area, stretching from west of Barrack

Street Bridge through to West Perth, could achieve an imposing transformation in the future outlook of the central city development.

World practice nowadays does not necessitate the complete covering of the railway system if it is lowered. There are many proved techniques for building over the railway reserve, and making it possible to operate safely, diesel trains without fume problems. Without a system which permitted the diesel fumes to escape, or which provided for the installation of a major air extraction scheme, it would be necessary to wait until electrification of the system was justified; which on present estimates would be a long way in the future, in view of the tremendous volume of traffic necessary to justify electrification.

I have referred to the desirability of using standard gauge rolling stock for the transport of grain from west of Northam, in preference to 3 ft. 6 in. This will involve a carefully co-ordinated programme between the W.A. Government Railways and Co-operative Bulk Handling. Negotiations for this are proceeding satisfactorily, and the proposals under consideration are designed to produce a system which will be of mutual advantage to both C.B.H. and the railways which, in turn, means to the primary producers of this State.

Not only is the grain traffic provided for at North Fremantle terminal; but, also, there is ample provision for the transport of superphosphate from metropolitan works at both North Fremantle and Bassendean by both 3 ft. 6 in. and standard gauge systems, thus avoiding any necessity for transhipment.

As to whether a bulk storage system in the country areas will ultimately be developed is not escaping our attention; but it is a matter which the future alone can decide.

THE HON. E. M. HEENAN (North-East) [3.38 p.m.]: This is, of course, a very important Bill. As the Minister pointed out, it seeks to amend the Railways (Standard Gauge) Construction Act in a couple of important particulars. As a goldfields member, the amendment which concerns me is that which provides for a change of route from Kalgoorlie to Southern Cross.

It will be recalled, as the Minister pointed out, that the original Act provided for construction parallel to the existing railway, between Southern Cross and Kalgoorlie, with a spur between Southern Cross and Koolyanobbing. It is now proposed that the line shall go from Kalgoorlie to Koolyanobbing, and thence into Southern Cross. It will take a route some miles north of Coolgardie, bypassing Coolgardie altogether. That change is apparently justified, mainly on the ground that it will effect a saving in cost of nearly £2,000,000.

That, of course, is a considerable argument. On the other hand members can visualise how the people on the goldfields feel about this approach. People living around Coolgardie, and from there to Southern Cross, have up till now been under the impression that the new standard gauge railway would follow the present route. They have been gravely disillusioned and disappointed with the proposal in the Bill.

I do not say this Bill will be the death knell of Coolgardie, but it will certainly be a great blow to the high hopes which the people held when they originally learned of the new standard gauge line. The townspeople and their representatives have put up a case to the Minister concerned, and they will continue to do so in the hope that some amelioration of the proposal can be effected.

Coolgardie is a famous town not only in this State and in Australia, but throughout the world. Gold was first discovered in June, 1892, by Arthur Bayley and William Ford. Throughout the 70 years which have passed since that historic occasion, this town, as is the case with other goldfields towns, has passed through various vicissitudes. It has had good periods, and bad periods, in the same way as Kalgoorlie has experienced them.

At the present time Coolgardie is passing through one of its bad periods, but who knows that over the hill better times are not beckoning, or that some of the former greatness of that town will not be restored per medium of new discoveries of gold. That is the hope held by members of the community who still inhabit the town and its district.

It might be of interest for me to mention there is a State battery in Coolgardie which is occupied busily, and which is the focal point of the prospectors in that district. There are two hotels of a pretty high standard in the town, and the two buildings are solid. They are a great credit to the town, and to the standard of hotels generally throughout the State.

In Coolgardie there are also two schools—a State school, and a convent which accommodates boarders. The boarders attend that convent from places as far distant as Leonora and similar centres. It has a fine building, and it serves a very useful purpose. The court building in Coolgardie is one of the features of the town. Architecturally it is very striking, and it is looked upon by tourists with great interest. In recent years a motel has also been established.

Sitting suspended from 3.45 to 4.8 p.m.

The Hon. E. M. HEENAN: Before the afternoon tea suspension I was mentioning that Coolgardie is still a worth-while town

although it is passing through one of its bad periods. It is still one of the important towns on the goldfields and we feel that not only in the interests of Coolgardie itself, but in the interests of the whole State, and in the interests of our policy of decentralisation, everything possible should be done to maintain this important town.

As I understand the position, the existing railway between Coolgardie and Southern Cross is to be discontinued, so that after 1967 there will be no railway service between Coolgardie and Southern Cross. Coolgardie will still remain the terminus for the Esperance line and for the line from Leonora and Kalgoorlie. However, the fact that Coolgardie is going to miss out on this standard gauge railway is something to be greatly deplored, even though apparently to construct the line as originally planned would mean an extra cost of about £2,000,000. That is a lot of money, but when one considers the importance of some of these towns to the future well-being of the State, it is a relatively small figure. I hope, therefore, that it is not too late for the Government to give this matter further consideration.

It is alleged that the route now proposed will pass through more level country than the existing line traverses, and if that is the view of the engineers, it would be quite wrong for me to try to prove them wrong, because I could not do so. But no great engineering difficulties appear to have been encountered by the railways over the years the line has run between Coolgardie and Southern Cross. The line was planned by the late C. Y. O'Connor, and it does seem to me that there cannot be a great deal of weight attached to that argument about the suitability of the country. The only argument that has some considerable weight is the overall cost involved.

Those are my views on the matter, but I am sure other goldfields members more closely acquainted with Coolgardie nowadays than I am will have more to say on the subject. It might be interesting, though, and apropos of the subject, if I were to read the following couple of extracts from a booklet entitled *The Old Camp*, compiled by G. Spencer-Compton, B.Sc., A.W.A.S.M., President of the Eastern Goldfields Branch of the W.A. Historical Society:—

Virgin bush was transformed into a very important town in a very short time. By June, 1893, there were two stores, two bakers, one smith, a chemist, four hotels and a population of 2,000.

That was within a few months of the discovery of gold. To continue—

"Rushes" helped to fan the flames of enthusiasm—Kunanalling (25 mile), Cashmans (45 mile), Goongarrie (90

mile). The rush to Mt. Youle led to the discovery of Hannans (Kalgoorlie)—the greatest find of all, 17th June, 1893. Sometimes Coolgardie would be temporarily deserted. Hundreds and hundreds of men from far and near were attracted to these eastern fields. Old timers say, "It was a common sight to see 500 to 1,000 men stream out of Coolgardie at the news of a new rich find."

The townsite was declared 25th August, 1893, and the business portion of the town moved from the famous Fly Flat to the present areas. Streets were laid out and named. (Bayley, Ford, Hunt, Lefroy, Woodward, Sylvester, Renou.)

1894—was a most eventful year, famous for two finds of great richness. The "Golden Hole" at Londonderry (8th May, 1893) followed soon after by the "Wealth of Nations" at Dunns-ville.

In fact every succeeding year had a story of new and important finds, apart from the growing and convincing results achieved at Hannans. (The Golden Mile has produced more than 1,000 tons of gold to date.)

Water was vital of course; shortage of water caused endless and repeated difficulties, only, in part, overcome by the opening of wells and soaks, and by the provision of huge condenser outfits. Transport was another difficulty, but the carrying of supplies to the "Fields" from the outside world soon became a great business. As many as 600 horse-teams plied the road regularly: camel trains of 40 to 50 beasts also brought in the machinery and heavy supplies. In 1896 the railway was opened to Coolgardie (23rd March) a great celebration marking the event. There was no halt to the railway, however, for Hannans was now calling insistently. So the railway was opened to Kalgoorlie, 9th September, 1896.

1898—Coolgardie reached its peak of population, Burbanks, Bonnievale and Kunanalling were very important neighbouring centres. Picture this inland, newly-discovered city with 15,000 inhabitants in six years! There were now 26 hotels, 3 breweries, 2 stock exchanges, 2 clubs, 1 refrigeration works (there were only 2 in the whole State), 14 doctors, 14 chemists, 6 dentists, 60 stores, 7 bakers, 9 butchers, 17 hairdressers, 9 tailors, 17 lawyers, 19 builders, 53 mining engineers, 5 timber yards and 2 saw-mills: 6 water supply concerns, 6 banks, 7 newspapers. Revenue received at the Mines Office in 1895 was £78,000.

In 1903 came the final triumph: a maximum production of gold for the State of the mammoth total of 2,064,801 ozs. and the arrival of the pipeline of the Goldfields Water Scheme, opened at Coolgardie, 4th January, 1903; Kalgoorlie 24th January, 1903. "The river of pure water to flow in the desert" as promised by John Forrest, and engineered by C. Y. O'Connor.

Coolgardie was founded as a direct result of the discovery by Bayley and Ford. Out of the discovery so much has come and so much continues to come. The town has survived. For long years it remained the centre and real home for parties wandering and probing in the country beyond, to which they returned when tired, exhausted or famished; it became known in affectionate regard as "THE OLD CAMP."

A colourful cavalcade of personalities passed across the stage during all these years. They and their dependants and relatives are now dispersed, more or less, to the four winds. Many, with their competences (or even fortunes) invested, established themselves here or elsewhere in every avenue of occupation open to man—in the professions or businesses, agriculture, politics, journalism, the trades. Departing the goldfields they took their place in communities elsewhere, many with successes beyond that of ordinary men. The goldfields left an imperishable imprint on the lives of its men and women.

Coolgardie's GOLD has amounted to a State yield worth A£460,000,000. The structure of Western Australia has been raised on a golden foundation, and a golden future lies ahead. The beacon at Coolgardie, lit by Bayley and Ford still burns brightly!

It seems to me, and I am sure this will also appeal to some other members, that it is a great pity that even at the cost of this large sum of money a town like Coolgardie cannot now receive some sympathetic and generous consideration when such a mammoth scheme is about to come to fruition.

I conclude, therefore, by expressing the hope on behalf of all goldfields people that ways and means may still be found whereby Coolgardie may not be left out on this historic occasion.

THE HON. R. H. C. STUBBS (South-East) [4.21 p.m.]: I also wish to add my contribution to the debate. As a goldfields member I am concerned mainly with the portion of the South-East Province which extends from Southern Cross to Coolgardie. I am concerned because Coolgardie is to be bypassed—or it looks as though it will be—when the standard gauge railway is

constructed from Kalgoorlie. This will deal a grievous body blow to the people in the town of Coolgardie. That town has been down before, but it has not been out! I am afraid this will be a blow to the people of the district if the Government will not reconsider its plans to construct the broad gauge line away from Coolgardie.

I admit that mining there is slack now, but I will not admit it is in the doldrums, because while the State battery is running and parcels of ore are being fed into the mill, there is always the chance of a find coming up which would probably mean the opening up of another mine.

Everyone associated with the gold mining industry was shocked when they saw in *The West Australian* of Monday, the 23rd September last, the heading "New Railway May Miss Coolgardie". The accompanying map showed the 4 ft. 8½ in. line going several miles north of Coolgardie; and the resultant saving was mentioned as being, I think, £1,000,000. The members representing the district were immediately contacted by various people and organisations to see whether something could be done. We made an approach through Mr. Kelly, the member for Merredin-Yilgarn. The Coolgardie Shire Clerk, John Topham, said Coolgardie would cease to exist and would become a ghost town if it were bypassed by the standard gauge railway. He also said he refused to believe that the Government would do this to Coolgardie; and he said the townspeople felt that if the Government did this it was letting Coolgardie down badly.

Coolgardie recently suffered a major blow. The Bayley's Reward mine recently shut down. Most of the men have gone to Kalgoorlie, and business has become stagnant in the town. The consensus of opinion is that the route of the standard gauge railway north of Coolgardie will be in lake country, which is exceedingly soft in wintertime. This opinion has come from the prospectors who have been there for many years. They are successful prospectors and men of high standing in the district, and they know the bush very well. They seem to think the site chosen will not be the best place for the railway. We have had a wet season this winter, and there have been many washaways in the Coolgardie area; and when it rains in Coolgardie, it certainly falls down.

I am also concerned with the fate of the places between Southern Cross and Coolgardie. I believe that when the standard gauge railway goes through, the other line will be discontinued. There are many pumping stations and other places along the present route that will have to be serviced; and I presume the service will have to be provided by road transport, and the cost will be much more expensive than the present cost. Of course, the cost of living for most of the people there will be increased.

A leading article in the *Kalgoorlie Miner* of Friday, the 27th September, 1963, had this to say—

The Future of Coolgardie

The proposal to by-pass Coolgardie when the new standard gauge railway is constructed has been received with resentment by the goldfields. The State Government contends that the change will save £1,000,000 in the cost of construction, but that it could mean the death of one of the State's most famous towns is apparently a smaller matter compared with reducing the cost of a scheme which already runs into many millions of pounds. Coolgardie may have lost the status it possessed in the early years of this century but it is still an important town and its historical importance cannot be over-estimated. Nor will it have much opportunity to expand or improve its present position if it is to be removed from the new railway line.

The Government's proposal is contrary to its policy to decentralisation. It also destroys the equity of business people in the town. As the years pass, it is impossible to predict the future of Coolgardie.

I am also worried about the mining industry between Coolgardie and Norseman, and also the primary producers further on. We have the Paris gold mine 25 miles out of Widgiemooltha and it is producing on the borderline now, so that any increase in costs will be almost fatal to it. Instead of materials, stores, equipment, and so on being off-loaded or transported via Coolgardie, these items will in future have to go to Kalgoorlie where they will have to be transhipped and sent back to Coolgardie on the 3 ft. 6 in. gauge line. The freight cost involved in the extra 50 miles of running, and the added charge for transshipment, will represent added costs. I am afraid the goldmining industry will not be able to stand these additions. One mine in Norseman is certainly doing reasonably well, but the Paris mine, as I have said, cannot stand too many blows.

The pyrites industry in Norseman is heavily subsidised now, and I am afraid it will not be able to carry any added costs. About 150 men are employed directly and indirectly in that industry; so I am very concerned. We also have salt produced at Widgiemooltha, and on some occasions I presume that commodity will have to be off-loaded, and there will also be some added distance involved.

An industry which has just been established at Norseman is the gypsum industry, and it is supplying the Perth market. Previously the Norseman gypsum went through the port of Esperance, but the market in Perth is an additional one which has just been obtained; and it is being supplied at very marginal rates. I am afraid this mine will not be able to supply

gypsum to Perth if its costs are increased. Certainly not a great tonnage is involved, but it does employ half a dozen men in the town; and the employment of half a dozen men in a town helps to put the policy of decentralisation into effect.

The Hon. D. P. Dellar: It is still another industry.

The Hon. R. H. C. STUBBS: I wish there were a dozen industries in Norseman each employing half a dozen men. I am extremely concerned as to what the cost of equipment and goods consigned to Norseman will be in the future. I am also worried about the increased cost that will have to be borne by farmers when obtaining their foodstuffs and other necessities. The transportation of these goods will mean making an extra trip to Coolgardie and return which, I presume, will be charged for.

I am also concerned about the transportation and the delivery of perishables in the future. At present a special perishables van is sent from Perth to Esperance via Coolgardie. The van is off-loaded at Coolgardie, picked up by a goods train and hauled immediately to Esperance so that the perishables are delivered to the people of that centre in a fresh state. Under the proposed new set-up these perishables will have to be off-loaded and placed in other vans for consignment to Esperance. As members know, perishables will not stand up to being exposed to the atmosphere for long periods.

Since Bayley pegged the Bayley's Reward lease in 1892, Coolgardie has had its ups and downs, but I am afraid, if Coolgardie is bypassed by the standard gauge railway, it will mean the death of the town. Gold prospecting is still carried out by many men in the town; and, as I said before, whilst there are still prospecting activities being continued there is always the chance of another mine being discovered which will ultimately produce payable quantities of gold and employ a large number of employees. As a matter of fact it is of interest to know that 170 parcels of ore were treated at the Coolgardie State Battery in the past year. That battery put through 6,024 tons of ore for a return of over 2,024 oz. which averaged almost 8 dwt. to the ton.

May I plead with the Government to give this matter further consideration because although the line, by following the proposed new route, may mean a saving in costs if Coolgardie is bypassed, I feel sure that over the years the people residing in those parts between Kalgoorlie and Esperance will have to bear increased costs on goods transported by rail. I am not particularly happy about that thought. So I make a final plea to the Government to give the matter further consideration; and I hope its final decision will be to take the standard gauge railway line through Coolgardie.

THE HON. J. J. GARRIGAN (South-East) [4.33 p.m.]: I, too, feel perturbed over this proposed move which will take the standard gauge railway line away from Coolgardie by deviating through Koolyanobbing. In taking our minds back over the years, I think all members will agree that Coolgardie would rank as one of the finest goldmining towns in Australia, and I feel quite sure that its name is well known throughout the English speaking world, especially in goldmining circles. Some of the finest men in our history and some names which are known to practically all residents of the Commonwealth have been associated with Kalgoorlie at some time or another. Mention of Coolgardie brings to mind names such as Bayley and Ford, and Finnerty; and even The Hon. F. R. H. Lavery was born in that town.

I am extremely perturbed at the thought of the standard gauge railway line following the route set down in this Bill. I think the only survey that has been made of that route has been an aerial survey. I know this country reasonably well, having lived in Kalgoorlie for about 30 years. I have done a good deal of work in this district, and I cannot see how there will be a great saving in cost by the standard gauge railway line following the proposed new route and bypassing Coolgardie. On the contrary, I can visualise that the cost of constructing such a railway will be increased if it is deviated through Koolyanobbing, because new telephone lines will have to be erected, houses for fettlers will have to be constructed, and many other facilities associated with the construction of a new railway line will have to be provided. The expenditure on these requirements will add greatly to the cost of the proposed new railway, and will also increase the freight costs to all the people who live along that line today.

The Hon. D. P. Dellar: It is going through bad country, too.

The Hon. J. J. GARRIGAN: In conjunction with Mr. Heenan and Mr. Stubbs, I can only add my fervent hope that this matter will be given further consideration by the Government.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.36 p.m.]: Firstly, in replying to this debate, I take the opportunity to thank those members who have spoken to the Bill for supporting it in principle. I can well and truly appreciate the misgivings that have been expressed by several members over the prospect of the standard gauge railway line not following the route of the existing narrow gauge line, or the route that some people considered it would follow, and the disappointment that will be felt by the local people if the standard gauge railway line ultimately bypasses Coolgardie.

As Minister for Mines, I am fully appreciative, too, of the extremely important part Coolgardie has played in the development of goldmining in Western Australia. However, we have to face reality. We cannot insist that a town should continue to exist merely on mythical substance. As the two members who have just resumed their seats have said, Coolgardie, unfortunately, has declined considerably, due to the last important gold producer having closed down, and consequently the gold production from that centre has been reduced to practically nil.

As I said when introducing the second reading of the Bill, before the standard gauge railway reaches that area in 1967, the full effect of the decline in gold production will have been felt even more by Coolgardie than it is now, following the recent closure of the last substantial gold-producing mine in the district. I repeat that we have to face the facts, and the facts are that, on present reports, it would appear that a great saving in capital cost will be effected if this proposed new route is followed by the standard gauge line. Not only will there be a great saving in capital cost, but there will also be a saving in all the other costs, including general maintenance and running costs.

The Minister for Railways, as I have already stated, has promised the local authority that, before any final decision is made, the economics of the proposed new line will be carefully examined. Even at this time no final decision has been made on whether a deviation to Coolgardie is desirable. In making that statement, I do not want people to have great hopes that the proposed new line will eventually go through Coolgardie. I will go so far as to say that I will share the unhappiness of the Kalgoorlie members if the standard gauge line bypasses Coolgardie. However, with them, I must face reality and accept the decision that is finally made. If the decision is that the line will follow the proposed new route, I am sure it will be in the interests of all the people of Western Australia.

Frequently, when decisions of a like nature have to be made, the Government of the day has to be forthright and courageous and adhere to its decision, but in doing so, it has no desire to hurt the feelings of people in any section of the community. It is imbued purely with the thought that the decision is the right one and has to be put into effect for the benefit of all sections of the community. I will share the disappointment of the goldfields' members if the decision does mean that Coolgardie will be bypassed, because I know what Coolgardie has meant to the goldfields, the goldmining industry in general; and I know the great and important place it holds in the history of the discovery of gold in this State.

Nevertheless, we have to be guided by the economics of this proposition, and the advice tendered to the Government by the railway engineers who will be responsible for the construction of this railway. When the Government finally reaches its decision, it will be firmly based on the advice given by these railway experts, and will be implemented for the benefit, overall, of the people of Western Australia.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

CONSTITUTION ACTS AMENDMENT BILL (No. 2)

Introduction and First Reading

Bill introduced, on motion by The Hon. A. F. Griffith (Minister for Justice), and read a first time.

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Justice) (4.47 p.m.): I move—

That the Bill be now read a second time.

This is the Bill the contents of which, to a considerable extent, I foreshadowed and explained when introducing a short time ago a Bill to amend the Electoral Districts Act. The amendment to the Electoral Districts Act having now been passed by both Houses of Parliament, I bring to this House this Bill which seeks to amend the Constitution Acts Amendment Act, 1899-1963; and the Bill gives effect to the machinery requirements that are necessary to take place in order to bring about a certain set of events which, I repeat, I foreshadowed when introducing the Bill to amend the Electoral Districts Act.

This Bill was drafted on the assumption that the Constitution Acts Amendment and Revision Bill would become an Act and would be assented to before this Bill was introduced. A short time ago the President read to us a message to the effect that assent has been given to that Bill by His Excellency the Governor. It is therefore competent for members, if they so desire, to refer to the reprint of the Constitution Acts Amendment Act in relation to the substance of the Bill we are now discussing. But might I say to members it will not necessarily give them a line-to-line or ball-to-ball description from Bill to Act as to what takes place?

The Hon. F. J. S. Wise: I notice clause 3 will be affected.

The Hon. A. F. GRIFFITH: That is right. The reprint of the Constitution Acts Amendment Act now gives us easy reading of the principles contained in the Constitution of the State. Members will recall that on the occasion when I introduced the Electoral Districts Act Amendment Bill I related that the matter had been closely studied by the Government which thought it a desirable state of affairs in the event of a decision being made to give legislative effect to the motion moved by Dr. Hislop that there should be, in fact, 15 provinces of two members, coming up for election on a triennial basis—that is, every three years—rather than have the state of affairs which exists at the moment; namely, that there should be 10 electoral provinces of three members each, and members coming up for an election on a biennial or two-year basis.

In regard to this Bill the Parliamentary Draftsman has taken as much care as possible, in close collaboration with myself, to try to give effect to all the eventualities which might occur between the date this Bill becomes operative, when passed by both Houses of Parliament, and the date it reaches its effect for the 1968 election. If by some mischance—and I hope this will not be the case—we subsequently find a minor mistake has occurred in the imagination of the draftsman in a difficult and complex situation in drawing up this Bill, and this is discovered before the first movement of the legislation takes effect in 1965, then the 1964 session of Parliament will be able to correct that mistake.

I give considerable credit to the Chief Parliamentary Draftsman for a close study of the Constitution, upon my instructions, and the various things that have to be done. At this point of time he has given due consideration to all the possibilities and the eventualities.

At the moment I think it would be preferable for me, rather than to try to describe the measure in a summarised way—I have done that already in another speech—to go through the Bill in its 11 clauses and tell members the effect of the measure as it is before us. Some of the clauses are merely machinery ones. Some of them are much more than machinery and give a complete change to the complex of the Constitution Acts Amendment Act. Therefore I would like to go through the clauses somewhat briefly to give members an idea how they will work.

In respect of clause 1, the Bill was drafted on the assumption that the Constitution Acts Amendment Act would have been assented to, and it now has been. So members of Parliament may use, if they find it convenient, the proof reprint of the Constitution Acts Amendment Act, which has been prepared for the information of members of Parliament; but this is not, I

repeat, an official reprint, and the lines will not fit in with the lines referred to in the Bill I have in my hand.

Clause 2 of the Bill, for obvious reasons, is to operate from a date to be proclaimed. Clause 3 of the Bill effects a consequential amendment. There will be 15 electoral provinces in lieu of 10, and each province shall return two members in lieu of three. The effect of the proposed amendment in clause 4 is that the qualification of a member of the Legislative Council shall be the same as that of a member of the Legislative Assembly; namely, one year's residence in the State instead of two years, and 21 years of age as the qualifying age instead of 30 years. We will then be in conformity with the other House of Parliament in this State. With the change to universal suffrage there appears to be no logical reason why the qualifications for each of the Houses should not be identical; and when I make that statement I realise some members may have a view about that matter. Suffice to say the Bill is presented in that form.

Clause 5 is an important one. This clause extends the term of office of the 1964 retiring members to 1965. It limits five of the 1966 retiring members to a term of service ending on the 21st May, 1965, and extends five of the 1966 members to 1968. Thus, in May, 1965, 15 members will retire; and in 1968, the other 15 members will retire. The 15 members elected in 1965 will be so elected until 1971; and the 15 members elected in 1968 will be so elected, but will retire in 1974, and so on; so that the elections for the Legislative Council become triennial and not biennial, and the members' terms of office remain at six years.

It is anticipated that the new 15 electoral provinces will operate as from the 31st December, 1964. Provision has been made for a vacancy occurring in a seat between the 1st January, 1965, and the 21st May, 1965. This is necessary because other than by effluxion of time a member may vacate his seat. I might say that previously the Constitution Acts Amendment Act specified the date the 21st January. I do not know why this was. Maybe it was because of the formation of the first Legislative Council at the time. I have been unable to find any history relating to this date, and I am satisfied myself to say there must have been some reason for choosing the 21st January. This Bill will show the 1st January and will bring closer together the time between the present conditions and the time of the election which is due to take place in 1965.

I really think that the 1st January date, for the purpose of this exercise, anyway, is a better date. The proposed amendment will obviate the hiatus, and it covers the difficult case of a vacancy occurring between the 1st January and the 21st January. Also, the Bill will deal with the situation where, if a member vacates his

seat, other than by the effluxion of time, prior to the 1st January, there is no opportunity to have a by-election in the normal course of things.

The Hon. F. J. S. Wise: On page 5, paragraph 7, I notice you have made provision for the matter you are speaking of as though Parliament were sitting. If Parliament is unlikely to be sitting will it be resolved by the Government?

The Hon. A. F. GRIFFITH: Would you be good enough to let me go through these clauses? I imagine that in the notes I have prepared I have covered these eventualities. If there are any questions, I will be quite happy to come back to them. The new section 8 (6) covers the difficult case of a vacancy occurring other than by effluxion of time before the new 15 provinces come into being, and there is insufficient time for a by-election for the old province. Members can easily imagine that that could take place, although I sincerely trust that it does not. A member may die in November, 1964. Then there would not be the normal time for the calling of nominations, the closing of nominations, the issuing of the writ, the return of the writ, and all the other things that have to be done.

If such a case happens: (a) such a vacancy in a seat of a 1965 member—that is, a member deemed to come up in 1965—shall be deemed to have occurred by effluxion of time and the new member shall be elected at the 1965 general election for the Legislative Council and will sit and vote after the 21st May.

If I could stop there; we get two circumstances: where a member might vacate his seat other than by effluxion of time up to the date where a normal by-election could be held; and the other period when it is too late for a by-election to be held, and the member's seat would come into line with the 1965 election. To continue the method: (b) when such a vacancy may occur in the seat of a 1968 member, the Houses of Parliament, in this case sitting and voting together, could choose a person to fill the vacancy, and if Parliament is not sitting at the relevant time the Governor will appoint such person; and at the next session of Parliament that person must either be confirmed or another person chosen by Parliament to take the place of the person appointed by the Governor.

This particular provision caused a lot of thought to be given to the problem. We could not leave this situation so that an event might occur where a member might die suddenly. We could not have a Constitution that did not work, and we had to have a Constitution that would work. I canvassed all sorts of ideas which might give effect to a set of circumstances of this nature. I felt, and the Government felt, that to resort to the position that

happens in the Senate of the Federal Parliament would be a reasonable method of solving the problem.

The Hon. F. J. S. Wise: Our joint Houses have done that twice.

The Hon. A. F. GRIFFITH: As Mr. Wise said, we have done that before. I remember that when I was a member of the Legislative Assembly—I am relying entirely upon memory—a member died not long after proportionate representation had been introduced in the Commonwealth Government, and the two Houses sitting together replaced him. I have gone a little further in this by making provision for the Governor to appoint a person to represent the deceased member, or the member who has gone out on some basis other than by effluxion of time, to be appointed by the Governor and for his appointment to be confirmed later. I have done that for the reason that such an event may occur when Parliament is not in session. We would then have to call Parliament together if we did not have this particular provision in the Bill.

I think the provision should be acceptable, and it is regarded as being a reasonable one. The new section 8 (7) covers the case of a vacancy in a seat of a 1968 member occurring between the 1st January, 1965 and the 21st May, 1965. However, I have already dealt with that. I now come to clause 6. New section 8A determines which of the five 1966 members will come back to 1965 and which of the five 1966 members will go on to 1968. The five members, as I foreshadowed when speaking to the other Bill, who will come back a year will be those members with the lowest winning margin percentage as defined in the Bill.

Subsection (2) covers the case where one of the five members, due to lose part of his term or gain an extended term, dies, resigns, or is disqualified; and the member who fills his place shall be treated as the member whose place he has filled. Clause 7 provides the method by which the 1968 members are to be given provinces. In framing this particular clause I am sure members will appreciate the complexity of the problems with which one was faced in trying to present something to the Government which, under the circumstances, was reasonable. It provides that if only one sitting member applies to sit for an electoral province, he shall be given a seat in the new electoral province. Where more than one member applies in respect of a province, it shall be determined, as set out in the Bill, by lot.

If members would be good enough to refer to the provision they will see that it clearly sets down the method that will be employed. A member will make application to the Governor to be proclaimed the member for a certain province, and where a seat is requested by more than

one member it will be determined by lot. It is within the scope of a member to apply for more than one province if he so desires. The machinery in clause 7 also sets out the basis on which the Chief Electoral Officer is the person responsible and will conduct the ballot in the event of an application on the part of two members for the same province.

Finally, the Bill provides in this section that where a province has not been given or allotted to a member, as a result of his application, and one, two, or more seats are left vacant, then it is competent for the Governor, by Order-in-Council, to declare that member to be the member for the province, and he takes the right to sit and vote for that province. Incidentally, the Bill provides also that in dealing with province applications, the provinces shall be dealt with alphabetically.

It was difficult to determine which province should be dealt with first; whether this one should be dealt with or that one. We do not know what names the electoral commissioners are likely to give to the provinces. The other Bill directs that they shall rename the provinces, and there will be 15 provinces instead of 10. I have not got the faintest idea what the names will be, but the provinces will be dealt with alphabetically. I cannot see any fairer way of dealing with that problem. If it happens that province A is dealt with before province X, and it conflicts with the desires of a particular member, then it would be no more unfair to that member than it would be to any other member.

All the provinces would be dealt with until the members who were due to retire in 1968 had been allotted a province. The Governor would then be in a position to allot any remaining province to any member who had not been allotted one. The member might not have applied for one, but that circumstance would be covered by the Governor.

Clause 8 makes the qualifications and disqualifications of the electors for the Legislative Council the same as those for the Legislative Assembly, and deletes the qualifications for an elector on the basis of property, and so on. Clause 9 repeals the section providing for joint owners and occupiers to be registered as electors. Clause 10 repeals the previous disqualifications for electors of the Legislative Council, and clause 11 is an amendment consequential on the State being divided into 15 new electoral provinces under the Electoral Districts Act of 1963.

I have endeavoured, to the best of my ability, to explain clause by clause what is contained in this Bill. If there are any interjections, or a member is moved to ask a question, I will do my best to reply. If I have left anything unexplained, perhaps it could be dealt with in the Committee stage. The Government has attempted to introduce a Bill to amend the Constitution Act which, I repeat, is as fair as possible

to all parties and which will control those situations necessary to be controlled in connection with the changeover process of ten provinces of three members to 15 provinces of two members.

The Hon. F. J. S. Wise: My first reaction is that the Bill sets it out very clearly.

The Hon. A. F. GRIFFITH: I thank the honourable member.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

BEEF CATTLE INDUSTRY COMPENSATION BILL

Second Reading

Debate resumed, from the 28th November, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. F. D. WILLMOTT (South-West) [5.13 p.m.]: This Bill sets out to do what some members of this Chamber advocated should be done in 1960, when the dairy cattle compensation legislation was before the House.

Mr. Loton and I, in particular, strongly advocated that all cattle should be brought within the scope of that fund. However, at that time the Government did not consider it could do that. This Bill now does that, and it has created a somewhat peculiar position under the terms of the Dairy Cattle Compensation Fund. A levy is imposed upon butterfat. It was originally at the rate of 2d. in the pound—that is, one pound in monetary value—for butterfat sold.

Earlier this session a Bill was before the House which gave authority to the Minister to reduce that amount by proclamation; and at the moment that amount stands at 1d. We now have the peculiar position that persons engaged in dairying will pay, per medium of the levy on butterfat, into the Dairy Cattle Compensation Fund; and, at the same time, whenever they sell any cattle they will also have to pay into the Beef Cattle Compensation Fund.

That appeared somewhat anomalous to some of us and so we took the matter up with the Minister for Agriculture. We would like to eliminate the other two funds—there is one which deals with wholemilk dairies, and that makes three funds in all—and amalgamate them all into one fund, which is the one set out in this Bill. However, we realise that it is too late to be able to do that this session.

After consultation with the Minister he has agreed that he will reduce the contribution to the dairy cattle fund to one-eighth of a penny. That will mean that contributions made by the butterfat dairy farmers will be very small, even smaller than perhaps might appear at first glance.

The Hon. H. K. Watson: He will do that by proclamation?

The Hon. F. D. WILLMOTT: Yes. The reason I say they will contribute even less than appears to be the case at first glance is because the alteration will be made in January, at the same time as this new legislation is proclaimed. In the case of the butterfat dairy farmers it means, as a very small amount of dairy production takes place during the summer months, their contributions will in turn be very small, and that situation will obtain until the 30th June. Then dairy farmers will start to contribute a little more, but still only at the rate of one-eighth of a penny. It is proposed next session to introduce legislation to repeal the two dairy funds and amalgamate the three funds into one which will be known as the beef fund.

As those conditions have been agreed to by the Minister, I have no hesitation in giving the Bill my full support. It is what we have wanted all the time in this State, and the legislation is desired by all sections of the industry.

THE HON. H. K. WATSON (Metropolitan) [5.18 p.m.]: This Bill in effect is to impose an excise duty on cattle sales in the form or in the guise of stamp duty. As members know, under section 90 of the Commonwealth Constitution, the imposition of excise duty is the exclusive prerogative of the Commonwealth Parliament. I therefore have considerable doubt as to the constitutional validity of this legislation; but, as Mr. Willmott has just said it is desired by all sections of the farming community, it is not likely to be challenged.

I raise the point just in case any future Government, taking this Bill as a precedent, may think it is a jolly good idea to levy stamp duty, say, on invoices in respect of newspapers—

The Hon. L. A. Logan: Or accountants.

The Hon. H. K. WATSON: —or invoices in respect of the sale of beverages, be they alcoholic or non-alcoholic; or invoices in respect of the sale of milk.

The Hon. F. J. S. Wise: Or bread, where you pay your account once a month.

The Hon. H. K. WATSON: Yes. I would like to raise the amber light and go on record that if ever any such Bill is introduced into this Chamber I will not treat it with the same kindness as I treat this Bill.

The Hon. A. F. Griffith: Before you sit down, where would this differ in principle from the Pig Industry Compensation Act or the Dairy Cattle Industry Compensation Act? Because this one is merely an extension of the Dairy Cattle Industry Compensation Act.

The Hon. H. K. WATSON: That is so; this one is merely an extension of the Dairy Cattle Industry Compensation Act where a stamp duty was provided on butterfat sales.

The Hon. A. F. Griffith: What about the pig industry?

The Hon. H. K. WATSON: It has been said that brevity is the soul of wit; and if it is not the soul of wit it is certainly the soul of discretion at this time of the year. I would therefore simply refer the Minister, and anyone else who is interested in the development of the argument which I have just mentioned, to what I said on the butterfat Bill when it was introduced into this House. I dealt with the various angles and cited various cases, and those remarks will be found in *Hansard* of Tuesday, the 18th October, 1960, at page 1867.

The Hon. A. F. Griffith: Thank you.

THE HON. R. H. C. STUBBS (South-East) [5.22 p.m.]: I shall also be brief, but the part of the legislation in which I am interested is the effect it will have on the elimination of disease in cattle. Members may recall that at one stage during my Address-in-Reply speech I spoke on the necessity for this. I also pointed out that 9,166 dairy cattle had been inspected and tested, and only 11 of them had T.B. infection. If we could reach the same standard with beef cattle it would not be long before the necessity for funds would be eliminated.

I also mentioned at that time figures in connection with metropolitan and country abattoirs, and the figures revealed an increase in infection in beef cattle from 18.15 per cent. to 37.5 per cent. with 3,000 cattle tested in 11 infected areas. I am also concerned with the fact that every animal condemned through disease is a loss to someone, either the farmer or the community. Therefore, if we can eliminate diseases we will have done a good job for the farmer as well as the community generally.

One of the diseases mentioned was actinomycosis. A number of animals are affected by this disease and, as a matter of interest to those who do not know, it is a fungus disease which is commonly found in plants, particularly barley grass which grows in Western Australia, and in other plants as well. It becomes inoculated in the animal's mouth and the soft tissues of the mouth become affected. It is also known as lumpy jaw. This disease can also affect other parts of the body and the lungs by the inhalation of affected dust.

I have the report of the Public Health Department dated the 31st December, 1961, and it is interesting to read the statistics regarding cattle condemned. At Robb Jetty, 15,896 cattle were slaughtered, and

of this number 30 were condemned for tuberculosis, one for actinomycosis, and in regard to part carcasses condemned, 109 were condemned for actinomycosis, and the total condemnation of part carcasses was 169. As regards organs condemned, out of a total of 723, 157 were condemned for actinomycosis.

Out of the cattle slaughtered at Midland Junction, which numbered 42,731, 57 were condemned for tuberculosis, and out of a total of 341 part carcasses condemned, 198 were condemned for actinomycosis. With organs condemned, out of a total of 1,440, 252 were condemned for actinomycosis. On the goldfields there were only two T.B. condemnations and seven for actinomycosis, but no organs were condemned.

It is interesting to note that echinococcosis is one of the diseases for which organs are condemned, and we all know that echinococcosis is the foundation of hydatid cysts, which comes from the tape worm in a dog. Cattle can become infected by eating ova-infected grass and, of course, the larval form develops hydatid cysts. Human beings can also pick up this infected ova. There was a case at the Royal Perth Hospital where a person had a hydatid cyst which weighed 9 lb. So members can see that people can be affected too. They eat salads, or things like that, that may be infected with tape worm ova which are not thoroughly washed and they can pick up the worm in that way. Where any food is cooked that is not possible.

It is interesting to note from the latest report of the Department of Public Health dated the 31st December, 1962, that animals are still being condemned for tuberculosis. At Robb Jetty 27 were condemned, and at Midland Junction 86 were condemned. The figures taper down in the country. Also, as regards actinomycosis, 102 part carcasses were condemned at Robb Jetty, 169 at Midland Junction, and 27 at Kalgoorlie; and with organs condemned for actinomycosis the figures were 143, 211, and one in respect of the abattoirs I just mentioned. Actinomycosis, tuberculosis, and echinococcosis are all diseases which will probably be eliminated by the work that can be done under this Bill. Therefore I support it.

THE HON. F. R. H. LAVERY (West) [5.28 p.m.]: Unfortunately I have lost the letter which was sent to me some time ago by one of our leading beef producers. I have been looking for the letter for the last two or three days but I have been unable to find it. This man operates in the near metropolitan area, and I think I am correct in saying that what I want to mention on his behalf is in regard to clause 9 of the Bill.

This man has been sending beef cattle, both male and female, to the market for a long period of years and he has had one

animal condemned. He does not send only one or two beasts each year; he sends a large number. Clause 9 reads—

The owner of any beef cattle shall, when and as often as he is requested by the Chief Inspector to do so, submit the beef cattle to inspection by the Chief Inspector, an inspector, a veterinary officer of the Department, or a veterinary surgeon authorised in writing for the purpose by the Chief Inspector.

Clause 10 refers to beef cattle tested for disease. This person wants to know why, if animals have to be tested for T.B. the people who are known to be producers of clean cattle, or non-diseased cattle, should have to bear the expense of inspection. When the legislation was first before Parliament it provided for all cattle to be tested for T.B. in the future, the same as is done with dairy cattle. If such is the case, his feeling is that as a producer of clean cattle he should not be forced to have his cattle tested as a matter of routine, for which a fee is charged. There are of course a great number of breeders throughout the State who practically throughout their life have had cattle which were diseased, and knowing they were diseased, they destroyed them.

This man contends that he has had cattle going through Midland Junction over a number of years, and they have proved to be clean cattle—they are known to be clean cattle—and, therefore, he feels he should be quite free to send his cattle through the markets without inspection, until such time as the authorities decide he has a beast at Midland Junction which is not in order. He points out that there are other men who are constantly sending diseased cattle to the Midland markets.

The Hon. A. F. Griffith: Your man subscribes to the view that because his cattle are free from disease today, they will be free from disease for evermore?

The Hon. F. R. H. LAVERY: I would point out to the Minister that this man has been sending cattle to the Midland markets for 21 years, and he has only had one beast condemned during that period. I would be able to explain the position a lot better if I had his letter here with me. We all know that there are producers, 99 per cent. of whose cattle are in top condition, but there are others whose cattle are diseased. I place this gentleman's protest before Parliament for the consideration of members.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

STAMP ACT AMENDMENT BILL (No. 4)

Second Reading

Debate resumed, from the 28th November, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. F. D. WILLMOTT (South-West) [5.37 p.m.]: This Bill is complementary to the one we have just passed, which sets up the Beef Cattle Compensation Fund. This is merely a machinery Bill, setting the charge to be levied upon the sale of cattle at one penny for every £1 of value obtained, or any such amendment that may be proclaimed, but which must not exceed one penny. I think that is quite simple and I support the measure.

THE HON. A. L. LOTON (South) [5.38 p.m.]: The reason why these calculations are made as they are, is simply that it is done at the request of the producers themselves. In the case of the Egg Board, the whole of the funds are provided by the people who produce the eggs. The Government does not pay a penny into that fund; and the Act provides that if at any time a poll is taken of the producers, the board will cease to exist.

The Pig Industry Compensation Fund was introduced at the request of the producers themselves; they were prepared to make the contributions. The people in the dairy industry make contributions to a dairy cattle fund. That is their safeguard. A small contribution is made by way of levy. That is why this has never been challenged; because they know it is for their protection.

The Hon. A. F. Griffith: One man should not be more free of the levy than the other.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

ALSATIAN DOG ACT*Disallowance of Regulations: Motion*

Debate resumed, from the 27th November, on the following motion by The Hon. J. Dolan:—

That the regulations made pursuant to the Alsatian Dog Act, 1962, as published in the *Government Gazette* on the 5th November, 1963, and laid upon

the Table of the House on the 6th November, 1963, be and are hereby disallowed.

THE HON. R. THOMPSON (West) [5.41 p.m.]: When the Bill dealing with Alsatian dogs was before the House I opposed it. I am still not in favour of the principal Act, for the simple reason that last year we claimed that discriminatory action would be taken against people who owned Alsatian dogs. Regulations have been placed on the Table of the House, and published in the *Government Gazette*, and we find that quite a number of the sections of the Act are included in those regulations.

At a very late stage the members of the German Shepherd Dog Association approached many members of Parliament, objecting to the regulations as tabled. Unfortunately some of the regulations are part of the parent Act; and, although Mr. Dolan has moved a motion seeking the disallowance of the regulations as tabled, it would be quite impossible to disallow all of the regulations because the Act would still be in existence, and this would mean that action could continue to be taken against the owners of Alsatian dogs.

For that reason I propose to amend the motion moved by Mr. Dolan by moving to insert after the word "regulations" the figures "9 and 20." This would mean, if agreed to, that those two regulations would be disallowed. The regulations in question deal with persons who must have an identification disc fixed to their dogs.

Regulation 9 prescribes two different fees. Regulation 20 deals with the holder of a permit under regulation 19. This states that unless he is the holder of a dealer's permit, he shall, within 48 hours after the introduction into the State of a dog, make application for a permit to keep the dog, as prescribed in regulation 4. It is impossible to comply with that regulation under certain circumstances.

This morning some members of this House waited on the Minister, in the presence of the Director of Agriculture (Dr. Dunne), and had a long discussion with them. I understand the Minister has agreed to the disallowance of the two regulations I have mentioned. He also agreed that under regulation 9 the uniform fee should be 10s., whereas at present a fee of £1 is prescribed if the tag is lost, and 10s. for a defaced or illegible tag.

The Minister also agreed that the period of 48 hours mentioned in regulation 20 was too short in certain circumstances. The owner of a dog may visit this State during Christmas Day, Easter Monday, or a Monday holiday; he may arrive on the Friday night, and it would be impossible for him to comply with that regulation. The Director of Agriculture has given an undertaking that the regulation would be re-drafted at a later stage, to provide for a seven-day period. He also pointed out that

in the next session of Parliament legislation will be introduced relating to the transfer fee, which at present stands at £5. If the owner of an Alsatian dog goes away on holidays, extending beyond a period of 14 days, the ownership would have to be transferred to another person. With the advent of three weeks' annual leave, and in cases where people take their annual holidays together with accumulated holidays, it means that an unfair burden will be placed on the owners of Alsatian dogs.

I understand the Minister will not press for the period of 14 days to be observed, and will, during the next session of Parliament, amend the Act to extend the period to 30 days. Perhaps he will have a closer look at the fee of £5 which is prescribed at present.

I understand the Minister told the members of this House who waited on him this morning that before the legislation was brought before Parliament, he would give the German Shepherd Dog Association, the Pastoralists' Association, and also members of Parliament, an opportunity to look at the new provisions, to ascertain whether they suited the interests of the people affected.

I was opposed to the original legislation when it was passed in this House. I am still opposed to it, but I realise that the complete disallowance of the regulations would not help anybody at this stage, because the principal Act remains in force, and all its stringent provisions could be put into effect. However, a compromise has been reached, and this House should agree to the motion moved by Mr. Dolan.

The parties which are concerned with this legislation—the German Shepherd Dog Association, and the Pastoralists' Association, and others—should avail themselves of the opportunity to examine the amending legislation which is to be introduced next session, to ensure that it meets their wishes.

Amendment to Motion

I move—

That the motion be amended by inserting after the word "regulations" in line 1 the passage:—"numbers 9 and 20".

THE HON. A. L. LOTON (South) [5.52 p.m.]: I support the amendment to the motion moved by Mr. Ron Thompson, for two reasons. I was surprised when Mr. Dolan moved for the disallowance of all the regulations made under the Alsatian Dog Act a few days ago. I felt at the time that I should take steps to try to bring about a settlement between the aggrieved parties, to reach agreement on the Act, and in particular on the regulations. I have given a great deal of thought to this motion, and today in company with Mr. Dolan I called on the Minister for Agriculture to try to arrive at some compromise.

The Minister is agreeable to the cancellation of regulations 9 and 20, and he undertook to move along the lines outlined by Mr. Ron Thompson. He also gave an undertaking that in the next session of Parliament he will introduce legislation to deal with the high transfer fee of £5, and with the extension of the period during which the owner of an Alsatian dog need not transfer the ownership. At present the period is 14 days, but the Minister is agreeable to the period being extended to 30 days. The Act will have to be amended, because the existing period is stipulated in the Act.

When the Bill comes before Parliament in the next session, owners of Alsatian dogs will be given the opportunity to present their case to Parliament. If both Houses decide to make further changes to the Act, they will be able to do so.

When the legislation was introduced last year it had two main objects. The first was the sterilisation of Alsatian dogs; and the second was the fixing of the initial license fee at a high figure, so as to discourage people from keeping Alsatian dogs. The renewal fee was also fixed at a high figure. There has been no weakening in regard to the first object of the legislation.

Protests have been made by those concerned with Alsatian dogs about the method of tattooing the ears, for the purpose of identification. They contend that this process would cause the ear to droop. Those who saw the photograph which appeared in *The West Australian* this morning, showing the tattoo marks—in the same way as greyhounds are marked in the Eastern States for identification purposes in racing—will realise that this process does not cause the ear to droop. If the process is carried out scientifically it will not injure the muscle in the ear. The tattooing is performed on the fleshy part of the ear with indelible ink. This is the only effective method of identification. Identification through tags on the ears is not effective, because the tags become lost or mutilated. We see that in sheep and cattle, when the tags become caught up in fences and are pulled off the animal. Furthermore tags can be transferred by dishonest people.

Identification through tattooing was done from the idea of preventing Alsatian dogs from being brought into this State for breeding purposes. For years the farming community and the pastoral industry have been very concerned with these dogs. With the exception of South Australia, the keepers of Alsatian dogs in Western Australia are more leniently treated than those in any other State. That is why such a large number of these dogs are being sent to Western Australia. There are Alsatian dog breeders in South Australia who market the dogs in Western Australia, and they realise that the dogs have to be sterilised before coming here.

It is unfortunate that a small Bill which was designed to achieve two objects should have resulted in pages and pages of regulations being promulgated to put the Act into effect. There are, in all, 37 regulations and seven schedules. The main objects of the Act were the sterilisation of Alsatian dogs, and the fixing of a high registration fee.

The PRESIDENT (The Hon. L. C. Diver): I draw the attention of the honourable member to the fact that the question before the Chair is the addition of certain words to the motion.

The Hon. A. L. LOTON: I am dealing with that aspect, and I am speaking to the disallowance of regulations 9 and 20 which relate to the alteration of the fees of £1, and 10s., to an overall fee of 10s. Regulation 20 deals with the period, after the arrival of the dogs in Western Australia, during which they are required to be presented to the depot for identification and tattooing.

Before an Alsatian dog can be brought into this State, the owner has to fill out a form giving details of the colour, age, sex, date of arrival, and the place where the dog is to be kept. It is not necessary to show the price that is paid for the dog. Within 48 hours after the arrival of the dog, it must be presented at the depot to be marked for identification purposes. The production of a certificate to show that the animal has been sterilised is necessary. It is a very complicated business.

With regard to the 10s. charged under regulation 9, the extraordinary point about it is that if a person had been issued with a disc for his dog, and he lost the disc and wanted a new one, he had to pay £1. But if the disc was merely mutilated and he was given a new one, it would cost him only 10s. The Minister has, of course, agreed that the figure should be uniform. We know that it would not cost the local authorities anything like 10s. to issue a disc, because, for 7s. 6d., a dog can be registered and supplied with a disc and ring. In addition to this, a piece of paper is supplied to the owner indicating registration.

The Hon. J. Heitman: This does away with the 48 hours altogether, doesn't it?

The Hon. A. L. LOTON: Yes. As Mr. Ron Thompson pointed out, if a dog arrived here by plane on a Friday night, and if the following Monday happened to be a public holiday, the owner would have committed an offence because by then the 48 hours would have expired. Apart from the public holidays which fall on a Monday, there are the Easter and Christmas periods. Five days are involved at Easter, and it is not right that a person should be classed as committing an offence because he is unfortunate enough to have his dog arrive at a time when it is impossible for him to comply with the regulations before

the time has expired. This is why Mr. Ron Thompson has moved his amendment to regulation 20; and the Minister is agreeable to the amendment. In this way the breeders are given some alleviation although not all that was requested. I have much pleasure in supporting the amendment.

Sitting suspended from 6.4 to 7.33 p.m.

THE HON. J. DOLAN (West) [7.33 p.m.]: I support the amendment, although I am the mover of the motion for the disallowance of the regulations. I was one of the members who interviewed the Minister this morning, and after that consultation I think the step being taken is the correct one. For that reason I support the amendment.

Amendment put and passed.

Motion, as Amended

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [7.34 p.m.]: I think it only right that I should say a few words on this matter. I appreciate the co-operation that has existed between Mr. Dolan and Mr. Loton in trying to find an answer to the problem that was raised when Mr. Dolan moved for the disallowance of the whole of the regulations. That is an example of the co-operation that has existed between members in this House, with fruitful results.

During the course of debate it was said by the owners of these dogs that they were being discriminated against. When we look at the situation throughout Australia, it is not as bad as members might think. In New South Wales all Alsatian dogs must be sterilised—at least they must be in a large part of that State; and the same thing applies in the Northern Territory, the Australian Capital Territory, and Western Australia. In a large portion of Queensland they are prohibited altogether; and they are prohibited outside the boundaries of local government areas in South Australia. In Victoria, if they are not in the owner's premises, they have to be on a leash, or muzzled. So members can appreciate that pretty well every State, except Tasmania, has restrictions applying to this breed of dog.

Mr. Dolan said there had not been many cases of attack by these dogs in Western Australia. If we go through the records we find there were attacks by this particular breed, and that is why the Bill was introduced in 1929. It was brought down for the purpose of saving lives, not only human lives, but the lives of stock. We regarded the menace by these dogs as a very serious one. The reason there has not been a great number of attacks is because the position has been rigidly controlled; at least it was until such time as circumstances arose when we could not control it.

Under the 1929 Act we had control over dogs brought in by rail, air, and ship, but with the advent of road transport, and the dodging around of motorists, and so on, no inspector could keep up with all the Alastians that were coming in by road, with the result that instead of there being between 15 and 20 coming in each year, last year we had 203 that came in, and many of them entered illegally. That is why we had to introduce legislation last year.

We have to be careful how we deal with this situation. I thought it was just as well to remind members that other States have discriminated against this breed of dog, and they have done it for the same reason as this State has. However, I appreciate that by negotiation and co-operation a satisfactory solution for the time being, at any rate, has been found; and, on behalf of the Minister concerned, and myself, I support the motion as amended.

THE HON. A. L. LOTON (South) [7.38 p.m.]: Further to what I said when supporting the amendment, I draw attention to the two schedules. The first one deals with the permit to keep a sterilised Alsatian dog. This is a fairly serious regulation. It states—

The holder of this permit shall keep the dog to which this permit relates, securely and under control, on a lead or within an enclosure from which the dog cannot escape.

The Hon. F. J. S. Wise: They will not let it lead a dog's life.

The Hon. A. L. LOTON: This is worse than the ordinary dog's life.

The Hon. F. J. S. Wise: Much.

The Hon. A. L. LOTON: If a person bought a dog and wanted to train it, he would not be able to do so if this was strictly interpreted, because he would have to keep it in an enclosure or on a lead. Members representing the farming community and the north-west know how sheep dogs do their work. They are trained, and they make mistakes. But with continual training they can be taught to sit, to move, to cast to the right or to the left, and to go and fetch. It would, however, be impossible to train a dog in that way if it was always on a lead; and these dogs are trained in obedience tests.

It is almost impossible to allow a dog to have any sort of a life at all under these conditions. It would be better for the dog to be dead than to have to live under these conditions all the time.

On the other hand, I agree entirely with the conditions of the permit to deal in Alsatian dogs, because it states—

The dogs must be held on leads or in enclosures from which they cannot escape.

A dealer can keep a dog for only a month; and the dog, in that period, does not get to know his master or mistress. It is strange, but if a dog can get out of an enclosure it will always make back for its original home, if possible. I agree entirely with the conditions of the permit relating to dealing in Alsatian dogs, because a dog might be one of six or eight belonging to a dealer and would be shut up in a compound or held on leads. I cannot, however, agree with the conditions which apply to a dog belonging to an individual whereby the dog has to be kept in an enclosure or on a lead permanently. I hope that in due course something will be done in connection with this matter. I discussed this point with the Minister and with Mr. Dolan this morning, but we could not arrive at a satisfactory method of overcoming it. I cannot understand why anyone should say we should always keep these dogs in the manner set out here.

THE HON. J. DOLAN (West) [7.42 p.m.]: I thank all members who contributed to the debate, whether they agreed or disagreed with my views. When I moved the motion I asked members, if they knew of cases where these dogs had shown that they were untrustworthy, or had attacked sheep, and so on, to make the information available to the House. One member gave examples to the extent of three spread over a period of three years, which, I think, would not be very conclusive proof in regard to how damaging they might be.

What I really want to do is to tell members that I have the greatest sympathy for an association whose members are really playing a valuable part in the training of these dogs, and providing an example of how dogs, irrespective of their breed, should be kept under control.

I had a wonderful instance of this last Sunday when two men brought two of these dogs to my place. I have never seen dogs more obedient or more perfectly under control. I would have trusted my little grandchild with them because I felt they were perfectly safe. Years ago I heard the expression that if we give a dog a bad name it will stick to him. Since I have interested myself in these animals during the last week or so, I have learned that these dogs have been given a bad name unjustly and unfairly.

I make no apologies for those dogs which are not under control and which roam the streets and are stray animals. The members of the association that I have mentioned feel that there is ample provision in the Dog Act of 1903 to bring about the destruction of the stray dogs, and they would be perfectly willing at all times to co-operate. These people are playing a particularly valuable part in the community. Perhaps some day their dogs will

be the means of saving a life or two, whether in tracking missing people or by saving someone from drowning, or something of that sort. The day might come when we will be grateful to these owners who have trained their dogs so well. When I say, "Give a dog a bad name and it will stick to him"—

The Hon. L. A. Logan: There is a book of that title.

The Hon. J. DOLAN: Perhaps the Minister will lend it to me and I will read it. My reading in the last week or so has been sadly neglected. I have here a newspaper with this heading, "Two Girls Savaged. Alsatian Dog Ban Sought". Then some details are given—

"It is not fair," Mrs. Barry said, "that a vicious dog like this should be allowed off a chain."

Mr. K. Barry said the same dog had attacked a 13 year old girl in the street last year. The girl had run screaming into his home.

So the various reports go on. Here is another one—

The Country Shire Councils Association last week asked the State Government to prohibit the entry to W.A. of all alsatian dogs. Bruce Rock delegate, in putting the motion, said that, though alsatians had to be sterilised, the dogs were still a danger to sheep and cattle, if they bred wild, and also humans.

The Hon. J. J. Garrigan: Put them on the Dog Act.

The Hon. J. DOLAN: Anyone reading the reports in that newspaper article would naturally assume that Alsatian dogs are extremely dangerous. That is how these stories start. The members of the German Shepherd Dog Association took the matter up, and I have here photostat copies of letters sent by that association to the various people who contributed to this newspaper article, asking for a retraction of their statements. I will not weary the House by reading all the letters, but those members who so desire can read them, and they will see that all those people admitted that there was not one atom of truth in the newspaper article.

The people who had contributed to this article merely had ideas, and surmised what had happened. However, when they were put on the spot they could not prove anything. The person who made the original complaint forwarded this article for publication in the paper—

Dear Bill,

I would like a retraction of your article in the South Suburban News (West Australian).

1st Heading stating that 2 Girls Savaged. That is not correct.

2nd Girl 13 was chased, Not attacked.

3rd I did not see any teeth marks on girl's leg.

The dog was probably a faithful animal, and was just running around looking for its master. That is how these ill-founded reports start to circulate.

I will now read to the House a letter which reached me only the other day from a gentleman in the north. I am sure it will interest members. It reads as follows:—

Dear Sir,

I am the owner of an Alsatian Dog. I also work for the Agriculture Vermin Board as a dingo trapper. Now I want you to hear my opinion of the Alsatian Dog Breed and all domestic dogs included.

First we will state the bull terrier for instance, now this dog is bred for the purpose of cattle work, now this dog is known to be able to pull down beasts by the nose up to 1,000 to 1,200 pounds in weight. If this dog is capable of pulling down such a huge beast, imagine the destruction this breed of dog could cause crossed with a dingo.

Secondly I would like to mention the Kangaroo dog. Now this dog in particular is known to grow bigger than the alsatian. He also has speed and killing instinct and is known to be throughout the State of W.A. They are mostly owned by the Natives throughout the North West in big stock areas, and have been known to go wild.

Now give me one reason why this dog has not been included in the Alsatian Dog Act.

To my knowledge there are a large number of dogs of all breeds in the State.

His letter continues and he goes on to name bull terriers, kangaroo dogs, kelpies, boxers, red clouds, and border collies. He then says—

These are the dogs which I consider would be just as destructive as the alsatian.

I will not give this man's name. I will merely take the opportunity to pay a public tribute, as I stated previously, to the members of the German Shepherd Dog Association. I had an interview with the Minister for Agriculture and the Director of Agriculture this morning, and the Minister promised that the Act would be amended next year. The Minister admitted that there are certain sections in the Act which are objectionable. This will give an opportunity to all interested parties, whether they be pastoralists, members of the German Shepherd Dog Association, or other interested bodies to consult with the Minister and point to the way along which the Act can be improved.

I appeal to members not to take a set against all of these dogs, but to direct their attention towards unscrupulous people who draw attention to this state of affairs by not sterilising their dogs and who, as a result of their carelessness, could cause a great deal of harm. I make an appeal for those people who really do play the game and who look after their dogs, and who, in the future, may prove that their dogs may be of great help to this State by saving the lives of people by tracking down those who are lost or assisting children who may be in some kind of trouble, including those who may be in danger of drowning.

I feel a little disappointed that this motion which I brought forward before the House is being superseded by something else, to which I had to agree. However, I thank members for the courteous way they have discussed the motion, and I hope that when an amending Bill comes before them next year they will consider it fairly and in a spirit of fairmindedness to ensure that these dogs, which are among the finest breeds in the world, and which are most intelligent, will receive the justice they deserve.

Question (motion, as amended) put and passed.

ABATTOIRS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 3rd December, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [7.52 p.m.]: First of all I hope to allay some of the fears that have been expressed by various members who spoke to this measure. Mr. Strickland had the fear that Mr. Rowland would be sacked. Mr. Bennetts had the fear that the Kalgoorlie Abattoir would be sold to private enterprise, and Dr. Hislop held the fear that Mr. Rowland would be reduced in status.

In examining all those fears, I will deal initially with the fear held by Mr. Strickland. I can assure the honourable member that Mr. Rowland will not be sacked; he has been offered the choice of the two positions which will become available.

The Hon. J. G. Hislop: I want to know which one of the two.

The Hon. L. A. LOGAN: We will come to that question in a minute. Mr. Rowland will remain in his present position as the manager of the Midland Junction Abattoir. I should imagine, so he cannot be offered that position. He cannot be sacked if he retains the position he already occupies.

Mr. Bennetts said he was fearful that this would bring about the sale of the Kalgoorlie Abattoir to private enterprise. I do not know how he can draw that inference from a reading of the Bill, because there is no intention of selling the Kalgoorlie abattoir to private enterprise, and there is nothing in the Bill which would even suggest the sale of that abattoir to anybody. It will remain a State concern.

Mr. Rowland will not suffer any reduction in status, because he will continue to occupy the office he has occupied for some considerable time. It has been stated in this House that the position of Controller of Abattoirs does not exist. If the position does not exist in the minds of some members and Mr. Rowland remains in his present position, how can he be reduced in status? So the fears that have been expressed by those three members are completely unfounded.

Mr. Lavery raised one or two questions in wanting to know why there was always trouble at Midland Junction, and not at other abattoirs. I do not know the answer to that. It is probably one of the reasons why Robb Jetty took the stand it did, because there has been no staff trouble at Robb Jetty Abattoir. Mr. Lavery and Mr. Dolan, by way of question, also raised the matter of rebates being granted by the Midland Junction Abattoir to master butchers. Here we have a situation of a man, carrying the dual title of Controller of Abattoirs and the Manager and Executive Officer of the Midland Junction Abattoir, who lays down a policy—presumably backed by the Midland Junction Abattoir Board—of granting rebates on all beasts killed at the Midland Junction Abattoir, in competition with other abattoirs throughout the State.

If members think there are no other abattoirs, I will deal purely with the one at Robb Jetty. This rebate system was a definite attempt to encourage all master butchers to do their killing at the Midland Junction Abattoir rather than at abattoirs, such as Robb Jetty, Harvey Abattoir, or any other abattoir. This rebate system had a great effect in increasing the number of killings at Midland Junction.

If we compare the figures of the killing at both these abattoirs, it is found that, in 1961-62, 25,817 cattle and calves were slaughtered at Robb Jetty, and at the Midland Junction Abattoir, in the same year, 75,827 cattle and calves were slaughtered; so that, in effect, the difference between the increase in the killings of the year before at the Midland Junction Abattoir was 10,131, and the increase at Robb Jetty was 6,051. Therefore, in the twelve months the increase in killings at the Midland Junction Abattoir numbered 4,080.

Then the rebate system was introduced, and in 1962-63, the number of cattle and calves killed at the Midland Junction Abattoir jumped to 107,872, and at the

Robb Jetty Abattoir the number of killings made in that year increased to 35,575. If we add the figure of 4,080, representing the increase in the previous year, to the increase in killings made in 1962-63, it comes to a total of 12,007 increased killings made at the Midland Junction Abattoir in two years. This represents quite a large increase.

Therefore, the rebate system created a demand by master butchers for cattle and calves to be slaughtered at the Midland Junction Abattoir. The rebate represented a business offer by a business concern; that is the situation. Surely Mr. Rowland is placed in an invidious and impossible position by holding the dual position of Controller of Abattoirs and the Executive Officer of the Midland Junction Abattoir. In holding the position of Controller of Abattoirs throughout the State, the Robb Jetty Abattoir naturally comes under his jurisdiction. That is why it was decided to separate the two positions. The Kalgoorlie Abattoir has also been under the control of Mr. Rowland. I do not know what effect that has had on that abattoir.

If we look at the figures for the Kalgoorlie Abattoir, it will be noted that the killings there have dropped considerably, and the amount of killings for Kalgoorlie butchers has increased at the Midland Junction Abattoir. There again, the manager of the Midland Junction Abattoir is in an impossible situation whilst holding the position of Controller of Abattoirs throughout the State.

Let us consider, for a moment, the position of Controller of Abattoirs. Members should not get the idea that this position is purely for the purpose of exercising control over Government abattoirs. The office of Controller of Abattoirs is one that is retained so that advice can be tendered to the Minister. The meat industry of Western Australia is a very valuable one, so surely the Minister should have some officer with a knowledge of the control of abattoirs who can give him advice, and also offer advice to private abattoirs.

Another new abattoir is to be established at Esperance, and we hope there will be a new abattoir constructed at Geraldton. Plans are already under way for a new abattoir at Narrogin and another one at Bunbury. These are the abattoirs over which the Controller of Abattoirs has some jurisdiction and control, and so is in a position to advise the Minister and his department on what is going on for the benefit of the meat industry generally; not for the sake of any particular abattoir or concern.

The Hon. H. C. Strickland: He is available for that purpose.

The Hon. L. A. LOGAN: He cannot be Manager of the Midland Junction Abattoir and carry out his duties in the other position as well in a successful manner.

The Hon. H. C. Strickland: Why are you offering him the job, then?

The Hon. L. A. LOGAN: As for the salary that is to be paid, that will be decided by the Midland Junction Abattoir Board and the Public Service Commissioner in the same way as all other positions are covered which do not come under the provisions of the Public Service Act.

I have no hesitation in saying that the Abattoir Board will offer Mr. Rowland the same salary as he is getting today. I have given the reasons why these two jobs are to be separated; and I cannot agree with Dr. Hislop when he says we should scrap the controller. In my opinion, it does not matter whether it is a full time or part time position; because the Minister must have somebody in the department who can advise as to what is going on in the State in regard to abattoirs. That is the idea of the provision.

Mr. Abbey wants a board set-up and I think Mr. Heitman mentioned something about that, too. I am of the opinion that this man will be able to watch the industry in all its aspects. I mentioned Geraldton; and that is another reason why the Bill has been introduced. An alteration has been made regarding abattoir districts. As the Act stands at the moment it has been competent for the Government to declare an abattoir district. If this were done and either the Government or a municipality put an abattoir in that district, whoever was there previously would go out of existence without one penny of compensation.

That position arose. We were asked, as a Government, to declare an abattoir area for Geraldton; and the Premier and I got into really hot water and were criticised and hammered because we would not agree to it. Had we done so, the family group which has controlled the abattoir in Geraldton for the past 40 years would have been put out of business without a penny of compensation; and yet we were criticised for not declaring an abattoir area. We did the only thing possible. I am sure that no member of the House would agree that the Government should have allowed an abattoir to be built at the expense of a family group that had been doing the job for the last 40 years.

So to enable a private individual or a private company to have some faith to go ahead with extensions in an area such as I have mentioned, this measure has been introduced to Parliament in order to provide some guarantee that the people concerned can spend their capital in the knowledge that their assets will not be taken away from them.

Mr. Strickland raised two points. One concerned the regulations and another the interpretation. If the honourable member

will look at section 36 of the Interpretation Act, he will find that any regulations made under any Statute must be laid on the Table of the House within six sitting days of Parliament. Because the position is covered in the Interpretation Act, that provision is not now included in legislation coming before the House.

The Hon. F. J. S. Wise: Unless they are contracted out.

The Hon. L. A. LOGAN: Wherever an Act lays down regulating powers, section 36 of the Interpretation Act covers the position. The same applies to the interpretation of the word "Minister"; and, wherever possible, the Parliamentary draftsmen are taking definitions out of Acts, if the position is covered by the Interpretation Act.

I do not think anyone can really find fault with this measure. I must give Mr. Rowland credit for the way the Midland Junction Abattoir has been run. I think everybody joins me in this, and I have not heard one person speak against his ability to run that abattoir. I am sure that all, from the Minister down, have praised Mr. Rowland in that regard. All we want to do is to let him continue that job so that the other man can travel around the country to study the industry in order to obtain knowledge as to what is going on, as well as manage the Kalgoorlie Abattoir. I cannot see any reason why the passing of this measure should create fear in the minds of members and I hope the House will agree to the Bill.

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

Ayes—13

Hon. N. E. Baxter	Hon. G. C. MacKinnon
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heltman	Hon. S. T. J. Thompson
Hon. J. G. Hialop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. J. Murray
Hon. A. L. Loton	(Teller)

Noes—9

Hon. D. P. Dellar	Hon. R. Thompson
Hon. J. Dolan	Hon. W. F. Willesee
Hon. J. J. Garrigan	Hon. F. J. S. Wise
Hon. E. M. Heenan	Hon. H. C. Strickland
Hon. R. H. C. Stubbs	(Teller)

Pairs

Ayes	Noes
Hon. R. C. Mattiske	Hon. R. F. Hutchison
Hon. C. R. Abbey	Hon. J. D. Teahan
Hon. H. K. Watson	Hon. G. Bennetts

Majority for—4.

Question thus 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 Local Government) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 2 amended—

The Hon. H. C. STRICKLAND: In my second reading speech I drew attention to paragraphs (c) and (d). The interpretations "Minister" and "prescribed" are already in the Act and the Minister told us that they were being deleted because the position was covered by the Interpretation Act. I have no quarrel with that, but my contention is that this is a Public Act and those interpretations should remain to guide any member of the public who may look at the Abattoirs Act. Why should members of the public have to search through several Acts to find out what "Minister" and "prescribed" mean? Members of Parliament and lawyers are conversant with the Interpretation Act, but that position does not apply with members of the public. I move an amendment—

Page 2, lines 17 and 18—Delete paragraph (c).

The Hon. L. A. LOGAN: I can only repeat that this action is being taken by the Parliamentary draftsmen in order to tidy up Acts, because the position is covered by the Interpretation Act. This is not the first Bill in which this has been done. Surely when this is done on advice of Crown Law and the Parliamentary draftsmen we are on safe ground. It makes no difference to me whether the interpretation "Minister" remains in the Act or not, but the idea is to achieve uniformity.

The Hon. H. C. STRICKLAND: I repeat that the public should be guided; and throughout this Act I would say that in at least one out of every three sections—the ratio may probably be higher—the word "Minister" is mentioned. Instead of taking this action, I suggest the Crown Law officers could be better employed, because they are making Acts harder for the public to understand. This is an objection which we have been told several times during the course of this session, as emanating from the Crown Law Department, cannot be achieved.

It is something which must be regarded as being of a very finicky character. If one takes into consideration the 20 or 30 definitions incorporated in the Interpretation Act, it is something which must be regarded as an objective only. With the hundreds of Statutes that have been passed by both Houses of Parliament in this State, it could never be an achievement to have excised from those Acts words of definition that are explained in the definitions clause of the Interpretation Act; definitions put there expressly for the purpose of assisting any person reading a Statute to understand the meaning of specified words. The definitions are found in section 4 of the Interpretation Act, and they facilitate the understanding of sections of any Statute passed by this Parliament.

No matter how intensive may be the desire of the draftsman or the Minister in this objective, it cannot be achieved when we are incorporating in an Act of Parliament an agreement; because the agreement, initially drafted away from an Act of Parliament and subsequently ratified and become part of an Act, will contain the word "Minister" in many places.

The Hon. A. F. Griffith: But it does not specify which Minister it will be.

The Hon. F. J. S. WISE: Exactly; but it is there in many places, and the word "Minister," as referred to in section 4 of the Interpretation Act, consequently applies. The word "regulation" also applies, as do the words "oath," "affidavit," "Parliament"; the words "petty sessions"; the words relating to sexes and gender; and also numerals. They are all explained for a particular purpose, and all these words will continue to be used in Bills and Acts.

I think we are chasing a star that cannot be reached. There is wonderful work to be done, and it is being done, in consolidating all our Statutes, and in the revision of Statutes. We are bringing up to date, in the consolidation of our laws, many things that are required for a better understanding of those laws. But it will not happen in this or the next generation. Our Statutes will not have the word "Minister" taken from them in this century. This is something which is very finicky as an objective, or as a star that cannot be reached.

One can go through section after section of the Interpretation Act. The other evening we had the case where an objection was raised on the point of a notice being served on a person. We were asked how it was served, and in what manner. It was all provided for in the Interpretation Act. I think we are chasing rainbows with this one.

Amendment put and passed.

The Hon. H. C. STRICKLAND: I move an amendment—

Page 2, line 19—Delete paragraph (d).

The word "prescribed" is defined in the Act. It is a guide for anybody who reads the Act, and whilst it is contained in the legislation I think it should remain.

The Hon. A. F. GRIFFITH: If we follow this line of thought, should the draftsman wish to introduce a modern concept of drafting a Bill or an Act, we would have to tell him that he must not do this in the future.

The Hon. F. J. S. Wise: You will not get two draftsmen drafting in the same fashion.

The Hon. A. F. GRIFFITH: I realise that.

The Hon. L. A. Logan: This legislation has not been amended since 1954.

The Hon. A. F. GRIFFITH: We would have to say to the draftsman, "Do not continue with your modern ideas; do not take out the interpretation of "Minister", because it is not acceptable to Parliament." The draftsman conscientiously believes that the definition should remain in the Interpretation Act and that this legislation should not be overburdened with definitions. I will have a talk with the draftsman.

The Hon. F. J. S. WISE: The word "Prescribed" will appear in Statutes from now until doomsday. It is dealt with in section 4 of the Interpretation Act, and the word applies to hundreds of Statutes. We are adopting a course which is quite unnecessary. We are not making it easier for people to follow the Statutes; and they are difficult enough to follow in all conscience. In recent years we have had a Bill amending two Statutes in the one Bill. It is just as difficult for an experienced person as for a lay person to follow the Statutes; particularly when that person does not know if the Act has been amended. I hope the amendment is carried.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Section 6 amended—

The Hon. H. C. STRICKLAND: I move an amendment—

Page 3, lines 8 to 10—Delete all words and substitute the following words:—

by substituting for the word "fourteen" in line five of subsection (2), the word "six".

I refer members to subsection (2) of the Act. The proposal in the Bill is to delete designation (1) and to repeal subsection (2). The period of 14 days referred to in this subsection is outside of the Interpretation Act. The Interpretation Act lays down that regulations shall be laid before each House of Parliament within six days of such House next sitting following publication. The Act, as it stands, allows the board 14 days in which to table regulations if the House is sitting. My amendment proposes to bring the provision into line with that contained in the Interpretation Act; namely, by deleting the word "fourteen" and inserting the word "six". I also wish to leave the provision that the board must table regulations forthwith.

The board might have had regulations approved by Executive Council either yesterday or today. Regulations might have been published in the *Government Gazette* last Friday, but there would be no need for the regulations to be tabled during the remaining days of this session. There is nothing in the Interpretation Act

to say that the board must table its regulations in the remaining days of this Parliament. The regulations could be in existence until August of next year, and it would not be possible to challenge those regulations. They would have the force of law, provided they had been published in the *Government Gazette*.

The Hon. A. F. Griffith: It was ever thus.

The Hon. H. C. STRICKLAND: I would like to have the word "forthwith" retained. The regulations in connection with this board cover a very big industry. The board controls the Midland Junction Abattoir and the saleyards through which pass hundreds of thousands of stock. The board could have regulations in force, if it so desired, which perhaps farmers and other people might not desire, and they would ask their members of Parliament to take the same action that Mr. Dolan took this afternoon in connection with other regulations.

If the Minister could convince us that the board should have removed from it the necessity to table regulations forthwith, while the House is sitting, there might be something in it; but as the Act has operated satisfactorily for the last 11 years I do not see any necessity to change it now.

The Hon. L. A. LOGAN: The reason why the draftsman wants to remove this subsection from the Act is because the position is covered by the Interpretation Act. If new regulations were issued on Monday they could not be tabled forthwith, and there would be no necessity to table them until 14 days after the start of the next session of Parliament. The Interpretation Act lays down that regulations shall be tabled within six sitting days, and actually the subsection in this Act is redundant because of the Interpretation Act. Surely we cannot have two interpretations in regard to regulations. I oppose this amendment, and I hope the Committee will do likewise.

The Hon. H. C. STRICKLAND: I thought the Minister would give us the reason for this amendment, but apparently the board knows nothing about the Bill. I did hear somebody say that the board was not happy about the principal objective of the Bill, which is the removal of the controller; but when the Minister says that this Bill incorporates some of the draftsman's ideas, I think it is rather surprising. One would think that a body such as this would be issuing its own instructions in that respect. There is a limitation in the Interpretation Act, and the Abattoirs Act has a different prescription regarding regulations. The reference to 14 days, which is now in the Act, might be redundant, but I do not think the use of the word "forthwith" is. However, if the board has raised no objection I am not fussy about it.

I saw in the paper where the Minister had employed somebody from outside to straighten out our Acts, but if he is fiddling around with this sort of thing I think he could be better employed.

The Hon. L. A. LOGAN: I just want to correct the honourable member on one issue. The board was consulted and it knew what was going on in regard to the Bill. Whether it was consulted about the removal of this subsection dealing with the regulations I do not know, but probably it would not worry about it because it will not make one iota of difference to the board. That has nothing to do with the running of the abattoirs.

The Hon. F. R. H. LAVERY: I am surprised to hear the Minister say that this will make no difference to the board. Of course the question of regulations makes no difference to the board, but regulations are tabled for the benefit of members of Parliament and the general public.

The Hon. L. A. LOGAN: What difference can it make to the board?

The Hon. F. R. H. Lavery: It makes no difference to the board, but it makes a difference to us.

The Hon. L. A. LOGAN: The word "forthwith" can apply only when Parliament is sitting, and the Interpretation Act already covers the position.

Amendment put and negatived.

Clause put and passed.

Clause 7: Section 15 amended—

The Hon. J. G. HISLOP: I am not going to make any further remarks along the lines I did on the second reading, but I would ask the Minister to withdraw an insinuation against the controller which he made, probably quite unwittingly, in closing the debate on the second reading. When replying to a question Mr. Strickland asked about unrest at Midland, the Minister said he did not know the reason, but that was probably the reason for the incident at Robb Jetty.

I trust the Minister was not trying to insinuate that it was the controller's fault that any unrest occurred at Midland, and therefore he was shut out of Robb Jetty because of the possible unrest he might cause there. Such statements are quite untrue, because everyone knows who was involved in the incident at Robb Jetty. We must realise that it is only the management of the controller which has brought about the peace we have had in the abattoirs in the last 12 months or more. It has always been recognised that experimental labour conditions are tried out at Midland in the hope that they will be accepted, and then they can be put into other sections of the industry.

The Hon. L. A. LOGAN: When speaking on the second reading Dr. Hislop mentioned the incident which occurred at

Robb Jetty, and about the controller being shut out. I never made any such reference.

The Hon. J. G. HISLOP: I apologise to the Minister, but I will look in *Hansard* later because I believe the remarks I mentioned were made. I am glad of the Minister's assurance, however, that at least he did not mention Robb Jetty.

The Hon. L. A. LOGAN: If the record shows that I am wrong I will willingly apologise, but I do not think I am. When speaking to the second reading Mr. Lavery mentioned unrest and I referred to that, and not to the incident to which Dr. Hislop referred.

I did not reply to Mr. Lavery's worries about the drop in killing at Robb Jetty. There is no worry about that as far as I am concerned. Robb Jetty in this regard will go up if possible.

Clause put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and returned to the Assembly with amendments.

MIDLAND RAILWAY COMPANY OF WESTERN AUSTRALIA LIMITED ACQUISITION AGREEMENT BILL

Second Reading

Debate resumed, from the 3rd December, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [8.44 p.m.]: This is a Bill which Parliament must accept. It is the result of the many years of operations of the Midland Railway Company which, no doubt like most other railways throughout the world, has reached the stage where it is unable to compete with modern road and air transport, and the passenger and parcel services that are available.

Much has been said and written about the company's operations on this line; and perhaps much has been left unsaid in relation to the proposal for the Government to relieve the company of its railway operations in this State. I am of the very firm opinion that the Government must necessarily acquire the railway, and run it in conjunction with its own services. For the long period over which the railway has operated from its inception, it has served the purpose of opening the country between Geraldton and Perth.

That was the primary objective of the company's operations; and the objective of the Government of the time, when it entered into agreement with the company, was to do just that. All of our wheat lands have been opened up by railways, but this is the only railway that has been constructed by a private company to open up vast areas of farm lands.

As I say, it has reached the stage where it has served its purpose in that respect; and now, with the much faster operations on the road in moving stock, passengers, and goods of all kinds it, like other railways, is not able to successfully compete. Yet it cannot be discarded. It is necessary, as are other railways; and it will continue to serve the districts through which it runs.

The Minister gave us a comprehensive outline of the negotiations between the Government and the company in connection with the taking over, as it is termed—though I would say in connection with the acquisition—of this railway. According to the valuations made by the departmental committee of officers who are skilled in their particular spheres in relation to railways, the value of the assets of the railway amounted to something like £4,250,000.

The Minister tells us that, after voluntary negotiations with the principals of the railway company, a figure in the vicinity of £2,500,000 will be the final cost of purchasing the railway, its assets, and the liabilities attached thereto. The Minister claimed, quite rightly so, that a saving has been achieved by negotiation rather than by compulsory acquisition. Of course I do not think any Government had any intention of compulsorily acquiring the Midland Railway Company. But this is a point worth keeping in mind; because the Government will be involved, in years to come, with many acquisitions in connection with the Stephenson Plan. This emphasises the fact I mentioned here on more than one occasion, that the values reached in negotiation are not necessarily the true values of whatever the Government might desire to purchase.

However, that is by the way. I congratulate the Government in achieving through negotiation what it considers is a satisfactory price, and what we must also consider to be a satisfactory price; because the expert committee valued the assets at £4,250,000, which is considerably higher than the amount which the Government will pay. From that point of view I would say that Western Australia is acquiring a public utility, and an essential service, at a reasonable cost.

I am not in a position to query the valuations that have been made; nor do I think any member of Parliament is in that position. We must be guided by the experts, and by the information given to us by those experts in such matters; we must

be guided by men trained in that particular activity of managing railways, and we must accept their advice.

Accordingly I have no quarrel whatever in connection with the Government acquiring an additional railway which serves a substantial area of our agricultural lands. I notice the Minister tells us that the Railways Department is satisfied that the service can be integrated with the Government service to some profitable financial advantage to the Government services. The Minister had one reservation; and taking the long-term view of the Commissioner of Railways, who is a man with long world experience in operating railways, we find he expressed the opinion that his only apparent worry is that road transport on the future coastal road to be constructed at some time could have a big bearing on the operations of the newly acquired railway.

The commissioner has issued that warning because he knows that roads have affected railways, and there is no road at the moment along the coastal areas of that district over which heavy transports can be operated between Dongara, Geraldton, and Perth. So, while the Commissioner holds these views, I think we should take some heed of them. We know that our own Government system of railways suffered tremendous financial damage as a result of competition from road transporters, and as a result of farmers using their own vehicles to transport their own produce. However, nobody can stop the wheels of progress.

The economics of road transport are undoubtedly more favourable than those of rail transport in many respects, because the former delivers from door to door, and it has proved it is able to carry goods at a fantastically moderate rate by comparison with what the railways are required to charge to make their operations profitable.

As a case in point, I well remember some six or seven years ago the carting of copper ores from Ravensthorpe to Esperance at 4d. per ton mile; and that was only one-way loading. It seemed fantastic to me. I recall the offers made to the previous Government by road transporters to cart coal from Collie to the Bunbury Power House rather than have it brought down by rail—that is before the power house was constructed—and the figure was got down to as low as 3½d. per ton mile. I might add that these transporters were operating in a very big way.

The S.E.C. seized on the opportunity of course, and required the railways to get down to that cost at least, or a bit lower if possible; and it used that in its agreement with the railways to cart coal from Collie to Bunbury.

That will illustrate the effect of road transport on railways; and that is general throughout the world. The policy of the

Midland Railway Company, and the policy of the Western Australian Government—and I do not have any particular Government in mind—in regard to road transport, was very obstructive when I first entered Parliament. We have a banana industry in Carnarvon, and the laws of those days prevented bananas being transported by road past Geraldton. It meant that the produce from the agricultural settlement at Carnarvon on the Gascoyne River, had to be transhipped at Geraldton and placed on the rails, and later placed on the trucks of the Midland Railway Company, and carried from there to Perth.

That was a ridiculous position, of course, because even in the first instance, in the original agreement between a gentleman named Waddington and the Government to establish the railway, it was certainly never intended that it would have anything to do with produce that might come from Wyndham, Marble Bar, Carnarvon, or from anywhere else in the northern half of the State.

I remember when the W.A. Airways first commenced its service in 1921, passengers could only fly as far as Geraldton. The airways had to terminate at Geraldton, where the passengers were transferred to the Midland railway by which they journeyed to Perth. This of course meant an overnight journey on the train. That position obtained for several years. It used to be a four-day journey to go by train and plane from Perth to Derby. It took a day to Geraldton, another to Carnarvon, another to Port Hedland, and another to Derby.

That was a most ridiculous situation, and on many occasions my thoughts of the Midland Railway Company's service were not pleasant. In any case the Government was able to see the light, and to realise that this line was absolutely useless, uneconomical, and irritating to the settlers in the outback areas, when it was continuing its policy of protecting that line from motor transport. That policy was absolutely wrong. The Government saw the light and eased the restrictions, and that resulted in a different outlook altogether.

Unfortunately the railways must continue to operate to move the heavy haulage and the bulk traffic; therefore they must be retained. Although the cost of retaining the railway services of that company is heavy on the public purse, nevertheless they are essential and must continue to operate.

In his remarks the Minister mentioned that the money for the acquisition of the assets and plant of the Midland Railway Company will come from general revenue, rather than loan funds. From the point of view of the W.A.G.R. that is encouraging, because its finances are in a hopeless position in respect of loan funds, capital expenditure, and interest payments which

accompany those items. From memory, the loan fund account of the Government Railways, according to the latest financial statement issued by the W.A.G.R., exceeds £70,000,000. About 14 years ago an amount of approximately £12,000,000 was written off, but the figure still stands at around £70,000,000. The interest bill has almost reached the figure of £3,000,000 per annum, and that is a tremendous amount to be met before the railways can turn a wheel. They are getting into a hopeless situation.

When the Government decided to allocate the £2,500,000 from revenue, rather than from loan funds, the W.A.G.R. was assisted to some extent. If it had to add the revenue funds to the capital account of the Railways Department, the burden of interest would be increased, and its accounts would look more hopeless than they are today. I agree with the intention of the Government to use revenue funds for the purpose of acquisition.

The Railways Department will be required to spend £1,000,000 on rehabilitation of the track over a period of four to five years. Whilst the cost appears to be reasonable at £2,500,000, we must not lose sight of the fact that almost £1,000,000 is required to put the main part of the service in order; that is the track. However, such maintenance costs have to be met, and no doubt they were taken into consideration when the committee made its assessment of the valuation at £4,500,000; had the track been in first-class order it is reasonable to suppose the valuation would have been £5,000,000. From what the Minister has told us it would appear that the Government has acquired the Midland Railway Company at a reasonable cost. The Government will integrate that system into its own system, with some profit to itself.

Another aspect of this Bill concerns me; it is the position of the officers, running staff, and other employees of the Midland Railway Company. The Minister has told us that provision has been made, and is being made, to protect the rights of the employees in respect of long service leave, superannuation, etc. In fact, the employees have received a circular setting out what appears to be favourable conditions in their transfer to the Government service. I have not received any approach from any employee of the company in respect of his rights.

I understand some employees are concerned with their future employment. It is provided that the W.A.G.R. will absorb as many of the company's employees as it can usefully employ. The Minister told us that a small number will be offered employment in other Government departments, separate from the railways. This worries some of the employees—the uncertainty of their future.

It would be very helpful if the Minister could give us some indication of the number of employees who might be required to transfer from railway activities into some other Government department. Naturally some of the employees would have cause for concern, because they have worked for the company over a long period and have settled down in centres along the company's line. It is a worry to an employee when he does not know where his next job will be, whether it will be satisfactory, or whether he will be able to hold it down. I am sure the Government will be able to relieve these people of their worries, by giving an assurance that they will definitely be absorbed in the Government service, or in Government departments, under the same rights and conditions as they now enjoy.

I realise that will not be easy for the Government, but it employs many thousands of employees, and in a very short time the employment situation will solve itself with the natural wastage in manpower that occurs, as was the case when Parliament decided to suspend the service over some 800 miles of railway line some years ago. The employment situation looked after itself at that time. It is only the immediate future which worries some of the men. I am sure that an assurance from the Government that no employee will be placed in the pool of unemployed will relieve their worries.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [9.11 p.m.]: I thank Mr. Strickland for his general support of this Bill. He raised several matters on which I would like to comment. Firstly, the Government considers it desirable, when dealing with the rehabilitation of the Midland Railway Company line over a period of some five years, that the money should be found from revenue, rather than loan funds. The reasons are obvious; because other Government departments would be affected to a lesser extent if the loan fund "cake" was cut in larger pieces in the annual ceremony which takes place each year. The honourable member, who was a member of the previous Government, is aware of what takes place at that ceremony. Furthermore, the ability of the Railways Department to handle this situation through revenue funds would give the State a better opportunity to get some of the money back from the Grants Commission.

The Government regards this proposition as being satisfactory. This is not a case of compulsory acquisition of the railway service. It has resulted through negotiations between the company and the Government. If it were a case of compulsory acquisition at a time when the Government was obliged to take it over, the figures might not be as good as they are.

In respect of the re-employment of the persons working in the Midland Railway Company, both the Government and the company are anxious to see the work force rehabilitated within the Government system; but I am not able to say how many, or to what extent some of those employees will be absorbed. I am able to say that the number which will not be absorbed by the W.A.G.R. will be very small; and, as far as possible, this number will be kept to the lowest level.

The Hon. H. C. Strickland: They will be taken into other Government departments.

The Hon. A. F. GRIFFITH: Yes. I said during the second reading that the questions of employment and seniority were to be decided. It was hoped that conditions of service, including seniority, would be resolved by the union, the company, and the Government getting together.

The Hon. F. J. S. Wise: Including gratuities and other rights?

The Hon. A. F. GRIFFITH: Staff gratuity schemes, long-service leave, annual leave, and all those matters are being attended to, I understand, with satisfaction.

I do not think there is anything more for me to say except that this is one of those things. It was felt by both the Government and the company, as Mr. Strickland said, that the time had arrived when the Government should take over the undertaking. I ask the House to give support to the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

PUBLIC SERVICE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 3rd December, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [9.20 p.m.]: This Bill has several objects, most of them designed to give—though it may be deferred—justice in the approach to matters that could be called dues to which the

Public Service members are entitled. Under this Bill many adjustments will be made in connection with annual leave; long-service leave; powers vested in the Public Service Commissioner, powers which at the moment are not subject entirely to his jurisdiction; and several other matters.

Having compared the legislation in this State with that in the other States, it seems that this Bill is going a long way towards, I should say, at last, bringing this State into a favourable situation. I am one who is very much on the side of the public servant; one who believes that he should receive all his just conditions and emoluments.

In Western Australia right through our history, with very few exceptions, we have been blessed with public servants of a very high standard. The complete service could be said to be of a high standard, and many units of it are comparable with their counterparts in the other States. Indeed, when there is opportunity for advancement, we have, on many occasions, lost wonderful servants of Western Australia to the other States. They have been attracted for family reasons and because they could better themselves elsewhere.

We need not, in this State, make any apology at all for the standard of our public men, whose monuments are all around us. These include men in the Public Works Department—our engineers trained from cadets to the very top and senior positions in their profession. They have been trained at the University of this State. Likewise, the men in the Department of Agriculture have led the way in scientific achievement in many aspects of agricultural science associated with rural problems of the world in animal nutrition and soil deficiencies. Western Australia has no need to make apology to any country or to any scientists anywhere for the achievement of her officers down through the years.

This has been the position from the days of men such as Dr. Bennetts and others; men who discovered what trace elements could do in keeping down such diseases as Denmark wasting disease, which is unheard of today. One could name men reared in the State and trained here, who have rendered a wonderful service to the State of their birth or adoption.

So it is through departments, one after the other, that public servants have given of their best and not been concerned wholly with remuneration. These men have been dedicated and have contributed much in whatever sphere they were offering their services and talents. I could name many of them including those associated with the Ord River project today. This is the situation from Esperance to Wyndham, in the mining ventures. The men operating on the goldfields and in the Pilbara district are dedicated men who have, through their achievements, made great contributions to the State.

This Bill is going a long way towards giving to very many people the justice they deserve as a recompense for the work they have performed for the State. I could discuss the Bill in detail, but I do not think there is need for that. I do not wish to delay the House on the subject any further except to say that I support the legislation.

The Hon. A. F. Griffith: Thank you.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

MILK ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 3rd December, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [9.32 p.m.]: The Bill contains several provisions to assist in controlling an industry that has had a checkered sort of past, but one that has, for all its vicissitudes and difficulties, had a satisfactory form of control over a considerable period in this State.

There are some members in the House who will remember some of the early problems associated with the milk industry; but there are not many members left who were associated with the first methods that were found to be necessary when the original Milk Act was introduced in an endeavour to bring about a better control of milk production for the supply of a pure milk quota for the City of Perth.

It is not so long ago when cows were grazing on the rubbish dumps of Maylands, and on the sand hills around Herdsman's Lake and Osborne Park. They used to graze on the other side of the wireless station at Applecross and in the sand hills near the poultry farms that then existed. The area from which whole milk was drawn for this city extended as far as Keysbrook. Those were difficult days in respect of attempts to meet the milk supplies—days when all and sundry found some easy way of earning a living with a horse and a vehicle, and a few milk cans. Hygiene was not understood. Indeed, when the bottle system was introduced and the

bottles had to be capped, although the milk was supposed to be pasteurised, the bottles were filled by the milk vendor sitting in the gutter and pulling the caps out of his pocket, from amongst tobacco and so on, and pressing them on with his thumb.

Those days were not long ago. They were in my time as Minister for Agriculture in this State—and that is not a long time ago. From then until now there has been in this industry a story of very great achievement. The controls that appeared to be considerable, and that were considered by some to be savage, have produced a result which I think we can regard with some satisfaction. The quota system brought about a lot of questionable practices, but it persisted in spite of them—the quotas were trafficked in at terrific premiums—and with the increasing population and the demand for a better commodity we now have our milk drawn, instead of from 10, 15, or 30 miles from the metropolitan area, from hundreds of miles away; and more and more licenses are provided for in one portion of the Bill. That is a good principle when looking to the future requirements and when looking to the provision of more licenses for the future.

In days when the price of milk was much less than it is now, it would have been very easy for the board to run away from its many problems; it would have been easy for those who were in the industry as vendors and in charge of treatment plants, and for those associated with controls, to have relaxed and given way to the vested interests of those days, which have persisted and grown to be people of great interest, influence, power, and wealth.

At first glance, some of the clauses of the Bill could give a misleading impression to those who do not look beneath the surface. In one clause provision is made for the board to fix the price of milk in bottles or in other containers. The only time I interjected when the Minister was introducing the Bill was to ask him what had arisen to cast any doubt on the authority or power of the board to fix prices; because there is no doubt of the board's authority to fix the price of milk wholesale. But apparently there is some doubt about the board's authority to fix the price of milk to be sold in various kinds of containers. That has been interpreted by some people—some in this Parliament—to mean an increase in price being the only solution the board is likely to reach.

I take the opposite view. I think we can expect the board, even if the requests for an increase in price are frequent and vigorous, to assess the situation on the basis of the cost of the containers and on the basis that the price increase would be resisted unless charges and costs could be proven, in which case the public would

be well protected against an increase, unless it could be justified. That is the attitude I would think the board would be most likely to take. That has been its history; and the board has as one of its greatest responsibilities the standing up to the strength of those who are in control of the treatment plants handling the milk in this State. They are very powerful concerns; they are public companies; and they are companies anxious to stand well as public companies and as profitable concerns. They are particularly well managed and run, and they are very interested in their shareholders. But the Milk Board has another responsibility. It has to be very interested in the producer of milk and in the consumer of milk. It has to be very interested in the quality of milk from the point of production to the consumer.

I do not wish to dilate at length on these aspects, in generalities at any rate. I think it is sufficient to say that most people must acknowledge that we have been very fortunate in Western Australia, not because of any matter that has evolved—not by evolution at all, but by a rigid, kindly, and sensible control by an authority of this kind. As a result the industry has developed to meet the State's needs as the years have gone by; and it has assets belonging to the distributor amounting to millions today in a State sense.

The Bill, in the control clauses, gives the board borrowing powers; which is something debatable from the aspect which has been debated here on many occasions as to the cheapness of money through Government concerns via the Loan Council, or in debenture borrowing, or by the concerns going on the market themselves. But the justification for this board having authority to borrow money is undoubted and unqualified because it can be shown that over the last 30 years it has paid tens of thousands of pounds—a lot of money—in rent of premises for offices. Provision is made in several clauses and subclauses in the Bill to overcome that particular prejudice.

The next clause deals with the question of authority in regard to price; and that is the amendment of paragraph (j) of section 26 of the Act. If one reads section 26 one finds it difficult to convince oneself that there is any lack of authority vested in the board in respect of price control. If, however, there is any doubt of the board's being able, because of the type of container, to exercise this control, then let us put it right. I would rather the board have that power and authority vested in it than I would have it vested in the monopoly interests of the vendor or retailer. They should not have the right to say, irrespective of the price of the container, that the price of milk shall be so and so. It is important to keep control of the cost at both ends of milk production, to the consumption stage, in the hands of the Milk Board itself.

The other clauses in the Bill deal with the expansion of treatment depot licenses. It may be that, for the time being, there are sufficient of them. I think it is a very wise provision at this stage to give the board authority to issue more treatment licenses under the provisions which are set forth in the Bill. It could be that some other district, represented by great southern members, could enter this picture quite readily. I hope they will; and perhaps another and distinct district interested, or a distinct company interested, could come into the picture to operate a treatment plant quite satisfactorily in association with the farmers, as well as carrying out the treatment of milk in its various stages.

As is well known, more than one company has the right, and the extremely great privilege, may I say, of operating treatment plants associated not only with wholemilk, but also with cream, cheese, and butter; an amazing privilege to have if one is a vendor of wholemilk as such; a vendor of milk which is sold on a basis of not merely wholemilk solids, but on a basis of fat content. It represents a very great privilege. So far as is known, that privilege has not been abused in many instances. There have been prosecutions, of course, where misdemeanours have been discovered, but there have not been many. In short, the treatment plants have been in the hands of reputable people who are jealous of their good name in supplying a wholesome commodity.

The provision of an amendment to section 76 to allow for the issue of debentures and inscribed stock is, I think, following a simple and ordinary course, and is something which I think we must all support, following an earlier clause in the Bill.

However, I would like to make a few comments on the container problem, which appears to be confronting most of the vendors. I am afraid they are not trying hard to resolve it. I have seen full page advertisements in the newspapers which would cost more than half a crown. Each advertisement would cost £200 at least. The object of these advertisements is to implore people to put out their empty milk bottles. That has little or no effect on people who do not bother to put out their milk bottles. The people who do not put out their milk bottles as they empty them to receive the following day's supply, continue to be remiss.

However, in this problem we are faced with the difficulty of four or five different firms supplying milk in four or five different bottles. There is the square bottle, the round bottle, the short-necked bottle and the long-necked bottle. They are not interchangeable, but I am sure, if we had a standard bottle interchangeable, with a depot to receive all bottles, there would not be the shortage of milk bottles that exists today.

I had occasion to visit one suburb in this city when I helped a friend in a certain election campaign. During the course of that recent campaign I called on many houses and I saw piles of bottles in one suburb—up to 1,000 in a heap in a backyard. What for, goodness knows! Those people have no doubt seen the advertisement published in the newspapers by the vendors, but they do not do anything about it. I can take members to a right-of-way in the village of Cottesloe where, for more than a week, right at the end of the right-of-way and near the main street, 150 empty milk bottles have been lying, with nobody worrying about them.

If these treatment firms or milk vending firms were very interested it would pay them to make a house to house call asking people if they had any empty milk bottles. If they visited each suburb I think they would need a 20-ton truck from Bells inside a week in order to transport them to the various depots. There are thousands of empty milk bottles lying in backyards throughout the metropolitan area and nobody is worrying very much about them. This has nothing to do with the Bill, but it is an extremely important matter to the milk companies; and if the bottles are to be used, 20, 30, or 40 times, ultimately this could have an effect on the price of milk. Therefore, this matter not only has some relevancy to the Bill, but it is also extremely important in regard to the affairs of the industry generally. I support the Bill.

THE HON. G. C. MacKINNON (South-West) [9.52 p.m.]: This Bill, as Mr. Wise has said, deals with a number of aspects of the milk industry. In fact, the greatest number of pages of the Bill deal with the borrowing powers which the Bill seeks to grant to the Milk Board. Mr. Wise has adequately covered those provisions so far as I am concerned. The remainder of the Bill deals with several aspects relating to the operations of the Milk Board.

It is as well to bear in mind that this board has operated in an extremely well balanced way for several years. It has given careful consideration to all aspects of the industry, including the producers, the consumers, the treatment plant operators, and the vendors. Because of its actions, the whole milk industry today finds itself in a very sound position. Naturally enough, it is not entirely devoid of problems, but it is still in an extremely sound position.

One of the important aspects of this measure is the proposed alteration of the proportion of treatment licenses which can be issued to any particular company operating treatment plants. It has been decided that the percentage of treatment plants allowed to only one company will be increased. It will be allowed in such a way that the increase, of necessity, will be limited in the life of that company.

A formula has not yet been devised which will keep pace with the change in conditions, and allow of the general expansion of the milk industry. It is about that aspect I would like, particularly, to say a few words. Clause 6 of the Bill seeks to amend section 30 of the Act as follows:—

by substituting for the words, "more than one quarter of the total number of treatment licenses issued or to be issued" in lines four and five of subsection of (4A), the passage, "treatment licenses exceeding four in number, or the whole number equal to or nearest to but not exceeding forty per centum of the total treatment licenses issued or to be issued, whichever of those numbers is the greater."

In effect, this will allow each company to have another treatment plant. In my opinion, the only adequate solution to this problem would be the complete withdrawal of the section in the Act governing the number of licenses which any one company is allowed to hold.

This industry is now very tightly controlled. The price paid to the producer, the various margins allowed, and the issue of licenses to treatment plant operators all come under the jurisdiction of the Milk Board; and, over the years, it has proved it can exercise this control with firmness and with discretion. I am quite convinced the Milk Board could adequately cope with the issue of licenses even if there were no formula or no method of control written into the Act limiting the number of licenses which any one company could hold.

Whilst there may be some grounds for arguing that in the metropolitan area no one company could own more than a certain percentage of treatment plants, this could bring forth a great number of difficulties in country towns. It is, I think, desired by everybody that treatment plants, and those factories associated with rural industries, should be situated in the country. The position is today that if any one company was to establish a treatment plant in the town, and its quota of licenses happened to be close to, or had reached the allowable maximum, it would not be able to establish such a treatment plant.

The companies do not like entering any new area, and do not do so lightly. There is talk of a treatment plant being built by a company in the town of Albany. Whichever company builds the plant in Albany will stand to lose £10,000 in the first five years. It is no fortune maker. At present 1,000 gallons of milk a day are sold in Albany. There is a certain amount of resistance by consumers to bottled milk. Based on the experience of Bunbury and other towns, the company will probably get a 50 per cent. bottle distribution fairly early in its operation, which would be

equal to 500 gallons of milk a day, and on that basis the company would lose in the vicinity of £10,000 in the first five years. It would break even when it reached a distribution of 1,000 gallons of milk a day in bottles, and it will take a company at least five years before it reaches that figure.

Companies such as that will not be discouraged by what anybody in this House might say. As Mr. Wise has stated, we are particularly fortunate that companies operating in this State now are very reputable. Anybody who has had anything to do with them will vouch for that. The men engaged in them are capable businessmen and they know what they are doing. In Bunbury at present about 60 per cent. of the milk is delivered in bottles.

The Hon. L. A. Logan: Is the rest still delivered in bulk?

The Hon. G. C. MacKINNON: About 60 per cent. of the milk delivered in Bunbury, is delivered in bottles. I am authoritatively informed about that. This highlights the fact that companies do not like commencing the operations of a treatment plant. There was one built at Manjimup a short time ago, and I have no doubt whatsoever that the company is still showing a loss.

However, these companies are interested in the milk industry; and the progressive ones, despite what some people might think, are prepared to lose money for several years to help develop the industry in a particular locality. Obviously, they are not foolish enough to be prepared to go on losing money year after year indefinitely. Their managers worked out that they will ultimately show a profit.

This highlights that there are very good arguments for dropping the quota formula for milk treatment plants, particularly in country areas. After the treatment plant has been established at Albany, whatever company establishes it will probably find it has exhausted its quota.

Let us imagine that later on there is an opportunity, for various reasons, for the establishment of a treatment plant at, say, Geraldton. That company could not establish one, and yet it may have the necessary capital, know-how, and everything else; and there may be the need in Geraldton. The company could not do that, yet the Milk Board, if it had the power, might be prepared to give that company a license. It is my opinion that the Milk Board has sufficient authority and control to look after this matter, and there is no need for the particular section in the Act to remain any longer.

The argument in favour of a formula being placed in the Act is to absolutely prohibit the possibility of a monopoly. There again, the powers of the Milk Board are

quite adequate to take care of that situation. But even if they were not, I would point out that there is one State in Australia that has a monopoly in this connection—I refer to Queensland—and the milk there is the cheapest available in Australia. Where an industry is completely controlled and prices and margins are controlled from production through to consumption, a monopoly is not necessarily a bad thing.

Be that as it may, with the set-up we have in Western Australia and the powers which the Milk Board has, the situation of us ever finishing up with a monopoly is virtually impossible to imagine. I have no intention of moving any amendments to this Bill, but I am taking this opportunity to voice my opinions as I believe that this is the place where they should be voiced. I do this in the hope that the various authorities will look at the suggestions I have made and something will happen in due course. As sure as the sun will rise tomorrow, changing conditions will necessitate an amendment to this section of the Act dealing with the allocation of licenses to treatment plants.

The price structure of milk is mentioned in this Bill, and I would like to say a few words about that. Having read section 26 (J) of the Act, I feel the amendment in this Bill does completely clarify the situation with regard to prices; and I think it is desirable that that clarification should be included. It is also obvious that there are one or two aspects of the price structure of milk which can bear examination. Most of these centre around the bottle.

The various adjustments in regard to the price of milk allow for a margin for a vendor of milk; and it is in the mind of the Milk Board that the margin allowed to a vendor to deliver milk around a suburb or town would cover the licensee direct. And yet we have the situation in this State today where in some cases we not only have a lessee of a licensed milk vendor, but we have a sublessee. In other words, there is the original license holder, the lessee, and the sublessee all trying to make a living off a margin designed to give a living to one person.

How do they do it? In the main it is done by these men working out all sorts of angles in order to build up their round in the hope of selling it at a profit. I think most members have seen some of the things that go on.

The Hon. L. A. Logan: A few gimmicks.

The Hon. G. C. MacKINNON: Yes, as the Minister has said, that is so. We all hear the stories and know what happens. Imagine the position of a sublessee. If he can save himself a minute of time or a fraction of expense, he has to do so. So, if there are bottles to collect and he can get out of it, he does not collect them. That happens very often. Do not let us imagine that the Milk Board is not aware

that this situation exists, and do not let us imagine that the companies are not aware of it, because they are—and quite a considerable amount of argument is going on.

The Hon. R. Thompson: The companies are the cause of it.

The Hon. G. C. MacKINNON: No.

The Hon. R. Thompson: They override the contracts. They put vendors in.

The Hon. G. C. MacKINNON: They are not the cause of it; they do not authorise the leasing and subleasing of rounds. The companies are aware of this problem and a considerable amount of work is being done in an endeavour to standardise milk bottles. I believe the first requisite is to standardise the milk bottles. When that is done, it will be desirable that we should place a refundable deposit on the bottles in order that the companies may charge the vendors a certain price, and bottle for bottle can be exchanged, with a percentage allowance—whatever they work out—to cover normal breakages. This must be done in a proper way, and a proper agreement worked out so as to overcome the container problem.

Despite all the talk about containers, the bottle is still the cheapest. There are advantages in the disposable container, but at about 6½d. bottles are still the cheapest because of the number of times they can be used. This is how they can be brought down in price. I did notice there is an amendment on the notice paper with regard to bottles. Whilst I have just said that I consider ultimately this will be desirable, I think the first step must be that we have a standardised milk bottle, interchangeable between companies on an agreement basis. They have worked out more difficult agreements than that. Then we should have a refundable deposit to try to get order out of chaos and make it a necessity that these bottles be collected.

By the corner of Parliament House parking ground the other day, I noticed that if one sits on a seat there one is surrounded by bottles and one presents the appearance of having been picnicking there for a week. They are simply left there, but by whom I do not know.

The Hon. F. R. H. Lavery: By the workmen who buy them in the shops.

The Hon. G. C. MacKINNON: Without some rationalisation of the bottle set-up, we are almost sure to be faced with an increase in the price of milk. I have no doubt whatsoever about that because the cost of the container which must be included in the price of the milk will cause it to be increased. Therefore, a satisfactory system for the return of these bottles must be devised. I think in time a satisfactory system for the control of the leasing and subleasing of various milk rounds must be worked out.

To illustrate the point, I was recently approached by several milk vendors on the ground that there was insufficient margin. I examined their figures, and so forth, and found they had a case. However, I found in one case the vendor was a lessee, and in the other two cases they were sublessees. Obviously they paid something to each fellow along the line; and the intention is that the margin is designed to cover the original licensed milk vendor. In his margin he has sufficient to allow him the necessary time to pick up bottles and so on. It is obvious I support this Bill, and I consider at this stage it ought to be passed as it is.

Like all growing and striving industries, there are problems within this industry, some of which are touched on in the context of this Bill. I have tried tonight to express my views on them. I believe during the next recess more study should be done on these aspects and we should endeavour to move towards a more satisfactory solution of the two problems I have discussed. I support the measure.

THE HON. J. G. HISLOP (Metropolitan) [10.12 p.m.]: Firstly, I would like to pay a tribute to the Milk Board for the work it has done in bringing the production and delivery of milk up to such a high standard; and also to the companies that have interested themselves and spent large sums of money in seeing the standards are maintained. I have no intention of speaking at great length about the proposition to allow the board to raise money, but it is obvious this will be done along the same lines as will be the case with the water board, with the idea of attracting some money from the public rather than using Government funds. If that can be achieved, so much to the good.

There are some important things in this Bill, and they have been capably dealt with by Mr. MacKinnon. I, too, would agree with him that there is no reason whatever to persist with the treatment license quota system. I think I can tell Mr. MacKinnon that the company which has decided to go to Albany is determined to go there, and when that company has established its treatment plant there it will have used up its complete quota. Therefore, if that company thought it had the capital to expand, and went to a place like Merredin, which looks after a big country district—I have no idea whether it would have that in mind or not; that is only supposition—it could not do so without the consent of Parliament. I, too, agree with Mr. MacKinnon that the board could well look after this.

No matter what arrangements we are going to make on paper, the expansion of the city will be such that ultimately there will be a need for one or more treatment plants. The rate of growth on the periphery of the metropolitan area has been very considerable in recent years. It is also clear that if, as is likely in the near future, a company closes down one

of its existing plants in the course of building a large treatment plant, it will reduce the number of licenses to the point where even four may exceed the 40 per cent., which is the present allowance.

I think we will get into difficulties all the time in this regard. The company that is going to build in Albany will, like any other company, realise that it will lose money for a period up to perhaps 10 years. It might lose a considerable sum of money, but thereafter a profit might be expected. Surely Albany deserves a treatment plant. At the moment most of the milk—in fact, all of the milk—consumed in Albany is not pasteurised.

We all appreciate the tremendous benefits to young people in the metropolitan area—particularly infants—since the introduction of pasteurised milk; and it is quite wrong that a city the size of Albany should have had to wait for such a long period, since the introduction of pasteurisation, before getting its own treatment plant. No doubt there are other centres in the same position. The handling of milk in such a way that it cannot carry infection throughout the State is an important matter. I hope that next year we will see a measure introduced in Parliament which will delete the clause in the legislation which controls the number of treatment plants.

An important provision in the Bill concerns price fixing. Many people have regarded price fixing as a means by which companies could plead with the Milk Board to raise the cost of milk in certain containers.

This provision in the Bill has been brought about because the charge for milk in a container has been questioned from a legal point of view. It was reported legally that it could not be substantiated if a case came before the courts. By this provision the Milk Board can lay down the price of milk in bulk and the price of milk to be sold in containers.

Mr. MacKinnon referred to the amendment which I shall propose, which deals with the controversial subject of bottles and bottle collection. Failure to return bottles to the companies concerned has grown to such an extent that if something is not done there must, of necessity, be a rise in the price of milk. It might be much cheaper for householders to pay a deposit and to ensure that the bottles are returned to the vendors—who, in turn, return the bottles to the treatment plants—than it would be if householders were to be charged an extra 1d. per pint on the purchase of milk. The figures that have been given by the companies concerned provide an interesting piece of evidence in this regard. The non-return of bottles to treatment plants is imposing an increasing charge on the industry which, they say, should not be allowed to continue; and this charge is paid by the treatment plants. The cost of bottles returned to the metropolitan

treatment plants in the last three years is as follows: in 1961, £110,000; in 1962, £120,000; in 1963, £137,000; and in 1964 it is anticipated that the figure will reach £150,000.

That is a tremendous amount of money to be met by the three companies that are handling milk in the metropolitan area. We must bear in mind that bottles are returned in other countries. Each company has its own individual bottles. However, the amount of loss is not nearly as great as we are experiencing. It may not be known that a levy on bottles has been imposed throughout the south-west and the great southern areas for a number of years. When the companies began to expand in those areas they realised that they would have a tremendous problem to face concerning the return of bottles if the same attitude towards bottles was adopted in those areas as is adopted in the metropolitan area.

I asked to be supplied with figures which showed the situation in the two areas: the areas supplied with bottles without a levy, and the south-west and great southern areas. I quote as follows:—

At Brunswick Junction and in Great Southern Areas, where we have charged a deposit and passed a credit upon the return of the bottle, with the knowledge and approval of the former Chairman of the Milk Board, and an average sale of 3,000 gallons of milk per day, the cost for bottles has been:

1961	£2,586
1962	£3,939
1963	£3,306

This compares with Browne's Dairy—Perth whose cost of bottles in the 1962-63 year of £55,730 for an average daily sale of 14,500 gallons of milk where no deposit was charged, was considerably greater.

That shows that 3,000 gallons of milk per day caused a financial loss on bottles of £3,300 for this year. Concerning the metropolitan area, 14,500 gallons of milk per day caused a loss of £55,730, an average of nearly £4 per 1,000 gallons, and four times the amount that was lost, comparatively, in the south-west and great southern areas.

It is quite obvious that there is no real intention in the minds of people to return the bottles through the vendors to the treatment plants. Mr. Wise spoke about the large number of bottles that can be seen scattered about the metropolitan area. I have also seen them, and I have inquired why they are not returned to the treatment plants. The answer is that once these bottles have been left out in the sun for a few days they are no longer suitable for use as containers. The return of these bottles should be an organised matter. Possibly householders could leave out the bottles the night before. If we had a correct method of handling these

bottles, then we would be able to keep down the price of milk. After all, companies have to meet their commitments in replacing these bottles. Bottles left lying around become very brittle after being exposed to the sun, and they become a menace.

There is reference in the Bill to cartons, and the matter of cost is involved. Whilst there is no suggestion that the use of cartons will become compulsory, I believe cartons should be made available to those people who desire them. They are a much better means of containing milk, particularly if they are similar in shape to a bottle. The triangular shaped carton is not acceptable, as it does not fit readily inside a refrigerator. The more modern American type shape is more suitable.

The cost of a carton is about 1.3d., compared with 6½d. to 6½d. for a bottle. One realises, of course, that a carton can be used only once, whereas a bottle can be used a number of times.

The Hon. R. Thompson: Wouldn't cleaning costs bring the price up?

The Hon. J. G. HISLOP: The cleaning is done in big machines. I would not be able to say what the cost would be per bottle, but I do not think it is very high. I discussed the matter with a representative of one of the companies. I will not commit the company, but it would appear that the company concerned would be prepared to sell milk in cartons at an increased charge of 1d. per pint, and of this sum .3d. would be borne by the company.

The Hon. R. Thompson: My milkman will do better than that. He is going to break it down to a ½d.

The Hon. J. G. HISLOP: If the honourable member can get that, so much the better.

The Hon. R. H. C. Stubbs: I believe the machines used for the cartons are hired.

The Hon. J. G. HISLOP: That is possible, because it is done in a number of other instances with different types of machinery. The board has the power to grant permission, and I think it should permit the companies to provide cartoned milk if they want to deliver it in that form. I would be only too happy to have cartoned milk delivered to my home, even if it cost 1d. a pint extra; because when one lives in a flat, with another flat below, and the milkman runs up and down the stairs in the early hours of the morning with a dozen bottles in the container, and the bottles are rattling together, one soon gets wakened from one's sleep. I would much rather pay an extra 3d., if we have three pints of milk a day, so that I could get some sleep. I would be quite happy to pay the extra 1d. a pint, too, for the fellow who lives downstairs, in order to get some sleep.

The Hon. F. J. S. Wise: I wish you lived next door to me.

The Hon. J. G. HISLOP: I believe that in the same way as people had to be educated when we introduced pasteurised milk, and they are still being educated in this direction, I think they could be educated to use cartoned milk. Mr. MacKinnon said that in Bunbury only 60 per cent. of the people are using pasteurised milk, and probably in Albany only a small percentage will use it when the process is first started there. But the number will soon increase. As the people begin to appreciate the advantages that accrue from the advances that science makes, they will accept them.

I think the Milk Board would be doing the right thing if it allowed companies to supply milk in cartons, but I would not for one moment suggest that the board make it compulsory for them to do so. If 50 per cent. of our milk was delivered in cartons we would get rid of the bottle problems. With cartons there is nothing to return, and there is no possibility of their being dirty before they are filled with milk, as is the case with bottles. There would be no prosecutions for something which is seen in the bottle by the customer, but which was unseen by the vendor when the bottle was being filled.

All those problems would disappear with the use of cartons, and I feel we must take a step forward and try to assist in this matter. I have drawn up my amendment to do that and I hope the House will accept it, and that members will express an opinion as to whether they think it is worth while. When one realises that this proposal has been in force in the great southern and in the south-west, and has satisfied everybody, there is no reason why we should not give serious consideration to the possibility of introducing it in the metropolitan area.

I would like to emphasise that a person will not have to pay 3d. for every bottle; the 3d. is only the first down payment. If one uses three pints of milk a day one makes a down payment of 9d. in the first instance for the bottles, and if they are returned each morning there is no extra cost for the bottles. One puts down one's original deposit on the bottle and it stays there. There is no continuing charge on the bottle unless one fails to produce it when one wants a pint of milk. It is returned to the vendor and he takes it back to the treatment plant. As the cost of the bottle is 6½d., or 6½d., I think a deposit of 3d. is not unduly large.

I must apologise to the House for the fact that when the amendment was first placed on the notice paper I noticed there was a typographical error on one of the copies which I had. It was obvious that the copy I gave for inclusion on the notice paper was the one which had the typographical error in it; whereas the amendment which has been circulated to members is the one I propose to move at a later stage. I support the Bill.

THE HON. F. R. H. LAVERY (West) [10.35 p.m.]: I support the Bill and I want to bring one or two aspects of the matter before the House. Although the three speakers who have preceded me have all touched on very important phases of this industry, quite a lot has been said about matters which are not contained in the Bill. Therefore, I do not intend to keep strictly to the contents of the Bill in my remarks, but they do actually have something to do with the legislation before us.

Firstly I want to join with other members in congratulating those who took the original step to take control of the milk industry in Western Australia. Prior to Mr. Stannard taking control, there were many problems over a long period of years in the milk industry, but after Mr. Stannard took over, and during his period as chairman, treatment plants were improved, the quality of milk improved, and the dairies themselves were cleaned up. As a matter of fact, everything connected with the milk industry has improved as the years have gone by.

With the increased population of the State we have found that dairies which used to be situated close to the city have now moved further afield, and a new type of semi-trailer tanker, with steel-lined tanks, is bringing the milk to the city. That must have added to the cost of milk, but I believe it is infinitesimal when compared to the advantages gained by using this method of transport, with its cleanliness and efficiency.

I now want to tell members about something which happened when I went to see the gentleman who has taken Mr. Stannard's place, Mr. Tony Wright. I had occasion to visit his office not long ago, and I was accompanied by a dairyman from my electorate. This man, during the whole time he had been a dairyman, had never been charged with watering-down, or having an excessive water content in his milk. When I took him to see Mr. Wright there was another officer in his office and they pointed out to us that a new system is now in operation, and there is a new method for measuring the water content. Because of this method some dairymen are finding it difficult to produce milk to the standard required by the board under the new butterfat content system.

In latter years there has been an estrangement between the board and its staff, and some of the dairymen in this State, because some dairymen, like a neighbour over the fence, hear a story about something that has happened to somebody, they do not inquire about it, and they take what is said as being gospel truth. Some of these dairymen have not inquired from the board about what they have heard, and they think they are being badly treated by the board. Mr. Wright

has given me the lie direct to that, inasmuch as he said that, as far as he is concerned, any dairyman in the State who wishes to confer with him, or the secretary, has the right to do so, without any doubt at all as to whether they will be received.

The dairyman that I took along that afternoon was almost blowing steam at the nostrils, as the saying is, but after having a talk with Mr. Wright his views changed. Mr. Wright said, "It is marvellous what can be done over a cup of tea".

The Hon. R. Thompson: With milk in it?

The Hon. F. R. H. LAVERY: Yes, there was good milk in it. When that dairyman left with me he said, "Mr. Lavery, your getting me before Mr. Wright today has done something for 600 dairymen in the State." When I asked him what I had done he said, "You have made it possible for us to go to see the board. Whereas in the past we were afraid to go to the office because we were met at the counter and our business finished at that point, now we can go and see the manager." He said, further, that the group of dairymen with whom he was associated would have access to the manager, and he would see that they knew about it. The point I am making is one that I have often expressed in this House—with "get togetherness" one can make for happy working in almost any organisation.

As regards the question of bottles and cartons, I do not know how many members have visited the new works that are being built at Welshpool—they are not yet completed—for Masters Dairy, but some two or three weeks ago the Canning Shire Council had its annual field day and we were taken through this plant. There is some enormous machinery there for the cleaning of bottles, and it certainly would have cost a considerable sum of money. From that it would appear that this firm at least has no intention of breaking away from the use of bottles. It is very interesting to compare the magnitude of the works at Welshpool with what is going on at the plants along Stirling Highway at Claremont. Mr. MacKinnon spoke about the country areas and I am putting forward the position as it exists in the city. It is not many years since milk was being dished out of cans into billy-cans.

The Hon. J. M. Thomson: It still is in many cases.

The Hon. F. R. H. LAVERY: The milkman who delivers milk at my flat was delivering milk to me 33 years ago, but whereas then he used to deliver in a can now he uses bottles.

The move made last year by the board to have the utilities which are used for delivering milk covered seems to be a difficult question. I was living alongside Mitchell's dairy in Canning Highway and

I was told that the Milk Board had asked for this to be done because some milkmen were delivering milk after sunrise in the morning. However, if this proposal is adopted by the board, milkmen will take much longer to deliver their milk, and it will mean added costs. At the moment it is possible for a milkman to work from three sides of his vehicle—that is the back and the two sides—but if the vehicles are covered milkmen will have to work only from the back.

I wanted to draw to the attention of the board the fact that milk retailers are not happy about the thought that they will have to provide covers for their utilities. They say that if they buy a Holden, or any other type of utility, they see no reason why they should have to provide covers. It is in their own interests to keep the vehicles clean, and they cannot see the necessity for the new proposal.

There is another point I want to discuss and that is the question of empty bottles which are left lying around. As members know, for 14½ years I was employed on deliveries for the Commonwealth Oil Refinery; and I found that, almost without exception, every factory or business house in the metropolitan area had milk bottles stacked behind its building. I would not say this was the case with the offices in St. George's Terrace, where the milk bottles are generally put out every day. But, behind some of the shops and motor firms in Hay Street, there were literally hundreds of milk bottles lying around. I remember seeing innumerable bottles lying around outside Sara & Cook's establishment.

As Mr. Wise says, the newspapers are drawing attention by way of advertisements to the fact that the bottles are of some value, but I do not know whether this will mean that more bottles will be returned. Perhaps the money spent on advertising might be better spent on a house-to-house canvass for bottles. Mention was made of bottles of different shapes not being accepted by certain milkmen. I find no difficulty in this regard. All my empty milk bottles are put out in front, and they are taken away, irrespective of their shape or size.

I recall while we were holidaying in Busseton we had to pay 1s. 6d. for a bottle of milk, and we were told that the extra 6d. was for the bottle. I think that is what Dr. Hislop was speaking about. We were casual visitors and we paid 1s. 6d., but we probably drank the milk about 30 or 40 miles away from the place of purchase; and, of course, we never got our 6d. back.

The Hon. L. A. Logan: It makes it an expensive bottle of milk.

The Hon. F. R. H. LAVERY: Yes. Dr. Hislop referred to the quota system. I think he was referring to quotas so far as

companies are concerned. The quota system was originally introduced to cope with the oversupply of milk, in areas where surplus milk had to be sold at a cheaper rate per gallon. There is no doubt that the dairymen are now moving further away from the city; there are none at all close to the city. There is one at the corner of North Lake Road, but one has to go 15 miles out on the Jandakot Road to find the nearest milk depot. South of Mandogalup, of course, large quantities of milk are being produced.

I have received no complaints about the quota system. It is thought that the treatment plant, on account of the expanding population, should take more milk at the full price, rather than at the reduced price which exists today under the quota system.

The Hon. R. Thompson: Some could use less water.

The Hon. F. R. H. LAVERY: I took a dairyman to see Mr. Wright. He was born into the industry. He had a 50-gallon quota, and for the first time it was discovered that there was an 8.1 content of water in his milk. He claims that never at any time previously was it possible for water to get into his milk. Apparently the new system of testing finds water which was not previously discovered.

I would like to pay tribute to the fact that the Milk Board will soon have its own home. We know of the splendid offices which are occupied by the Egg Marketing Board; and it is only fitting that the Milk Board should have something worth while in this regard. Tony Wright has a way with people, and what he has done at the Metropolitan Markets as an administrator augurs well for the future. I support the Bill, and I must pay a tribute to the fine work done by the board in the past.

THE HON. J. M. THOMSON (South) [10.51 p.m.]: My interest in the Bill centres around the clause which provides better facilities for the establishment of milk treatment plants in the rural areas. The other four provisions in the Bill have been adequately dealt with by previous speakers, and I will content myself with a few remarks on this particular clause.

Reference has been made to Albany, and to the possibility of a license being granted in that area once this Bill becomes law. That is very pleasing to know, because we realise the measure will enable such a license to be granted, and for the milk treatment plant to operate in that district. We were given to understand that such a plant would be established in Albany, and in fact steps were taken to erect certain buildings; but because of business interests in the city taking over certain other businesses, that did not eventuate; and, consequently, Albany is that far behind.

However, it is gratifying to know that, as a result of this Bill, somebody in the district of Albany will in the near future be prepared to face up to the losses we have heard so much about this evening. Though these losses are staggering, they are nevertheless factual.

When we see places along the great southern being served by milk deliveries from Brunswick—and I refer to places like Narrogin, Wagin, Katanning, and as far east as Gnowangerup—it makes one wonder whether the losses would be so great if the milk treatment plant were established at Albany. Of course it does not matter to me, or to any other member, who gets the license.

As Dr. Hislop remarked, Albany is not supplied with pasteurised milk; so the milk treatment plant which is to be established will remedy this position; besides which, of course, it will mean a further industry to that part of the State. Accordingly it affords me great pleasure to support the Bill, with particular reference to the clause to which I have referred.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [10.55 p.m.]: It is obvious that members have shown a great appreciation for the activities of the Milk Board, and for its members both past and present. It is apparent also, that there is general agreement with the provisions of the Bill; and I do not intend to say much about that.

It is not my intention to debate the issues raised by Mr. MacKinnon as to whether the quota system for companies should be dispensed with or not. I do not know whether the Milk Board is in favour of dispensing with these quotas at the moment, because the onus that will be placed on it will be a heavy one; not that the members of the board shirk their responsibility in any way, but it at least does give them some protection.

I understand that if one looks at the back record, and the original intention of the Milk Board, one will find that members of Parliament wanted the quota system; and any attempt to alter it today would meet with defeat. I may be wrong, because apparently there is some change of heart along this line, but I would not like to suggest that such an amendment would be accepted by Parliament today.

A further question raised was that which dealt with bottles. I have some notes here which might convince Dr. Hislop that he should not move his amendments, but perhaps I should read them when he does move them in the Committee stage, in order that I might avoid duplication. I hope that when the Bill is proclaimed, Albany will get its long desired treatment plant. It has been hanging fire for about

two years or more, and once this is established it will be a further step towards decentralisation. Perhaps a little later we might get one established up our way. The cost of such a venture is rather high, and unless a new company is interested, it will not be possible for such a plant to be established. The Bill will, however, enable treatment plants to be established in country areas where they are required.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. A. R. Jones) in the Chair; The Hon. L. A. Logan (Minister for Local Government), in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 26 amended—

The Hon. J. G. HISLOP: The amendment appearing in my name on the notice paper is slightly different to the one which has been circulated. I am bringing this amendment to members merely to test the feeling of the Committee. Something should be done to overcome the very serious loss of bottles. The system envisaged in my amendment has been successfully tried in the south-west and great southern areas.

Unless some system is adopted, we will inevitably be faced with an increase in the price of milk, because no company or group of companies can stand a loss of £150,000 a year. If this amount were divided evenly between the three companies, it would mean that each company would lose £1,000 a week on bottles.

It is impossible to believe that three companies are going to find it practicable to use identical bottles. The milk companies would desire some form of brand on their bottles as a means of advertising. If all we are to insist on is that they are of the same shape and size, well and good; but they would still have to be returned to the right company. If we are going to wait for that to happen we will have to wait a long time. If the companies use identical bottles, how are any prosecutions to be substantiated? There must be some distinction.

The time has definitely arrived when we must make up our minds to do something about the bottle problem or face a rise in cost. Such a rise would probably be 1d. on every pint. However, under my amendment, if a surcharge were made, it would only occur the first time the bottles were purchased, because after that it would be a matter of exchange, except for breakages and ordinary wear and tear. I am sure such companies would overlook breakages, and wear and tear under the system. We must do something to prevent the huge loss incurred by the companies, and also to make it worth the while of the

public to return the bottles instead of throwing them away. I therefore move an amendment—

Page 8—Insert after paragraph (d) in lines 5 to 10 the following new paragraph:—

(e) by adding after subsection (3) the following subsection:—

(4) Notwithstanding anything contained in this Act the holder of a treatment plant license or a milk vendors license who sells to any person milk or cream contained in a bottle may charge the purchaser a deposit on any such bottle on condition that the licensee will refund the deposit to the purchaser on the return of the bottle to the licensee. Provided that the amount of the deposit so charged shall not without the consent of the Board exceed threepence.

The Hon. F. R. H. LAVERY: Dr. Hislop said that he could not believe the three companies would have the same types of bottles. I would like to draw attention to the situation which exists in regard to oil companies in the State, and, indeed, in the Commonwealth. It does not matter what brand of drum is returned to an oil company, because it will refund the £2 deposit paid for it or will, in exchange, supply a drum of its own brand without requiring a deposit. I do not see why, if this amendment is accepted, the companies themselves could not get together on this point and arrange a similar system.

The Hon. L. A. LOGAN: I do not know whether members are aware of the fact that last June negotiations commenced between the metropolitan milk treatment operators, the Milk Board, and the Minister in order to reach agreement on the exchange of bottles. An agreement was reached and has been working satisfactorily for the past month. To give members an idea of the position which obtained a fortnight ago, I would like to read the following extracts from a letter from the chairman of the board to the Minister, dated the 13th November last—

On 13th June, 1963, I discussed the question of recovery of empty milk bottles with the Metropolitan Milk Treatment Plants Association at this office.

The Association requested assistance in making a charge for bottles which as you are aware is not provided for in the Milk Act.

I informed the meeting that in the opinion of the Board imposing a charge for bottles is not the complete answer to the problem.

The Board considers the responsibility rests on the Treatment Plants to freely exchange empty bottles between themselves so they are returned to the owners.

The Association was told that when this free exchange of bottles became effective the Board is prepared to circularise milkmen advising them to pick up all bottles regardless of brand and return them to their normal supplier. The Board will then advise consumers by Press advertisement that all milk bottles regardless of brand will be picked up by their milkman.

That is the reason for the advertisement to which reference has been made. The board undertook to arrange the publicity if the association was prepared to decide on the exchange. To continue—

It was also stated that while the Companies had been paying 1s. 3d. per dozen for milk bottles to marine dealers they are debiting milk vendors at 4d. a bottle. It was also claimed that while some vendors were debited, no allowance was made for other vendors who were many thousands of bottles in credit. They also cited the case of one of their members whose round was tied to a Company but who was not permitted to sell until he had first paid some £200-£230 to clear a debit for bottles.

It is questionable whether a hiring charge for bottles is the answer to the problem.

On previous occasions where a system of charging has been introduced by the Companies—

I think this is pretty important. To continue—

—the system has broken down because individuals have waived the charge as an inducement to obtain trade. With the proposed hiring charge such a system could again break down through lack of co-operation.

The practical difficulty and cost involved in milkmen maintaining records of charges for bottles delivered and credits for bottles returned to them is obvious.

I think we must appreciate that we are not dealing with the shops. When dealing with a milkman we are dealing with a phantom whom we never see.

The Hon. W. F. Willesee: We hear him!

The Hon. L. A. LOGAN: Yes, that is quite true sometimes. A system can be arranged with the milkman whereby we leave our empty bottles and in exchange

receive full ones. But the situation could become very involved if the milkman has to try to keep a tally of all his bottles, and if he has to keep track of who has paid the deposit and who hasn't. It could be a fair strain on him.

The Hon. R. Thompson: You could make quite a bit by picking up the empties, couldn't you?

The Hon. L. A. LOGAN: Yes, I wonder whether, if this amendment were accepted, someone would not make a lot of money. To continue—

The Board has been insistent that a fundamental necessity for an improvement in bottle recovery is a free exchange of bottles between treatment plants and as stated previously, it was not until 11th October, 1963, that the Metropolitan Milk Treatment Plants Association advised they were freely exchanging bottles.

The Board is also of the opinion that the next step should be for the Treatment Plants to introduce a common bottle. This has been discussed with the Metropolitan Milk Treatment Plants Association and although some companies are in agreement, there does not appear to be any unanimity on this question.

In Victoria a Bottle Recovery Company operates successfully in conjunction with a common bottle system.

There is not the slightest doubt in my mind that the Companies can do a lot more to help themselves by a greater degree of co-operation with each other which is essential in any scheme to improve the recovery of milk bottles which are the property of each individual Company.

I have been in touch with the President and Secretary of the Association who are unaware of the current approach to you which is apparently by—

I will not mention any names—

and is undoubtedly a further attempt to vindicate the charge already made by that Company on bottles supplied.

The comment by the chairman of the board is as follows:—

It will be well appreciated that the Association is completely satisfied in giving the present procedure a fair trial. As mentioned previously, the Association and the Board are in complete agreement in the matter and the exchange system is already working out very well.

The chairman of the board concludes by saying that the amendment would not be in the interests of either the companies or the consumers and therefore is not acceptable. The amendment could create anomalies, and I think we should let the

exchange system have a fair trial. If it does not work out, then we could deal with the matter at the next session of Parliament.

Mention has been made of the number of bottles that lie around. I quote as follows:—

On Wednesday 6th November, 1963 I met the President Mr. G. K. Patterson and the Secretary Mr. A. W. Crooks, of the Retail Dairymen's Association. They approved of the proposed circular and advertisement and endorsed the Board's action. During discussions it was claimed that they new of approximately 150,000 milk bottles in a marine dealer's yard.

If the amendment were approved some people who took back the milk bottles might make a handsome profit. I will quote further:—

During the discussion it was mentioned that some of the problems aggravating the bottle position were the double delivery at weekends and the allegation that some local authorities collected bottles and crates from the streets and destroyed them on rubbish tips. It was also stated that there were over 100,000 milk bottles in the yard of one marine dealer and a total of approximately 175,000 in four such yards.

In the past there has been a terrific problem regarding bottles; and it is no wonder that the loss on bottles in one year has reached the sum of £55,000. It is incumbent upon us to find a solution to this problem, so that costs can be reduced. If we pass this amendment it might cost us a bit more. I would ask the Committee to give the exchange system a fair trial, and, if necessary, we could work something out next session which would be acceptable to all.

The Hon. H. K. WATSON: Dr. Hislop has put up a case which has not been answered by the Minister. My only connection with the milk industry is in putting out at night the bottles that are the subject of this discussion. I can speak with a certain amount of experience on the question of returnable containers. The problem is not confined to the milk industry. It applies to 44 gallon drums supplied by petrol companies. It also applies to cylinders supplied by oxygen companies; to biscuit tins supplied by biscuit manufacturers; to wharf pallets; to soft drink manufacturers; and also to ice cream manufacturers. Some ice cream manufacturers are associated with milk treatment plants. There is only one way to ensure prompt and reasonable return of containers, and that is to charge a deposit on those containers as they are sold.

I understand that Dr. Hislop has moved this amendment because there is no power under the Act to permit companies to charge a deposit. I have read section 26

of the Milk Act thoroughly and there is no prohibition in that section against vendors charging a deposit on containers; and I am inclined to think that the power is there for milk vendors to charge a deposit on containers.

It is possible that the bottle exchange practice suggested by the Milk Board might facilitate matters, but this is not the solution. If the proposed amendment is included in the Bill and in the Act it will require some organisation on the part of vendors to put the system into operation. But they are businessmen and they have had bigger problems than this with which to contend. It is simply a matter of administration. The matter comes back to the point of charging a deposit on the bottles, which will ensure, more than anything else, the return of the bottles.

Soft drink manufacturers do not have a bottle exchange; yet shop vendors appear to be quite satisfied. In principle, I think the scheme is very sound. However, I question whether the deposit on the bottles will be sufficient to encourage their return. My information is that the exchange system is desired by all the companies. I would say that of all industries the milk industry is the one industry that has returnable containers and does not seek to ensure their return by imposing a deposit. For those reasons I support the amendment.

The Hon. G. C. MacKINNON: I agree with what Mr. Watson has said, even to the point that this is a desirable amendment in principle. I disagree, however, that the amendment should be carried at this stage. There are a number of administrative and machinery problems connected with this move which could not be solved at a moment's notice. Machinery is not set up under this amendment; nor is power given to set it up. There are many advantages in allowing the companies to work towards agreement. There are many advantages in enabling the companies to clean up the tremendous heaps of bottles about which we have heard. There is no doubt that something along these lines should be done.

Members have commented on the efficiency of the Milk Board. No-one has contradicted that; yet some members are in favour of this amendment and are not in favour of letting the Milk Board have the time it is seeking to solve this problem. The Milk Board has controlled the price of milk to a reasonable level. Everyone associated with the industry wants to keep the price of milk down because they want people to drink more milk. We should abide by the board's request and let it have the time it has asked for. I know that the milk companies want this and they are working towards a solution of the problem. Had the deposit system been introduced in the early stages of the legislation, we would not have had this trouble

concerning bottles. I believe that we should allow the Milk Board more time to find a solution of the problem.

The Hon. N. E. BAXTER: This amendment moved by Dr. Hislop will in no way achieve the objective which he is seeking. If members think back they will recall that a similar system was tried by various retail stores, but it broke down completely. I cannot understand the Milk Board asking for a revival of such a scheme, because it has been already tried on a voluntary basis. As a result, some country retailers of milk are today charged for the bottles, but this practice is not universal. At present the matter is completely open, but if we introduce a compulsory scheme it will break down as it did before. It will be to no avail whatsoever.

The Hon. L. A. LOGAN: I do not think I raised the point of legality on this question. That was raised in regard to the price charged for bottles, or otherwise. As stated, in these cases a charge is being made by the companies. They are charging the milk vendors 4d. a bottle. They made one vendor pay a large debt to clear the amount that he owed for bottles. Companies charge one firm 6d. a bottle. So apparently it is legal in some fashion, but what the companies want to do is to enforce a charge for bottles in the metropolitan area. The Milk Board, very wisely, is not satisfied that such a scheme will operate satisfactorily. Despite the agreement between the companies, the board, and the Minister, the companies are now asking for the present state of affairs to be altered without giving it a fair trial. That is the situation we are faced with at the moment.

The Hon. F. R. H. Lavery: I will be supporting the board.

The Hon. L. A. LOGAN: While such a proposed scheme may be for the benefit of the companies themselves, in my opinion it will not be in the interests of the vendors, the sublessees, or the consumers. Until all the ramifications of this scheme are worked out, the Committee would be very wise not to accept the amendment.

Amendment put and negatived.

Clause put and passed.

Clauses 6 to 9 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

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

LICENSING ACT AMENDMENT BILL (No. 3)

Returned

Bill returned from the Assembly without amendment.

NATIVE WELFARE BILL*Assembly's Message*

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

**MINING ACT AMENDMENT BILL
(No. 3)***Second Reading*

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [11.37 p.m.]: I move—

That the Bill be now read a second time.

Part 13 of the Mining Act entitled "Regulation of the Coal Industry and the Distribution of Coal" provides for the constitution of a tribunal of five members appointed by the Governor called the Coal Industry Tribunal. The tribunal is composed of a chairman, two union members and two employers' representatives. This tribunal has cognisance of—

- (a) any industrial dispute (as defined in this Division) not extending beyond the limits of the State, between the union on the one hand and employers or association of employers on the other hand referred to it by the union, or the employers or associations, parties thereto, or by the Minister;
- (b) any industrial matter arising under any award of the court, or of the tribunal relating to the coal mining industry in the State referred to it by the union or the employers or associations affected by the matter or by the Minister;
- (c) any other matter affecting industrial relations in that industry which the Minister declares is in the public interest proper to be dealt with under this Act.

The tribunal shall consider and determine any industrial dispute, industrial matter, or other matter of which it has cognisance, and for any such purpose shall have and may exercise the powers herein-after in this Act provided.

The tribunal's decisions are subject to review by the Arbitration Court under section 323 of the Act, which reads as follows:—

- (1) The President, on the application of any party to the reference within one calendar month of any decision, may permit any decision or settlement given or effected by the tribunal to be reviewed by the Court, and pending such review, may by order stay the operation of the decision or settlement.
- (2) On any such review, the Court may rehear the whole or any part of the industrial dispute or matter

in respect of which the decision or settlement was given or effected, and determine the same.

In view of the foregoing provisions covering the constitution of the tribunal and the rights of appeal to the Arbitration Court, it is necessary now, with the passing of the current Industrial Arbitration Act Amendment Bill, to amend the Mining Act to bring relevant features of that Act into line.

That explains the necessity for introducing this measure, which is complementary in its application to the Industrial Arbitration Act Amendment Bill which establishes the Industrial Commission. Upon the passing of this measure, decisions of the tribunal at present reviewed by the Arbitration Court will be reviewed by the Industrial Commission.

Awards would be filed in the office of the Industrial Registrar instead of the office of the Clerk of the Court. There is this provision also: that in the event of the rehearing of the whole or any part of an industrial dispute or matter commenced before the date of the coming into operation of the Mining Act Amendment Act, (No. 3), the dispute or matter shall be determined in accordance with the provisions at present existing.

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

House adjourned at 11.40 p.m.

Legislative Assembly

Wednesday, the 4th December, 1963

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