I support the Bill. The Soil Fertility Research Act has been of great advantage to agricultural pursuits in 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.

House adjourned at 5.11 p.m.

Legislative Assembly

Thursday, the 11th September, 1969

The SPEAKER (Mr. Guthrie) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (28): ON NOTICE

1. *This question was postponed.*

2. TRAFFIC

Education Classes

Mr. GRAHAM asked the Minister for Traffic:

Has he any figures to demonstrate the relativity of further breaches or accidents between those previously involved and required to attend traffic education classes on the one hand, and those fined or otherwise penalised on the other?

Mr. CRAIG replied:

Persons who are recommended for appearance at the traffic education classes have their names checked against similar lists for the previous 12 months only. If recorded within this time they are not permitted to again attend such a class but are prosecuted.

In relation to accidents, the same conditions apply, but it would have to be a very minor offence for a person so involved to appear before a traffic education class.

It should be stressed only borderline prosecution cases are called to attend traffic education classes; that is, where a warning is not sufficient but prosecution deemed, perhaps, too severe for a first offender.

3. WESTERN AUSTRALIAN STATUTES

Consolidation

Mr. BRADY asked the Minister representing the Minister for Justice:

(1) Are preparations in hand for the consolidating of all Western Australian Statutes in one complete set?

(2) If so, what stage has been reached?

(3) When is it anticipated the completed set will be available?

Mr. COURT replied:

(1) Yes.

(2) An index is in course of preparation and reprints are also in course of preparation.

(3) The project will take some time, but it is anticipated the first volume will be completed in 1970.

4. MINING

Temporary Reserves: Fees

Mr. T. D. EVANS asked the Minister representing the Minister for Mines:

Upon what basis are fees payable for rights of occupancy of a temporary reserve decided upon?

Mr. CRAIG replied:

On an area basis in the main, as follows:—

Iron ore—$8 per square mile.

Other Minerals—

Up to 1 sq. mile—$20.00 p.a.

Over 1 sq. mile not exceeding 10 sq. miles—$30.00 p.a.

Over 10 sq. miles not exceeding 100 sq. miles—$40.00 p.a.

Over 100 sq. miles not exceeding 500 sq. miles—$60.00 p.a.

Over 500 sq. miles not exceeding 2000 sq. miles—$80.00 p.a.

Over 2,000 sq. miles not exceeding 6,000 sq. miles—$100.00 p.a.

Over 6,000 sq. miles not exceeding 12,000 sq. miles—$200.00 p.a.

Over 12,000 sq. miles—$400.00 p.a.

Apart from this, where industrial mining agreements are made, the fees are set out in these agreements.

Occasionally, and in particular circumstances, some other basis may be applied.

5. *This question was postponed.*

6. CATS

Licensing

Mr. FLETCHER asked the Minister representing the Minister for Local Government:

As the R.S.P.C.A. is on record as having stated in *The West Australian* of the 9th September, 1969, that as from the 1st October, 1969, collection and disposal

of stray cats will no longer be the responsibility of that organisation, will he endeavour to—

(a) induce local authorities to license cats on the same basis as dogs, with sterilisation of the male cat a prerequisite to registration;

(b) require that the license fees in the aggregate, where possible, be adequate to cover the cost of administration of the office;

(c) clothe the council employees with the authority to dispose of neglected cats or kittens and in so doing prevent distress to animal lovers, cruelty to animals and possible reduction in traffic accidents arising from drivers of vehicles trying to avoid cats on the roads?

Mr. LEWIS replied:

(a) No.

(b) No.

(c) No.

7. TRAFFIC ACT

Section 74 (3)

Mr. T. D. EVANS asked the Minister for Traffic:

(1) Is he aware that pursuant to section 74(3) of the Traffic Act an owner of a vehicle is under certain circumstances deemed to have committed the offence concerned not merely that the circumstances provide *prima facie* evidence that the owner has committed the offence?

(2) Does he not agree that the effect of this provision is that without trial and without defence an owner may, by a purely administrative process, which allows for no errors in form, service or delivery or any other vicissitude of fate, be convicted of an offence and that this seems contrary to any previously accepted principles of criminal liability?

(3) How does he justify the retention of this provision?

Mr. CRAIG replied:

(1) Yes.

(2) No. Section 74 of the Traffic Act relates to the issue of infringement notices which confer on the person receiving one, the right to be dealt with by payment of a penalty. If the person receiving the notice does not wish to exercise this right he is dealt with by normal process of law.

(3) The provision of "owner onus" is necessary in respect of standing, parking or leaving offences in cases where the infringment notice is not served upon the driver of the vehicle. The owner of the vehicle has every opportunity to identify the driver before a complaint is made and may offer as defence in Court proof that he was not the driver at the time of the offence.

8. LAND

Rockingham and Forrestdale

Mr. RUSHTON asked the Minister for Lands:

(1) What is the method of sale to be used to dispose of the Crown land building blocks at Rockingham and Forrestdale?

(2) How many building blocks are to be released by his department at each centre?

(3) When will the sale of these blocks take place?

(4) What will be the conditions of sale?

Mr. CRAIG (for Mr. Bovell) replied:

(1) Sale by public auction.

(2) (a) Rockingham—anticipated 105 lots.

(b) Forrestdale—anticipated 63 lots.

(3) (a) Rockingham—when arrangements for provision of services have been resolved.

(b) Forrestdale—sale is expected in approximately three months.

(4) The following are the main conditions of sale which will apply to both towns:—

(a) Limitation of one lot to each bidder.

(b) Payment over twelve months.

(c) Erection of residence required within two years.

9. TRANSPORT

Armadale-Kelmscott and Serpentine-Jarrahdale

Mr. RUSHTON asked the Minister for Transport:

(1) What public transport planning is being considered to serve the shires of Armadale-Kelmscott and Serpentine-Jarrahdale?

(2) To give an adequate transport service to the residents of the Kingsley area, between Armadale and Kelmscott, is there anything to prevent the provision of a rail stop-over and/or buses routed through this large residential community?

(3) If not, when will service be provided?

Mr. O'CONNOR replied:

(1) We are evaluating a plan roughly similar to that employed in the Midland-Hills district whereby we make co-ordinated use of our bus and rail facilities.

(2) Buses presently use Albany Highway, a route which serves equally the housing area to the west known as Kingsley and the developing area on the eastern side of the highway. No resident in Kingsley is more than one half mile from this bus route and diversion as suggested could only be at the expense of people living on the eastern side. In the interests of the area as a whole it is felt that the routing of buses through Kingsley is not justified.

Until the work referred to in (1) is complete and the future operating pattern is decided we do not propose to install additional rail stopping places.

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

10. *This question was postponed.*

11. INDUSTRIAL ARBITRATION ACT

Penal Sections

Mr. TONKIN asked the Minister for Labour:

(1) Is the Government considering the introduction of legislation to modify or remove the penal sections in the Industrial Arbitration Act?

(2) If "Yes", is it intended that action will be taken this session?

Mr. O'NEIL replied:

(1) and (2) A question without notice relating to this matter was asked by the member for Victoria Park on the 27th August, 1969. The Government is prepared to examine the situation obtaining in this State if and when discussions currently being undertaken relative to enforcement provisions in Commonwealth industrial law produce some worth-while result.

12. PIG INDUSTRY COMPENSATION ACT

Swine Dysentery

Mr. H. D. EVANS asked the Minister for Agriculture:

(1) Are owners of pigs which have been slaughtered because they suffered from swine dysentery eligible to receive compensation under the Pig Industry Compensation Act?

(2) If not, will he consider amending the existing regulations to have this disease included in the list under which compensation payment is possible?

Mr. LEWIS (for Mr. Nalder) replied:

(1) No.

(2) The matter is being considered.

13. EDUCATION

Second High School at Albany

Mr. H. D. EVANS asked the Minister for Education:

(1) Is it expected that a second high school will be built at Albany in the foreseeable future?

(2) If so, when is it expected that such a school would be ready for use?

Mr. LEWIS replied:

(1) No.

(2) No.

14. MINING

Temporary Reserves: Occupancy

Mr. NORTON asked the Minister representing the Minister for Mines:

(1) Who holds temporary reserves Nos. 4849H, 4691H, 4187H, and 4186H?

(2) What is the area of each?

(3) For what are they held?

Mr. CRAIG replied:

(1) to (3)

Temporary Reserve	Holder	Area	Minerals
4186H	Continental Oil Co. Australia Ltd.	Approx. 900 sq. miles	Potash, sodium, calciums, magnesium, bromine, lithium and sulphur
4187H	do.	Approx. 700 sq. miles	do.
4691H	Ministerial	Approx. 1,500 sq. miles	do.
4849H	Shark Bay Salt is the applicant but as yet no occupancy rights have been granted pending the reserve being reduced in area	Approx. 2,500 sq. miles	Potash, magnesium, bromine and sulphur

15. *This question was postponed for one week.*

16. PERTH RAILWAY STATION: LOWERING

Use of Land

Mr. BURKE asked the Minister for Railways:

(1) Further to my question of the 17th April, 1969, and in view of the fact that the Government is

in receipt of Western Australia Development Corporation's final proposals, would he advise the approximate area of land which will be required for the provision of new roads and the widening of existing roads?

(2) Would he confirm—

(a) that the total area of land which would become available when the railway is lowered is 37.5 acres;

(b) the W.A.D.C. project is based on the use of 24.6 acres?

(3) Is the area referred to in (1) of this question a part of the 37.5 acres referred to in (2)(a)?

Mr. O'CONNOR replied:

(1) to (3) Details of the W.A.D.C. final proposal will be released when they have been fully perused and after consideration by Cabinet.

17. PORTS

Facilities North of Fremantle

Mr. BURKE asked the Minister for Works:

(1) Is the Government considering any proposal for the establishment of port facilities on the west coast north of Perth and within 50 miles of Fremantle?

(2) Is the Government involved in or aware of any study or proposal relating to proposed future port facilities in the general area?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) No.

18. INDUSTRIAL DEVELOPMENT

General Motors-Holden

Mr. BURKE asked the Minister for Industrial Development:

Further to my question of the 19th August—

(1) What was the last date on which discussions were held with General Motors-Holden regarding the possibility of that company establishing a plant in Western Australia?

(2) Where were the discussions held?

(3) Who represented the Government at these discussions?

Mr COURT replied:

(1) to (3) Unless there is a significance that escapes me in my reading of the questions, I am of the opinion this is hardly the sort of information a Minister would be expected to give in a matter of this kind.

Suffice to say there are discussions from time to time with the motor industry generally, including General Motors-Holden. Sometimes the State would be represented by officers, sometimes by myself, and sometimes by both.

19. HOUSING

Rental and Purchase Accommodation

Mr. BURKE asked the Minister for Housing:

What number of families were accommodated in the metropolitan area by the State Housing Commission since the 11th September, 1968, in—

(a) rental homes;

(b) purchase homes?

Mr. O'NEIL replied:

(a) 761.

(b) 431.

In addition, 143 families of armed services' personnel were accommodated in houses built for that purpose under the Commonwealth-State Housing Agreement.

20. MINING

Temporary Reserves: Renewals

Mr. MOIR asked the Minister representing the Minister for Mines:

On what dates were the renewal of rights of occupancy of Temporary Reserves 2880H, 2901H, and 3811H approved?

Mr. CRAIG replied:

Temporary Reserves	Ministerial Approval	Executive Council Approval	Date Approved to
2880H and 2901H	4/11/64	11/11/64	5/4/65
	1/4/65	7/7/65	5/4/66
	28/4/66	1/6/66	5/4/67
	5/4/67	3/5/67	5/4/68
	25/2/69	16/7/69	5/4/69
	Renewal application presently being considered.		
3811H	18/11/68	3/9/69	17/7/69
	A further renewal application presently being considered.		

21. IMMIGRATION

Nominated Tradesmen

Mr. BERTRAM asked the Minister for Immigration:

What space of time elapses between the lodgment of an application by a nominated tradesman migrant from the United Kingdom and the departure date arranged by his department for that migrant to come to this State?

Mr. CRAIG (for Mr. Bovell) replied:

Nominations of tradesmen migrants from the United Kingdom are in three forms—

(a) personal,

(b) State,

(c) Commonwealth.

Generally, from time of lodgment of application for assisted passage to departure from the United Kingdom, covers a period of from three to 12 months. This period depends upon the diligence with which the migrant complies with requirements and the time taken to dispose of his assets. Allocation of transport under the assisted passage scheme is a function of the Commonwealth.

22. GAOLS

Juveniles: Sentences

Mr. HARMAN asked the Chief Secretary:

How many males and females, aged 14 years, 15 years, and 16 years were serving prison sentences as at the 30th June, 1968, the 31st December, 1968, and the 30th June, 1969, in Western Australian prisons?

Mr. CRAIG replied:

	30th June, 1968	31st Dec. 1968	30th June, 1969
Aged 14 years—			
Males	Nil	Nil	Nil
Females	Nil	Nil	Nil
Aged 15 years—			
Males	2	5	5
Females	Nil	Nil	Nil
Aged 16 years—			
Males	10	9	10
Females	Nil	1	3

23. TAPERED MEANS TEST

Concessions

Mr. HARMAN asked the Premier:

(1) Does he intend to allow persons becoming eligible for Commonwealth social services under the proposed tapered means test section to receive concessions already granted to pensioners qualifying under existing legislation?

(2) If not, why not?

Sir DAVID BRAND replied:

(1) Following the liberalisation of social service benefits by the Commonwealth Government, a review of existing State concessions is being carried out. Since this review will take some time to complete, I am not, at present, in a position to indicate the attitude of the Government.

(2) Answered by (1).

24. PASTORAL LEASES

Yardie Creek Station

Mr. NORTON asked the Minister for Lands:

(1) Has his department purchased Yardie Creek Pastoral Station, North West Cape?

(2) If "Yes", for what is this area intended to be used?

Mr. CRAIG (for Mr. Bovell) replied:

(1) and (2) Negotiations between the pastoral lessees of Yardie Creek Station and the Government for the purchase of improvements on the lease are current. No decision on the intended use of the area can be made until negotiations are finalised.

25. BRIDGES

Lyndon River, Carnarvon

Mr. DUNN asked the Minister for Works:

Further to my question of the 10th September, 1969, regarding the contract bridge 1128 over the Lyndon River in the Shire of Carnarvon—

(1) Did the Public Works Department work out a cost for this job prior to calling tenders?

(2) If so, what was the figure arrived at?

(3) If not, how does the department assess that the public is getting value for money spent, bearing in mind there were six tenders?

Mr. ROSS HUTCHINSON replied:

(1) The Main Roads Department is responsible for the construction of the bridge over the Lyndon River.

A departmental estimate was prepared before tenders were called.

(2) $154,000.

(3) Answered by (1).

26. NATIVES

Kimberley: Population and Welfare Officers

Mr. RIDGE asked the Minister for Native Welfare:

(1) What is the approximate aboriginal population in each of the four shires in the Kimberley region?

(2) How many Native Welfare Department officers are employed on a full-time basis in each of the four shire areas?

(3) In what capacity are the officers employed in each district?

(4) Has the department a scheme whereby officers are encouraged and financially assisted with study courses in social welfare subjects?

(5) If so, how many people have taken advantage of this assistance?

Mr. LEWIS replied:

(1) (a) West Kimberley—2,527.
(b) East Kimberley—1,134.
(c) Hall's Creek—1,555.
(d) Broome—1,426.

(2) (a) 12.
(b) 5.
(c) 11.
(d) 3.

(3)

	Welfare Staff	Housing Staff	Clerical Staff	Hostel Staff
(a)	6	2	4	Nil
(b)	2	2	1	Nil
(c)	3	Nil	1	7
(d)	2	Nil	1	Nil

(4) Yes. Department participates in Public Service Commissioner's social work cadetship scheme.

(5) 10.

27. EDUCATION

Native Students: Kimberley Electorate

Mr. RIDGE asked the Minister for Education:

(1) What percentage of the students at each of the schools listed hereunder come within the meaning of the Native Welfare Act—

Broome Primary School,
Derby Junior High School,
Fitzroy Crossing Primary School,
Hall's Creek Primary School,
Wyndham Primary School,
Kununurra Primary School?

(2) If any, which of the above schools are classified as "Special Native Schools"?

(3) Has consideration been given to the establishment of "remedial classes" at any Kimberley schools for the purpose of assisting students at a depressed level of education?

Mr. LEWIS replied:

	Per cent.
(1) Broome Primary	15.2
Derby Junior High	50.3
Fitzroy Crossing Primary	98.2
Hall's Creek Primary	91.4
Wyndham Primary	49.2
Kununurra Primary	19.0

(2) Fitzroy Crossing Primary School. Hall's Creek Primary School.

(3) There are no plans for the establishment of "remedial classes" at any schools in the Kimberley area.

28. *This question was postponed.*

QUESTIONS (2): WITHOUT NOTICE

1. KALGOORLIE PRISON

Transfer of Superintendent

Mr. McIVER asked the Chief Secretary:

Would he advise whether the Superintendent of the Kalgoorlie Prison is currently under transfer in connection with the conversion of Wooroloo Hospital into a prison?

Mr. CRAIG replied:

The Superintendent of the Kalgoorlie Regional Prison, Mr. McGivern, is being transferred to the Wooroloo Hospital to act as a liaison officer between the hospital authorities and the Prisons Department to assist in the recruitment of Wooroloo Hospital staff for the prisons service.

2. ORD RIVER SCHEME

Financial Assistance to Cotton Growers

Mr. RIDGE asked the Minister for the North-West:

(1) Has the Government made a decision on the broad outline of financial assistance to Ord farmers for the 1969-70 cotton crop so that early planning of supplies and farm preparation can proceed?

(2) If so, what is proposed?

(3) If not, when is a decision expected?

Mr. COURT replied:

(1) Yes.

(2) and (3) In order to assist farmers to plan well ahead for the 1969-70 season the State Government has agreed to provide financial assistance to the farmers at the Ord for the 1969-70 cotton crop on the same basis as last year.

The assistance will be to cover capital repayment for the cotton ginneries at Kununurra; and in addition, to reduce ginning and delivery costs to farmers, 1.7c per lb. of lint will be paid for cotton produced.

PRISONS ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Craig (Chief Secretary), and read a first time.

EXMOUTH GULF SOLAR SALT INDUSTRY AGREEMENT BILL

Second Reading

Debate resumed from the 28th August.

MR. BICKERTON (Pilbara) [2.32 p.m.]: The Bill before us contains an agreement between the State and Exmouth Salt Propriety Limited for ratification. The agreement is conditional on the company satisfying the State that it has entered into satisfactory contracts for the sale of salt; and, perhaps more important, that it has arranged the necessary finance to complete the works.

This brings me to a point I have discussed on other occasions in connection with Bills which were introduced to ratify agreements already reached. It seems to me that most of the work required to be done by the company is done after Parliament has ratified the agreement, and most of the negotiations take place then, too. Therefore it always appears to me that what Parliament does when it ratifies such agreements is to give the company concerned a signed cheque, and then the company goes round the money houses of the world to find someone who is prepared to cash it.

To my way of thinking before these agreements come before Parliament they should be tidied up completely; the finance should be a foregone conclusion; and the agreements should only come before us for ratification to enable the companies to proceed with their work. That is not the case with the agreement before us, and it was not the case with any of the other agreements which have been ratified by this Parliament. The ratification came first, and the finance came afterwards.

I mentioned before that I thought the Queensland idea was much better than ours in dealing with agreements of this type. The Queensland agreement on the mining of bauxite was one in which the agreement was brought before Parliament before it was signed. Parliament had to make a decision to enable the Premier of that State to sign the agreement; in other words, the agreement was not signed when it reached that Parliament. Parliament debated whether or not the agreement suited it. Then the Premier was given the authority by Parliament to sign the agreement. In that instance the Parliament of Queensland did have the opportunity to suggest alterations, if it thought fit.

However, in the case of agreements in this State, any suggestion of an alteration is quite useless because they are signed by the Premier before they reach us. It would naturally require complete renegotiation for any alterations to be made or if an agreement was rejected by Parliament.

The agreement before us makes certain provisions in respect of the obligations of the State—as have similar agreements which have been ratified by this Parliament—and of the company. It provides that the plant shall be constructed so that it has a capacity to produce not less than 500,000 tons of salt per year, and that the cost shall be not less than $3,000,000. The Minister has told us that the construction and the establishment of the plant shall be completed not later than the 31st December, 1972.

The agreement provides for the payment of royalties similar to the royalties which are being paid by the established salt companies. I can find no fault with this provision.

The Minister also said that the final line-up of the partners in this organisation has not yet been submitted to the Government for approval. That being the case, this Parliament is ratifying the agreement when it is not aware of who the partners are. If we want to object to any of the partners on any grounds, I submit that we will not be able to do so, because we are ratifying the agreement prior to information being made available as to the companies which will make up the consortium. The Minister told us that all the parties to the agreement are acceptable to the Government; but I would point out that in similar agreements which have been ratified we did know at the time with whom the State of Western Australia was dealing, although some of those agreements were altered later. In this case, however, we do not know with whom we are dealing; we are merely asked to ratify the agreement.

The exports from this project, according to the Minister, are expected to commence in the latter part of 1970; and the production will be increased to some 600,000 tons of salt per annum in 1971. The Minister mentioned that this project hoped to employ not a great deal of labour—probably in the vicinity of only 50 persons. If we bear in mind just where this project is situated—it is south of Onslow in an area where there is no industry at all except the pastoral industry—the employment of even 50 men is indeed a big achievement.

I might say that I am quite pleased that this industry is to be established, particularly as it is to be established where it is. In the industrial progress within the Pilbara, the Onslow area missed out in the establishment of any industry, although the iron ore from Robe River is somewhere in that vicinity. I feel that the establishment of this salt industry will be some compensation to this part of the Ashburton which has missed out.

For that reason it has my blessing. However, I still reserve the right to comment on this matter. I repeat the remarks I made on iron-ore agreements and similar agreements concerning the waiving of certain Acts of our Parliament, particularly section 36 of the Interpretation Act, which relates to by-laws. I will make no further mention of that provision because I have brought the matter up so often in this House and the Minister seems

to be quite determined to give the companies the right to make their own by-laws without Parliament having any say in their disallowance.

The reason for the Minister taking that action is a matter of interest. He told us the companies have authority to make by-laws only over their own installations or the areas where the installations are established. He has also told us in the past that it is most essential that such circumstances prevail, and that the companies would not be interested unless those circumstances did prevail.

It is rather strange that some of the iron-ore companies have been operating for three years but have not made any by-laws. At least, I assume they have not made any by-laws because none have been tabled in this House, and the agreements do call for their tabling. If it was so essential for our Interpretation Act to be waived in order that the companies could make by-laws, one would have imagined the Table of the House would be covered with by-laws. If the companies can go for three years without making by-laws, one wonders how important it is to have the provision included in the agreements. In effect, the provision completely overrides section 36 of the Interpretation Act.

I repeat: I am pleased that the salt industry is being established, and particularly that it is being established in the locality proposed. I have always been keen on the salt industry as a mineral industry, mainly because it is one which reproduces. All other minerals diminish while being produced: the more we take out the less we have left. However, with the salt industry, whilst we have an ocean and our present climate, and whilst there is a market for salt, there is no reason why the industry should not continue.

I am also extremely interested in the chemicals derived from the salt industry. I was interested to hear the Minister state, during his second reading speech, that great advantage would be derived for our own industries in Western Australia at some future time.

I am a little sympathetic towards the companies which have already been set up. I realise that competition is good, but I would like to be assured that when the initial industries were established they were not given an assurance that they would be the only ones to produce and sell salt. It would not augur very well for our State if an industry spent a large amount of capital on a project on the understanding that it would have some form of protection, and then at a later stage that assurance was not carried out. A company placed in that position would not think the best of us.

I hope that no assurance was given to those companies in the early stages of the industry, but I do think that somewhere along the line they had the feeling the Minister would not enter into so many other agreements with salt companies as he has done. The companies already producing must be concerned about the Japanese market. I am not an authority on the Japanese market, but it must have a saturation point. If the saturation point is reached it puts the Japanese in the position where they have great bargaining power, particularly if we overproduce this material. That situation would not be good for the salt industry, and it would not be good for Western Australia generally. The State would be put in the position where the Japanese could decide, at any time they wanted to, just what they would pay for our product. We would be in the position where we could not refuse the price, because it would mean that the companies would have to close down the industry.

I would like a further assurance from the Minister that all the companies which are operating are completely satisfied they have not been, in any way, let down with this undertaking. If the companies do not feel they have been let down, I will be a lot happier with the agreement.

I have already mentioned certain restrictions in agreements, and the waiving of various Acts of Parliament. I cannot pass this point without referring to the matter which I have already mentioned when speaking to the Wood Chipping Industry Agreement Bill. The salt industry which is to be established is small in comparison with the iron ore industries. The Minister told us, in the first place, that the waiving of certain sections of Acts was necessary to enable the firms to raise finance, which ran into so many hundreds of millions of dollars. In this case the whole project would probably cost in the vicinity of $5,000,000 or $6,000,000, so I do not consider the Minister's reason to be valid on this occasion. I would ask the Minister to take this point into consideration when entering into future agreements.

At times, when discussing agreements which we have already handled, concerning the north-west, the pastoral industry has been mentioned. I must admit that not a great deal of consideration has been given to the pastoralists. They are affected by the granting of leases and temporary reserves on the Crown land which has been operated as pastoral leases for a long time.

To my knowledge, at no time have the pastoralists been consulted to any extent by the Government. I realise the Government has legislative power, under the Land Act and other Acts, to do what it does. However, I feel that possibly the time has arrived when a little more consideration should be given to those people where mining operations are carried out. I do not say that I am a great campaigner for the pastoralists, but I do what I can to

assist them. Perhaps I could be accused of leaning a little bit on the mining side because of my experience in mining.

In the past I have seen why the Mining Act overrides, in effect, the Land Act in respect of the lease areas. However, I consider the time has arrived when the Government must take the pastoralists into consideration when entering into agreements of this nature to ensure that the pastoral industry is protected a little more, perhaps, than it has been in the past.

The matter of pastoralists *versus* the mining people did not arise in the past to the extent that it has over the last few years, because the mining activity in those areas was on a much smaller scale. I suppose it was a matter of prospectors, small syndicates, and small mining companies, operating in those days and the pastoralists knew those people. In fact, many of the miners would receive their supplies and mail from the stations; so there was a type of co-operation existing between the two industries. One more or less existed for the benefit of the other.

Things are different these days, because huge companies are operating in the area, and they use helicopters, planes, trucks, and Land Rovers. So there is much more damage done to the roads, fencing, mills, and watering points than used to be the case in the older times. I remember that a proposition was put to me by the local authority at Roebourne concerning the matter of the pegging of leases and temporary reserves on pastoral properties. The council pointed out—and I thought quite reasonably—that it received no notification that a lease or temporary reserve, such as is embodied in the agreement with which we are dealing, was to be pegged. The first the members of the council knew of it in many instances was when they saw huge vehicles and various other mechanical devices entering the pastoral lease.

The council thought that when the mining registrar registered these claims, he could at least notify the station that the land had been pegged. I considered this was very reasonable. I know it is necessary to advertise in the papers that certain mining tenements are being taken up, but it is not everyone who reads these papers —in fact it is not everyone who gets them. So I think the time is approaching when more consideration should be given so far as pastoral properties are concerned.

To prove this point in connection with the present matter, I received some telegrams from station properties which border on the reserve and lease mentioned in the agreement. One telegram was sent from Koordarrie Station, and I think it is well worth reading. It is as follows:—

> Object especially to clauses 3 7 10 16 18 20 as being barefaced betrayal of our pastoral rights and leases one lease allotted 1968 now to be transmitted to entire production site without reference or compensation.

The clauses which are referred to in that telegram are the clauses which allow the Minister to issue additional land for such things as air strips, roads, tailings areas, machinery areas, homestead areas, and so on, quite outside what is already allotted under this agreement and shown on the plan which was tabled. The agreement also gives the Minister rights to permit both ingress and egress roads to be installed, and gives him permission to allot land for building and housing and these types of things.

So naturally the station is concerned as to the deterioration of its pastoral leases and grazing areas, and one can understand its concern. There is no compensation paid for this land except where it can be proved that there is a deterioration in any improvements which have been installed on the lease. Of course, I suppose this is not always easy to do. It is pretty hard to work out just what damage may be incurred on some improvement in an indirect way rather than a direct way.

So, I repeat: The time appears to me to have arrived when the Government should look closely at this matter and endeavour to come to some agreement with the pastoral industry to see whether some equitable arrangement can be worked out by which a fairer deal is handed out to the industry than would appear to have been done in the past.

I also received a telegram from Minderoo Station, which reads as follows:—

> Re Exmouth salt Bill am concerned that Bill proposes no protection to adjacent pastoral leases for improvements to water stock fencing pastoral roads Stop Company ingress road has not MRD approved grids with bitumen approaches or protection on road for stock.

So we find that this will occur more and more as the mining activity increases in the area; and I do not think it should be allowed to reach the stage where these people do not receive satisfaction and the position gets to be more or less a battle between the pastoral and mining industries.

With all due respect to the companies—many of them have been very good so far as the pastoralists are concerned, and they have been co-operative—the men at the top of them cannot always be responsible for everything that is done by some of the employees; and this has not always lent itself to the best of public relations.

The Onslow Shire wired me as follows:—

> Exmouth Salt Agreement Bill received Council has no Council comment however Bill does not give protection to present pastoral leases.

Recently the Pastoralists and Graziers Association took this matter up and I think it forwarded to all members of Parliament a submission to amend the Land Act. It gave various reasons for the proposed amendments—the Act is now somewhat out of date, and it does not dovetail sufficiently with the Mining Act in regard to new agreements concerning salt, iron ore, and so on. In the publication there are certain suggestions to the Lands Department under the heading of "Resumption and Compensation," and I think if the Minister reads these suggestions he will see that most of them are fairly reasonable.

The association agrees that the two industries should work together, and to that end it has made certain suggestions. I notice that one of them is in connection with the fact that the Land Act does not provide the leaseholder with any real security of tenure, or with compensation on fair and just terms in the case of total or partial resumption. This is true. To my way of thinking the Land Act does not provide sufficient security of tenure.

Mr. Bovell: The pastoralists have been given an extended term of their leases, and their pastoral lease rents are very reasonable. I do not think they cover the cost of administration.

Mr. BICKERTON: I am not discussing the costs of the leases, and I am not discussing the extension of the leases. In fact, if we were dealing with another matter and discussing the extension of the leases I probably would not agree, in many cases, that they be extended. However, I am dealing with the effect of the mining boom in this area on the pastoral industry. This is not so much a concern of the Minister for Lands. His job is to collect the fees—which he says do not cover administration—and, perhaps, grant further extensions.

However, I think it is the duty of the Minister for the North-West, who seems to be responsible for most of these agreements, to liaise as closely as possible with the pastoral industry in the hope that some better form of compensation than applies now will be made available to those engaged in that industry.

If one looks through the agreements that have been introduced one will see that there are many provisions to permit the companies concerned to appeal to tribunals and to have their cases heard by the Minister; there are variation clauses which permit all sorts of variations to be made to the agreements. So it should not be considered impossible for the Government to set up a body to take into consideration the complaints of pastoralists affected by these agreements with the object of endeavouring to have nothing but the greatest harmony possible between the two industries.

The pastoral industry, of course, has been in the north for a long time and, until recently, was responsible for populating the north—as far as it was populated until recently. The mining industry is the one that will give us the progress we need, and it is giving us the progress we need. Therefore, we do not want to make it impossible for those engaged in that industry; but, by the same token, we should not place them in a position where they can make it almost intolerable for those in the pastoral industry.

So perhaps the Minister, in his reply, might give us some idea of what he has in mind for bridging the gap, which is growing. This position could, with liaison, be readily and easily rectified.

Any objections I have had to certain portions of past agreements—we could almost refer to the Minister in charge as the Minister for North-West Agreements —apply to this agreement, and I have no intention of rehashing them as the proposals seem to have become standard practice and apparently the Government is happy with them. As the Government has the support it wants I will have to leave the matter at that.

I am very happy that this salt industry has chosen the area that it has. I have met some of the officials, at least of the Western Australian sector of the partnership, and I consider them to be very capable gentlemen and, to the best of my knowledge, they are honest ones. I am pleased to see some of our Western Australian businessmen these days taking more part in the industries that are being established in this State, and it is gratifying to know that we have in our State men capable of coming up to the Government with a proposition; that we have men in Western Australia capable of raising sufficient finance to carry out these projects and negotiating, in some cases at any rate, on an equal footing with businessmen from overseas.

There is one aspect of the agreement that pleases me greatly. I am sure the township of Onslow, whilst it is some little distance from where the salt industry will be established, will benefit as a result of that industry. There will be a certain amount of backwash from it that no doubt will benefit the area generally. I think as these industries are established, certain benefits flow to the entire community—the pastoral industry and other smaller mining industries in the area—by way of better roads and better air services brought about by the increased population.

While I have been pointing out some of the disadvantages so far as the pastoral industry is concerned, I readily admit that I can see many advantages accruing to those engaged in that industry and so I am prepared to wish the company concerned with this salt project the best of luck.

I am not particularly happy, as I said earlier, with agreements being presented to the House before they are really finalised —that is, before they are completely ratified. I think the names of the companies which are participating is something that Parliament should know before it is asked to vote on the matter. In this case we do not know who may be involved although we have an idea.

I support the measure and I think as this industry starts to produce it will encourage not only those employees directly engaged in it but also those who will be necessary to supply it with goods and services.

In his introductory speech the Minister said that to the best of his knowledge this was the last salt industry the Government had in mind at this stage. I will close on the point that I would not like to see the salt companies which are established, including this one, placed in an embarrassing position by an over-production of salt in Western Australia, thus placing the Japanese—our buyers—in a position where they would have the upper hand as far as the salt industry is concerned. I support the measure.

MR. NORTON (Gascoyne) [3.7 p.m.]: Like the member for Pilbara I support the Bill but I do not intend to go into it in the same detail as he did. However, I echo his sentiments, as I have done before in connection with other agreements; that is, I do not like bypassing Acts of Parliament in the way this is being done at present. I refer, in particular, to the Interpretation Act. I believe the Interpretation Act was passed as a means of safeguarding the interests not only of Parliament but of the people of Western Australia generally. The provisions of that Act should be adhered to and we should have the right to challenge any regulation which may be made by the various companies with whom agreements are made.

Admittedly, with this Bill regulations can be made only in respect of areas that the company actually develops. This will confine the salt company covered by this Bill more than the iron ore companies have been confined by the various agreements applying to them.

I agree with the Minister that we need a number of smaller industries scattered throughout the north-west to help with the development of that area. However, we have to remember that when we are developing these smaller industries we must provide protection for some of the old original industries. The Minister said that there will be approximately 50 men—but maybe slightly less than that number —employed on this project, and this could mean another 50 families living in the north. This is all to the good; it is just what we want. But do not let us interfere with other industries which have been operating in the north for many years; and I refer particularly to the wool industry, which has earned a good deal of export income for this State. Also, there is the fishing industry, although it has not been developed for the same number of years as has the wool industry.

Existing industries in the north must be looked after and interfered with as little as possible. It might be said that the building of roads and so on through these areas is not interfering to any great extent with the wool industry; whereas, in fact, it is interfering with it to a fairly large degree. Sheep in the pastoral areas in the north-west are not as used to traffic as the sheep in the south. Traffic disturbs their feeding and drinking habits.

This has been discovered in my own electorate so far as Quobba Station is concerned. This adjoins Lake McLeod. Soon after Lake McLeod started to develop, the owner of Quobba Station complained bitterly. Texada Mines did the right thing and eventually bought the station, which means that if there is any disturbance now it will be to their detriment. I must point out, however, that sheep will definitely not graze in areas which are consistently frequented by traffic They are also affected in their grazing by any dust that might arise.

We have alongside the Exmouth salt industry a valuable prawn fishing industry and it is possible that in the future we will have a wet fishing industry. When the Minister was introducing the Bill, I asked him, by interjection, what would happen to the bitterns and he told me that he understood these were to be constantly discharged into the sea.

Exmouth Gulf is a dead-end gulf, as it were. By this I mean the tide virtually ebbs and flows; it does not flush the area at all in which this industry is being developed. I have grave doubts, therefore, as to what will happen to the prawn nursery in the area in question if these bitterns are, over a number of years, allowed to be continually discharged into the sea.

By watching various tides and the movements of muddy waters round Carnarvon, I noticed that the muddy waters tend to hang closely to the coastline; they gradually work in, and my belief is that these bitterns, while they may be reduced in density, will continue to come down along the coast into the prawn nurseries, which could be detrimental to the prawning industry.

As members know, the life of a prawn is virtually only 12 months; its development must take place very rapidly. In their early stages prawns stay in the little tidal creeks among the mangrove swamps and I believe it is these areas which will eventually be affected by the bitterns.

I do ask the Minister to see whether it is possible to find some other method of getting rid of the bitterns, because in conversation with those who know, I have been told the bitterns could be quite detrimental. Not only will Exmouth be worried with them, but they will also affect Shark Bay if they are discharged in any great quantity.

When introducing the Bill the Minister gave reasons why this extra salt industry is required. He said it was because of the cyclones and also to diversify the industry in regard to the areas in which salt is produced, so that in the event of a particularly wet season the other salt industries could take over.

If we consider the main areas of salt production at the moment we will find that a number of them are in the cyclone areas. Port Hedland, Dampier, and Exmouth, are all affected by cyclones; if one of these places is hit by a cyclone the others will be equally affected in due course.

The Minister pointed out that Shark Bay is in a different category, as is Lake Lefroy and Lake McLeod, but I would like to point out that in my opinion there will be no shortage of salt whether the areas are affected by cyclones or not, because, as we know, Lake McLeod will virtually produce potash and it will have millions of tons of salt as a residue. Indeed, I was told by the production manager that the crystallising areas would rise very quickly in the near future and there would be a large accumulation of salt in that area. He said the salt might rise 5 feet above what it is now, even in my lifetime.

It will be necessary to raise levee banks, and the roads will be constructed of salt. So if any of the areas are out of production for any length of time, I have no doubt that Lake McLeod will be able to fill any shortage that might eventuate.

The establishment of these industries is certainly a very good thing. They are of course developing our areas but, as I said before, we must also watch the other industries which have been established and do all we can to maintain them and keep faith with them. I am very doubtful whether the establishment of a salt industry in Shark Bay will be of benefit to the district, but that is another subject. With those few remarks, I support the Bill.

MR. COURT (Nedlands—Minister for Industrial Development) [3.16 p.m.]: I thank members for their comments and their general support of the Bill and the agreement it ratifies. The member for Pilbara has again raised a number of matters about which he feels rather strongly. I can only reiterate that after weighing up all the techniques of negotiations for developmental industries, the Government is of the opinion, as are most States in Australia, that if one is to get this type of developmental industry off the ground—one which involves risk capital in the early stages—there is no alternative to having a clear-cut agreement which sets out beyond doubt the conditions to both sides. This is then made available in a ratified form to enable the company to negotiate its finance.

If the honourable member considers the projects in his own electorate where he has had the preponderance of private investment over the last few years, he will find there is hardly a project there that we would have got off the ground had it not been for the form of ratification we followed. I shudder to think of the prospect of trying to get one of the most important of them off the ground—and I refer to the Robe River project—if we did not have the benefit of a ratified agreement. This agreement is of particular national significance beyond most other agreements—as the Deepdale agreement—because it means we are going to develop and process for export an ore which could otherwise remain unused for generations. It is only because these people have the benefit of a clearly defined set of conditions that they are able to negotiate with the Japanese, and with the financiers; it is only because of this that they have been able to go as far as they have, and I hope we are getting near the end of that particular road.

I only instance this as a classic case of the necessity to have the type of arrangement we have. From time to time there is no doubt that there are people behind ventures who are so big and powerful that they do not have the same need to negotiate finance with the protection or benefit of a ratified agreement. But there are very few as big as that. When we talk of investing $100,000,000 and $200,000,000 we find this amount of money still takes some raising in anyone's language.

The honourable member referred to the fact that some of these agreements are comparatively small. It is true the amounts involved in Leslie salt, Dampier salt, Texada salt, and this one are small when compared with the Hamersley, the Mount Newman, the Deepdale, and the Robe River projects, but the fact remains that relatively they are just as difficult to finance.

This local syndicate of Perth people, Halpern Glick & Lewis—who are good people—would not have a chance to negotiate this project, whether it involved $3,000,000, $5,000,000, or $7,000,000, unless they were able to seek the support of an outside group with the expertise and finance to come in and stand behind them.

Relatively their problems are just as great as those of an industry negotiating for $100,000,000 or $200,000,000. I can therefore only reiterate what I said and assure the honourable member that if we did not have these negotiations clear-cut, then we would not have a chance of getting the type of finance required. In many cases we would not even be able to create the interest necessary for people to do the exploration and go on with the negotiations.

Just imagine the situation if we were at the stage we have reached at present with the Robe negotiations and I had to come back to Parliament the week after Show Week and try then, having lined up some rather reluctant debutantes to this project, to get that Bill through State Parliament. I would not have any debutantes to present. I can assure members of that. I have found this out through a fair amount of exacting effort during the last few years.

The member for Pilbara asked if he could be given something more specific about the parties to the agreement. In my introduction to the Bill, I did endeavour to give him the names of the parties we expected to line up in this agreement. The original local syndicate, which is now to have a 20 per cent. interest is Halpern Glick & Lewis, consulting engineers, and this company showed considerable imagination in trying to develop the site. It undertook a lot of exploration work and studies and when it became apparent that it could not finance the project itself, the company put the position quite frankly to the Government, and we endeavoured to assist by introducing people who might be able to help.

Out of the discussions and negotiations which took place the local people have made an arrangement, as I mentioned in my second reading speech, with William Baird Mining Co., a very reputable group, which has virtually accepted responsibility, if the present studies and marketing surveys and financial negotiations work out all right, to be the main partner in the whole venture.

The Japanese interest is expected to be Mitsubishi. But this has not been finalised. My own view is that it will be this company. We think this would be a very good association, because it is a strong company with wide ramifications in the merchandising field and, above all, it has strong connections in the chemical field, particularly through the company known as Mitsubishi Chemicals.

So I think the line-up will be William Baird Mining Co., the local syndicate, and Mitsubishi, with William Baird Mining Co. having a majority interest, the local syndicate an interest of not less than 20 per cent., and the balance being Japanese.

The other point on which the honourable member sought information was in connection with the number of industries in the salt-producing field. I endeavoured to answer him by replying to his interjection at the time, but the point he raised is pertinent and is one of concern to Parliament.

Firstly, let me say that none of these companies had assurances that it would be on its own as far as salt production was concerned, and had any company sought this assurance, we would not have given it. These companies have had to rely on our exercising our good sense as to what the market would bear.

To the best of my knowledge no-one else has temporary reserves, nor have any representations been made to us for additional salt projects. I myself would not like to see any more at this stage. I would like to see the ones we have settle down and become efficient, gain the experience necessary, and become good, solid, and expanding producers of salt.

I feel the time will come when we will find markets other than in Japan. For the next few years it appears Japan is the only market of any size. The expansion in the Japanese market is estimated by us to be 4,500,000 tons a year over the next seven or eight years, and if we allow for the rate at which our projects could come into production, I think we will find there will be an economic volume for each and every project.

The only project which gives concern at the moment is the one at Shark Bay, which was the pioneering and purely Australian venture. It ran into difficulties due to inexperience with this type of project, and I hope that those concerned will find their solution, because they deserve encouragement, being the pioneer project and being in an area which is rather difficult to service. However, they have pressed on with the very minimum of Government assistance, trying to find the answers.

Leslie Salt, on the other hand, was very experienced. When one saw those in this company come into the area with the amount of expertise and professional skills they brought to prove soil surveys to ascertain whether the soil was impervious, and so on, one immediately gained the impression that these people represented a group who knew the job well from a lot of experience. One also felt that the project would succeed. The Japanese are very enthusiastic about it and I think it will steadily expand its production.

With regard to the two points the honourable member raised—one about the possible saturation point and the other about assurances given—the short answers would be that, firstly, no assurances were given that there would be no competitive

salt projects, and I do not think any company would expect this; and, secondly, that there is no doubt in my mind that if we keep these projects at their present number and have a certain amount of good sense in our administration of them, there will be no glut created by the Western Australian salt projects.

On the question of the by-laws, we have been over this so often; but I think that members will find, if they study this Bill and the agreement, that the possible effects are minimal and we can get excited about something which has no great practical effect.

Mr. Tonkin: It is a very bad principle.

Mr. COURT: It is not, if the Leader of the Opposition would look at this objectively; but I will not try to convince him any more.

Mr. Tonkin: It has nothing to recommend it as a principle.

Mr. COURT: The only thing I can say is that if his Government had been in power and had been negotiating these agreements, and had wanted the big agreements to which I have referred, his Government would not have obtained them without this.

Mr. Tonkin: How can the effect be so minimal if the matter is so important?

Mr. COURT: I know the Leader of the Opposition so well to be sure that he could not have resisted the temptation! The fact that there has been no spate of by-laws is proof of what I have been trying to say. The Opposition is trying to make a mountain out of a molehill in regard to this matter and, as I have said, it is possible for some people to get excited over nothing. I have something better to do.

The honourable member raised some pertinent points regarding pastoral leases. First of all let me say at the outset that pastoralists are in a position which is quite different from that of any other landholders. The fact that these are pastoral leases under the conditions set down in the Act tells its own story. The conditions under which people have taken up these leases are well known. The leases in the lifetime of this Government, and with opposition from the other side for reasons which were stated here and in another place, were extended for another 50 years to give pastoralists some extra assured life; but the pastoralists are still subject to the conditions in the leases.

While the member for Pilbara was speaking, my colleague interjected and explained that the rents are very reasonable, so much so that it is doubted whether they cover the cost of administration. The honourable member would find that the total revenue per annum is about only $600,000. It is certainly less than $1,000,000 per year for the whole of the leases. I am not suggesting the rents should be increased, but I do make, with emphasis, the point that the pastoral leases are of a very special nature. It is inherent in those leases that other developments of a more permanent and more economically concentrated nature which come along will have precedence, subject, of course, to the rules being observed.

I agree that liaison between these projects is an essential and common-sense thing, whether the projects be agricultural, mining, or anything that is approved to take over parts of pastoral leases or to operate on pastoral leases. I know some of the pastoralists have complained from time to time, but frankly I have been amazed at the smallness of the number of complaints that have been received. Needless to say, sometimes they contact the local member and sometimes they contact me. In most cases, the pleasing thing is that there has been eulogy so far as the experiences of the pastoralists with mining companies are concerned. Many of them have improved roads and improved water supplies that they had never dreamt of, and all because of the close liaison.

There are instances, of course, where one finds a clash of personalities. There are a couple of pastoralists in the area with whom I do not think the honourable member or I could ever get along.

Mr. Bickerton: I get along with them very well.

Mr. COURT: There are a couple, though, whom I do not think the honourable member would regard as *personae grata*. On the other hand, of course, some of the mining executives and engineers on these jobs are also rather difficult to get along with. Personalities are inseparable from the job. So far as the Government is able, it not only encourages but takes action to ensure there is maximum liaison and co-operation in view of the peculiar circumstances and also in view of the fact that we have this tremendous build-up of developmental activity.

For example, Pippingarra is a pastoral property near Port Hedland which the Richardson family has had for many years. So far, great big lumps of it have been taken for industry and for a town; it has been necessary to take a few thousand acres for this and a few thousand acres for that. If we keep on developing at the rate we are going there will be no Pippingarra left. In the case of Dampier, of course, the position was resolved by the company purchasing the pastoral lease. This saved the Government and the company a great deal of anguish. The same thing happened, as the member for Gascoyne mentioned, at the Lake MacLeod project.

Mr. Tonkin: Speaking of Dampier, when is the Minister going to table the regulations?

Mr. COURT: The Government is just keeping the Leader of the Opposition in a state of breathless suspense.

Mr. Tonkin: I know; Kathleen Mavourneen!

Mr. COURT: The Leader of the Opposition will be surprised. I thought I should mention this question of the pastoralists and their relationship with the mining industry. I do not know whether the honourable member is aware of this, but fairly early in the history of the mining upsurge in the Pilbara district, the Pastoralists and Graziers Association formed a committee which was to wait on the Minister by way of a deputation on behalf of pastoralists who opposed and objected to the activities of the mining companies. I might add I have not heard of the deputation since then. I noticed it appointed as the chairman of the committee none other than Lang Hancock. I do not know in what capacity he would have come along to see me—whether as a pastoralist who was objecting about the activities of his own company on his own property, or whether on behalf of the mining companies to make sure there was fair play. Suffice to say, I never heard anything more about it.

The member for Gascoyne referred to the question of fishing and also to the possible impact on the wool industry. I agree with him that there should be the minimum of interference. On the other hand, I have to be quick to state that these tidal flats which were previously worthless, or appeared to be worthless, are going to produce an export income per acre equivalent to the best of our farms in the south-west. Consequently, the sensible thing for us to do is to learn how to get these industries to live together so that we may get the benefit of two worlds.

I can assure the member for Gascoyne that, so far as Exmouth is concerned, no areas have been allotted and no areas will be allotted without the prior approval of the Department of Fisheries and Fauna, which has delineated areas where, in its opinion, Exmouth Salt can function without impairing the fishing industry, both in respect of prawns and of the breeding grounds of other fish.

Mr. Norton: Were they aware of the bitterns being discharged into the gulf?

Mr. COURT: In all these projects, the question of bitterns is discussed with the Department of Fisheries and Fauna. I understand from information given to me that the possible deleterious effect of bitterns being discharged is very minimal, if there is any deleterious effect at all. For instance, the bitterns from Leslie Salt will be discharged into the sea. Again, this was discussed with the Department of Fisheries and Fauna. I do not know where it would be possible to discharge huge quantities of liquid except into the sea. After all, bitterns are simply the residue of the sea water. They are the sea water with the salt taken out of it. Later on—although it will be some years yet—we hope to be able to process the bitterns and take the remaining chemicals out of them, just as we hope to process the salt.

I think I have covered most, if not all, of the points raised by the member for Pilbara and the member for Gascoyne, and I thank them for their support.

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.

CHURCH OF ENGLAND (DIOCESAN TRUSTEES) ACT AMENDMENT BILL

Receipt and First Reading

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

WEIGHTS AND MEASURES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th September.

MR. T. D. EVANS (Kalgoorlie) [3.39 p.m.]: This is a Bill to amend the parent Act, the Weights and Measures Act, which was first passed in 1899 and which again came before the Legislature in 1915 when the orignal Act was repealed. The principal Act, as enacted again in 1915, describes its aims, *inter alia*, as "an Act to provide standards and units."

For the first time, we in Australia are looking forward to attaining full standardisation of our railways, and the particular facet of the legislation with which we are dealing today is seeking to attain a form of standardisation in regard to weights and measures, in terms of articles that are packed for sale. It is surprising that, whereas by 1969, after a great deal of hesitation and procrastination, we have almost attained a form of standardisation of railways from the eastern to the western coast of Australia, we have not yet been able to attain full agreement between the States to bring about uniformity, and what one might call an attitude towards a form of standardisation which should prevail in determining what the community throughout Australia would expect to apply to goods packed for sale within the Commonwealth.

As we know it today, the principal Act was last amended in 1967, and in that year section 14 of the amended Act provided for the name and adress of the person packing an article for sale to be marked on the article, or, alternatively, there had to appear thereon a particular

brand. In so legislating, this State was acting in accord with other States to reach, for obvious reasons, the desired goal of which I have spoken.

However, the section was not proclaimed because, as the Minister has indicated, one of the States which had agreed to the legislation got out of line for some reason, and therefore those States which had operated along the lines of the provisions in section 14 of the 1967 amended legislation refrained from proclaiming their Acts, and the other States which at that time had not taken action refrained from legislating along similar lines.

The Minister has now assured the House that all the States have again agreed on a uniform scheme, and therefore those States which did not legislate previously will take legislative action, and those which had acted previously will relegislate in an attempt to effect a uniform scheme for weights and measures and for articles packed for sale so that the name of the person packing them and also the place at which they were packed, no matter where that may be throughout Australia, can be identified.

It is noted that the proposed legislation before the House at present is to operate from a date to be proclaimed. At this stage I can only make one comment; namely, it is hoped that, the States having again agreed to have necessary uniformity, there will not be another slip 'twixt the cup and the lip.

The phasing-out period to which the Minister referred will be effected more by the fact that the legislation is to operate from a date to be proclaimed. The phasing-out period is obviously necessary to enable those manufacturers and packers who have for sale on the market today articles that do not conform with the present legislation, to have them consumed so that when this legislation is put into operation it will work effectively throughout the Commonwealth.

Sitting suspended from 3.46 to 4.4 p.m.

Mr. T. D. EVANS: Continuing my analysis of the Bill before this Chamber I would say that, as it is confidently expected all States will on this occasion move in unison towards the desired end, section 14 of the 1967 amending Act is to be repealed and a provision similar in content and consequence, to be called section 27C, is to be enacted.

In brief, the scheme to be adopted is that articles packed for sale must have indicated thereon the name of the person packing the article, or alternatively that the article shall bear an approved brand. Where an article is packed by an employee of a person who is responsible for the packing, the requirement is that the name and address of the person packing the article shall be that of the employer. Where the article is packed by a corporation, the name and address to be indicated on it is to be that under which the corporation is incorporated. Where an article is packed by a business concern pursuant to the Business Names Act, then the name to be stipulated shall be that under which the business is registered.

This legislation provides that in the case of an article packed outside this State it must, as regards the name and address requirement, comply with the corresponding law of the place where it was packed. The law will require that a person packing an article shall, if called upon by an inspector appointed pursuant to the provisions of the principal Act, be able to indicate to the inspector the name of the place where the article was packed. The reason for this is obvious, having regard to the practice, possibly more common in the larger States than in Western Australia, of business concerns having more than one packing centre.

A very important provision, and one which will operate in the interests of the packer and also act as a safeguard to the consumer, is that articles likely to be susceptible to climatic changes will have on the package label the words, "Net weight at standard conditions." I stress that only prescribed articles will be permitted to be marked in this way, and under the regulations a stipulated range of deviation will be allowed. Any article which is found to weigh in light, and thus be beyond the permitted range of deviation, will infringe the law. Its detection will render the packer liable to prosecution under the Act.

The final clause in the Bill is of an evidentiary nature, and is intended for better effecting the administration of the new provisions to be included in the Act.

As the Minister in charge of the Bill might have guessed, I intend to support it. The Bill is desirable, and it has the support of the Opposition.

MR. O'NEIL (East Melville—Minister for Labour) [4.10 p.m.]: I must thank the member for Kalgoorlie for his contribution to the debate, and for his study of the Bill and its import. This is not an earth-shattering measure, but nevertheless it has in the ultimate the aim of producing throughout Australia a system of uniformity in respect of packaged articles.

I want to say that I am not one who believes in uniformity for uniformity's sake. I also want to say that despite the fact this Bill is before us because one other State has legislated differently from the terms agreed upon by the Ministers in conference I, too, must confess to the heinous crime of departing, by regulation, from some uniform agreement which we

came to in respect of a matter very closely related to packaged articles. I refer to bottled articles.

Because of a set of circumstances that existed in Western Australia with respect to the packaging of insecticides and detergents; because of the fact that the prescribed size of bottles is not manufactured in this State and would have to be imported from another State; and because of the fact that the commodities produced in Western Australia are not sold in the other States—in fact Western Australia is a very small percentage of the total Australian market for detergents and insecticides—I, by regulation, and here is one advantage of government by regulation, decided that in respect of these two commodities we would allow an extended period of time for the manufacturers to market them in bottle sizes different from those to which we had agreed.

I pointed out to the local manufacturers that this would not in any way advantage them: they would not be able to market their products in the Eastern States if they packed them in the bottle sizes they requested. I also pointed out this would not prevent the manufacturer in the other States from marketing their products in Western Australia in bottle sizes which conformed with the uniform requirement. However, all these matters have to be taken into account if we are prepared to suffer what slight disability there is, rather than import bottles of certain sizes or set up bottle manufacturing plants in Western Australia to overcome the problem; because in the long term this could mean nothing other than an increase in the cost of the product to the Western Australian consumer.

I did advise my ministerial colleagues in the other States of this, and most of them were able to see our point of view; and since this did not affect the operations of the manufacturers in their States, most of them saw no great problem arising as a result of this departure from uniformity —desirable though uniformity might be. However, one of my ministerial colleagues did use the occasion to take me to task, and significantly he was from the same State that departed from uniformity with reference to legislation, and his action occasioned the rest of the States either to legislate again, or to legislate in the terms of his particular measure.

I simply make the point that we do not want to adopt uniformity for uniformity's sake. Whilst it is important that products such as packaged articles be sold in all the States in such a manner that the consumer will be enabled to know what he or she is buying, there are areas where uniformity does not serve the interests of one State in particular.

To conclude, I again thank the member for Kalgoorlie for his support of the Bill, and I commend the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

ARCHITECTS ACT AMENDMENT BILL

In Committee

Resumed from the 4th September. The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Works) in charge of the Bill.

The CHAIRMAN: Progress was reported after clause 2 had been agreed to.

Clause 3: Section 5 amended—

Mr. GRAHAM: It might be a little frightening to be confronted with more than two columns of amendments to a Bill, but I think an examination will show that, with two exceptions, the amendments are designed to rid the Statute of clauses and paragraphs which have relation to the establishment of the provisional board following the passing of the legislation in 1922.

The provisional board was to undertake certain functions until the establishment of the Architects' Board, which was to be within a period of six months. Naturally enough, all that work was done more than 40 years ago, so many passages in the Statute are redundant. In bringing forward my amendments—no doubt, the Minister has examined them—I seek no other purpose than that which I have outlined. I move an amendment—

> Page 2—Insert after paragraph (b) the following new paragraph to stand as paragraph (c):—
>
> (c) by deleting subsection (3);

Mr. ROSS HUTCHINSON: As requested by the Deputy Leader of the Opposition, I gave consideration to these amendments and after some thought—additional thought to what had been given previously —and with due exercise of my usual tolerance and understanding, I decided to accept the amendments and even to add to one or two where I thought the Deputy Leader of the Opposition had missed a section or a clause that could be considered redundant.

I make the point that there was some reason for leaving the provisions in the Act, not merely for historical reasons, but because some registered architects are still on the register as a result of these provisions.

However, it is believed they will not suffer any disadvantages; so, on weighing the advantages and disadvantages, I think we can probably rid the Act of these more or

less redundant passages without losing any of the required power or effectiveness. Their removal will probably assist in the reading of the Act and will provide a cleaner Act, so I propose to agree to them.

Amendment put and passed.

Mr. GRAHAM: I move an amendment—

Page 2—Delete paragraph (d) and substitute the following:—

(d) by deleting the passage commencing with the word "The" in line five of subsection (4) down to and including the word "re-election" in the last line of the subsection.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 4 put and passed.

Clause 5: Section 14 amended—

Mr. GRAHAM: I move an amendment—

Page 2, line 32—Insert after the word "amended" the paragraph designation "(a)";.

Amendment put and passed.

Mr. GRAHAM: I move an amendment—

Page 2, line 32—Insert after the new paragraph designation "(a)" the words "by deleting in lines one and two of this section the words 'After the provisional Board shall have ceased to exist,'; and

(b)".

Amendment put and passed.

Mr. GRAHAM: I move an amendment—

Page 2, line 33—Insert after the word "inclusive" the words "and the proviso".

Amendment put and passed.

Mr. GRAHAM: My next amendment is a little different. It relates to the new proposal that before a person can be registered as an architect he must have done certain things, etc., such as passing examinations in architectural subjects accepted by the board, and having not less than six years' experience in the work of an architect.

Mr. Ross Hutchinson: Is this amendment on the notice paper?

Mr. GRAHAM: Yes. Perhaps the Minister is looking at an earlier notice paper. The Architects Act states that a person must have passed certain examinations which are specified, or some other examination declared by the board to be equivalent; and, in any case, he must have had four years' practical experience in the work of an architect. The proposal contained in the Bill is to necessitate that he shall have had not less than six years' experience in the work of an architect. The Minister gave us some reasons for this and no objection, so far as I can recall, was raised in regard to future operations.

I feel the member for Floreat made the point that to put this provision in the Act now would be a grave injustice to many young architectural students who had planned their courses in the expectation that by a certain time they would be able to register as architects. However, because Parliament passes legislation it will be impossible for them so to do until two years later.

My amendment is designed to allow all those who are now undergoing a course of architecture to be subject to the four-year practical experience provision. Anybody who commences his training after the proclamation of, or the assent to, this amendment will then be required to conform with the new provisions.

I took advantage of the opportunity to discuss this matter with somebody who is well-known and trusted. I refer to Mr. Clare, who was the Principal Architect, and whose prestige stands high in his profession throughout Australia and even beyond Australia. He thought it would be grossly unfair if we persisted with the present provision. He did not for one moment contest that there was some merit in the six-year provision. Indeed, from memory, I fancy he welcomed that provision, but he thought it would be a breach of faith and would create a great deal of hardship for those who programmed their future career and financial arrangements on the four-year practical experience provision.

I have discussed this same point with members of other professions and they agree with the submission. I hope the Minister will agree with the principle I am promoting. He will realise, of course, there is no party political content in connection with my amendment, and I repeat: I think the member for Floreat covered the position particularly well when he made his contribution at the second reading stage.

I think the Minister could well accept the principle which is embodied in the amendment. Of course he will have an opportunity, through another place, to have a check made with Crown Law advisers to ensure that the amendment does exactly what I am suggesting it sets out to do. Accordingly, I move an amendment—

Page 3, lines 1 to 4—Delete paragraph (b) and substitute the following:—

(b) has passed the examinations in architectural subjects conducted by the Board and

(i) has had not less than six years' experience in the work of an architect; or

(ii) has had not less than four years experience in the work of an architect

if at or prior to the date of the commencement of this Act he was training to be an architect:

Mr. RUSHTON: I would like to make a few comments on this amendment. Subject to a check being made and the opportunities which will be presented to make a change in another place, I consider it would be reasonable for the Minister to accept this amendment, because some young people set about their training with a certain time limit in front of them and with the thought that they would be qualified at the end of the period which has, up to now, been stipulated. I hope the Minister will give full consideration to the amendment submitted by the Deputy Leader of the Opposition.

Mr. ROSS HUTCHINSON: My tolerance and understanding run out at this point. I believe the Chamber should not agree to the amendment which has been advanced by the Deputy Leader of the Opposition. In actual fact this sort of thing has been going on since about 1965.

Perhaps I should try to indicate the meaning of this clause, so that members might more readily understand the position. A whole series of qualifications pertaining to registration, running from (a) to (f), is listed in the principal Act. The clause before the Committee reduces the qualifications to those which are contained in three fairly simple paragraphs. I refer members to paragraphs (a) to (c) of the Bill. Also, there is the overriding qualification that the board must be satisfied the applicant possesses sufficient knowledge of matters concerning the practice of architecture in the State.

Technological advances require a greater degree of sophistication so far as the education of architects is concerned. When I replied to the second reading debate, I hinted that architecture is in a changing state because of the wide variety of interests in which architects have to be knowledgeable nowadays.

Overseas trends indicate a lengthening of the period of education before registration. In Australia, consideration is being given to a total of seven years, five of which would be spent in full-time academic studies and two in practical training, with an examination at the end of the second year of architectural practice. However, it is not considered necessary to have this length of time at the moment.

The board considers that sudents who study on a part-time basis should not be able to obtain registration in a lesser period of time than a full-time student. Clause 5 (b) requires a student who is progressing, say, from draftsman to architect to have had at least six years' experience in an architect's office before sitting for the final academic examination set by the board. Having passed the examination set by the board, the student must then complete a further year in the practical work of an architect before sitting for an examination in architectural practice. As I understand it, this examination can be oral, written, or both, and is aimed at assessing the student's ability to apply his knowledge to the general practice of architecture. Consequently, I believe that paragraph (b) is necessary, as students have known about this since 1965.

Mr. Graham: Known about what?

Mr. ROSS HUTCHINSON: They have known about the necessity for this provision. Consequently, they could have planned for this period. In the long run, the amendment which has been asked for by the board and by the institute is one which has been designed not in the interests of the Government, but in the interests of the public. I oppose the amendment.

Mr. GRAHAM: Needless to state, I am exceedingly disappointed at the attitude of the Minister. I repeat: Nobody has contested the wish of the Architects' Board that there should be a period of six years of practical experience.

However, there are numbers of persons at the present time—some of whom attend the University, the Institute of Technology, or are carrying out their studies elsewhere —who have made their plans and who could not have anticipated what might be a decision of Parliament, or when Parliament might make such a decision.

I stated I was impressed by the words of the member for Floreat. I would have thought the Minister would have been impressed, too. I can do no better than to read from what he said, *inter alia*—

> We are talking about people who are possibly youngsters who started their education towards being registered with a certain aim. They have aimed at having a certain earning capacity within four years, which has been the practice up to now, but in future they will find they are confronted with a period of six years. People might have their reasons for choosing this profession and might need to reach a certain earning capacity.
>
> With reflection, one can imagine that if there is to be compulsory training, the salary during that period would not be very high. I suggest consideration might be given to the suggestion that the six-year period should not apply to those people who have already started their training.

There may be students who are within a few months of satisfying themselves regarding their studies and who have done four years of training. Instead of being able to embark on their profession in January or February of next year they will find they have a further two years to wait.

This is not fair. They have conformed with the law in every respect, and Parliament has no right to cripple these people who will, perhaps, have to give away their thought and ambition of becoming an architect. This is unreal and cruel.

I cannot emphasise enough that we go along with the Architects' Board and we are not critical of it in any way whatsoever so far as the implementation of its wishes are concerned. However, we desire to be fair to anyone who has already embarked on the course of becoming an architect.

If the Minister gave some thought to this and conferred with the Architects' Board, I am confident agreement would be reached on this proposition, because it is so eminently fair. Therefore, I plead with the Minister and those who sit with him to give further consideration to the aspects which have been submitted; in other words, I hope he will agree to the amendment.

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

Ayes—20

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

Noes—21

Mr. Bovell	Mr. Mensaros
Sir David Brand	Mr. Mitchell
Mr. Cash	Mr. O'Connor
Mr. Court	Mr. O'Neil
Mr. Craig	Mr. Ridge
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Dr. Henn	Mr. Stewart
Mr. Hutchinson	Mr. Williams
Mr. Kitney	Mr. I. W. Manning
Mr. Lewis	*(Teller)*

Pairs

Ayes	Noes
Mr. Hall	Mr. Burt
Mr. Jones	Mr. Nalder
Mr. Bateman	Mr. Dunn

Amendment thus negatived.

Mr. GRAHAM: I move an amendment—

Page 3, lines 11 and 12—Delete the words "in the State."

The candidate is required to satisfy the board, by examination or otherwise, that he possesses sufficient knowledge of matters concerning the practice of architecture in the State. I have moved to delete the last three words; namely, "in the State". An architect is an architect, and a standard of architecture is a standard of architecture; it does not matter where it is learned.

As pointed out earlier, we have more than 100 local authorities, and many variations exist between the different sets of by-laws framed by them. Therefore I do not know what exactly is meant by the words "possesses sufficient knowledge of matters concerning the practice of architecture within the State." If one knows about stresses and strains, the various styles of architecture, and the general requirements, the sensible thing to do, as is done at present, is to find out the differences that exist between the local authorities and act accordingly. I look in the direction of the Minister for Housing when I say this. He has architects who are qualified and registered, but it is necessary for them to find out the fancies and foibles of the local authorities, because what may apply in area A may not apply in area B, and so on. If a man knows his profession he is able to proceed accordingly to meet the conditions laid down by each local authority.

There is another aspect, too. As members are aware, discussions have been proceeding for some considerable time between Commonwealth departments and industrial organisations with a view to fostering a more broad-minded attitude towards the qualifications, in both professions and trades, of those who come from other parts and who are generally referred to as New Australians.

We are also aware of medical practitioners who have extremely high qualifications and who have performed intricate surgery in other parts of the world, but their credentials are not acceptable in Western Australia. I cannot think of anything more absurd than that, but that is the position applying in our State at present.

We are also aware of tradesmen who come from other parts of the world and who are specialists in particular categories of their trades, but when they come here, notwithstanding that they have spent a lifetime in their callings, they are not permitted to obtain employment as tradesmen. That is wrong.

Now, after 48 years of this legislation being in operation, the Minister seeks to bring in an additional requirement which I say would immediately cancel any qualification possessed by a person who came from another part of the world, no matter how distinguished he might be in his particular profession.

I do not know whether I am shooting arrows or throwing boomerangs, but I take pleasure in quoting remarks made by the member for Floreat who goes down as speaking one way and voting in another, to be followed by the member for Dale who has done the same thing. In relation to this matter, the member for Floreat said—

> I cannot see the necessity to add a further condition to provide that any applicant for registration shall also satisfy the board that he possesses sufficient knowledge of the methods and practice of architecture in this State.

He went on to expound that particular thought. I am speaking in this manner because, to be perfectly frank, after the last experience I do not know where I

stand. No matter what opinion any member on the other side of the Chamber may hold, if the Minister says, "Yes" his answer is yes, and if the Minister says "No," his answer is no. In other words, it is a one man band. On a matter of principle one would expect a member to follow what his Government determines, but on a matter of detail in Committee one would not expect a member who, after expressing himself as being in support of a particular proposition, to vote, five minutes later, in the opposite direction. It makes one disgusted.

I hope the Minister will agree to this amendment to delete the three words leaving the existing situation as it is without imposing further restrictions on persons who come to this State from other parts.

Mr. ROSS HUTCHINSON: The Deputy Leader of the Opposition is unfair in what he says. As a result of the requests he made during the debate on the second reading, I gladly agreed to look at the amendments he had on the notice paper, and as a result I entered the Chamber today believing I could agree to every one of them. Indeed that is exactly what I said when I spoke to the first amendment. I now find, as you were well aware, Mr. Chairman, that in the course of dealing with the several amendments, two were virtually rung in on me.

Mr. Graham: That is the wrong expression. I put the amendments on the notice paper; what else am I expected to do?

Mr. ROSS HUTCHINSON: If I am considered to be a little unfair in using the words "rung in", I trust the Deputy Leader of the Opposition realises that he is a little unfair, also, in the way he spoke. The amendments were rung in as far as I was concerned. It is my responsibility, I suppose, to take a further look at the notice paper to see whether the amendments that were proposed had been altered. However, I would have appreciated the Deputy Leader of the Opposition telling me that two further amendments had been added to those already on the notice paper.

Mr. Graham: I understood that word was to be passed to your office this morning in case they had been missed by you.

Mr. ROSS HUTCHINSON: I did not receive any word.

Mr. Graham: There was no responsibility on my part to do that. I am just indicating that I was trying to be helpful.

Mr. ROSS HUTCHINSON: I have already said that I should look at the notice paper each day to see if any amendments have been changed, but I did not do so today. However, enough of that.

I propose to agree to this amendment because I believe, generally speaking, the same result can virtually be achieved without there being any parochialism in the Act in regard to this aspect. I will go even further. I propose to have a look at the amendment which has just been defeated and take it to the board and advise it of what has transpired. I will ask the board to examine the amendment to ascertain whether any students currently undergoing this course would suffer hardship. If I find there are any cases of hardship, and if I find the board agrees with the sentiments that have been expressed by the Deputy Leader of the Opposition, I will have the Bill suitably amended in another place. Can I be fairer than that? I repeat: I propose to agree to this amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 6: Section 15 amended—

Mr. GRAHAM: I move an amendment—

> Page 3, line 13—Insert after the clause designation "6." the passage "(a) Subsection (1) of section fifteen of the principal Act is amended by deleting from lines three and four the words 'of the provisional Board until the establishment'; and
>
> (b)".

Amendment put and passed.

Mr. GRAHAM: I now desire to alter slightly the next amendment I have on the notice paper by deleting the initial "of" from it, because it is necessary for that word to remain in the clause. I move an amendment—

> Page 3, lines 13 and 14—Delete the words "section fifteen of the principal Act" and substitute the words "this section".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 7 to 10 put and passed.

Clause 11: Section 22A amended—

Mr. BERTRAM: I am concerned about paragraph (e) of subclause (1) which appears on page 5 of the Bill, and therefore, I move an amendment—

> Page 5—Delete paragraph (e).

As I indicated during the debate on the second reading, I can see no need for this provision. Clause 11 seeks to repeal the whole of subsection (1) of section 22A and to insert a new subsection. However, paragraph (e) does not appear in the principal Act and it should not appear in the Act as it will be amended by the Bill, because it is quite unnecessary. I do not know what prompted the author of the measure to include it. A similar provision is to be found in section 23 of the Legal Practitioners Act. So that members may

be able to follow me I propose to state what, in my opinion, this obnoxious subclause will provide.

I would refer members to paragraph (e) of the proposed new subsection (1) which is contained in clause 11. This says, in effect, that a person can approach an architect and say, "I have no money; I need your expert services on some litigation; without your services I cannot win and I want you to act for me. I assure you that upon being successful I shall pay you." The architect has no right to help such a man. Why has he no such right?

The legal practitioner is caught up in a similar position, but I am not very impressed with that provision either. It does not mean a great deal in the case of a legal practitioner because there are other Statutes which enable people of limited means to obtain assistance from a legal practitioner. There exists the Poor Persons Legal Assistance Act of 1928 and also the Legal Contribution Trust Act of 1967, which is more recent. They would take the edge off section 63 of the Legal Practitioners Act. If this provision becomes law, it will mean that a person can get assistance under either of the two Acts I have mentioned; but a person will not be able to get assistance from an architect in similar conditions. It is quite inconsistent, stupid, unfair, and unreal.

It is apparent that whoever phrased clause 11 cast around among the architects Acts of the other States and selected something which appealed to his imagination. On the face of it, it might not be a bad clause, but on thinking about it it is no good at all, in my submission.

From my experience, the people who most attend the courts are the medical practitioners. Because of the carnage on the road, it is necessary for them to appear before the Third Party Tribunal in relation to claims that are made.

Occasionally we have dentists appearing before the tribunal to testify in relation to injuries relating to the mouth, and so on. But there is no provision in either the Medical Act or the Dentists Act which is analagous with this one in the Architects Act.

It does not follow that we should necessarily include such a provision in our Architects Act because it happens to be included in a similar Act in New South Wales, or somewhere else. It is certainly inconsistent with legislative thinking in this State. This Act would be inconsistent with the Dentists Act, the Medical Act, the Poor Persons Legal Assistance Act, the Legal Contribution Trust Act; and if I had time I daresay I could show that it is inconsistent with a number of others. I am sure that upon reflection the Minister will agree that paragraph (e) of proposed new subsection (1) has no merit and that it should be deleted completely.

Mr. ROSS HUTCHINSON: I do not think the honourable member has given enough thought to this matter. Most of the professions, if not all of them, operate ethically in the manner prescribed in this particular paragraph. There is nothing to prevent an architect from foregoing his fee if he wishes. This provision is retained to deal with unethical conduct. It would mean, otherwise, that he would get payment on results rather than for his services. Surely a man is worthy of his hire, and I feel it would be wrong to remove this provision from the Bill. It is the wish of the board that it be included in the Act.

Mr. TONKIN: I have carefuly followed the explanation given by the Minister, but I cannot imagine that anyone would be so foolish as to enter into a contract on the basis of declining to accept payment irrespective of the results, but would accept payment only if he were successful.

Mr. Ross Hutchinson: Say that again.

Mr. TONKIN: I understood the Minister to say there is nothing to prevent an architect—

Mr. Ross Hutchinson: From foregoing his fee.

Mr. TONKIN: —from foregoing his fee. But this provision prevents his saying beforehand that he will only be paid if he is successful.

Mr. Ross Hutchinson: That is right.

Mr. TONKIN: I cannot imagine an architect, or anybody in any other profession, deliberately foregoing the possibility of being paid as a certainty in order to get a promise from somebody that he will only be paid if he is successful.

Mr. Ross Hutchinson: This is to guard against his using it as a condition.

Mr. Court: From what you have said, you are on the Minister's side.

Mr. TONKIN: Oh no, I am not.

Mr. Court: You have not read the clause.

Mr. TONKIN: The member for Mt. Hawthorn made it clear that he wanted the way left open for anybody who did not have the money to engage an architect to help in the case of litigation on the understanding that the architect would only be paid if the action were successful.

Mr. Court: That is unethical to a great degree. He would be prostituting his profession.

Mr. Bertram: Why should it not be in the Medical Act?

Mr. Court: If an architect wants to give that assistance of his own volition in support of a friend or a client, it is his own business.

Mr. TONKIN: I thought I had the floor.

Mr. Court: I am only trying to help you.

Mr. TONKIN: Those who would want to engage an architect on the basis envisaged by the member for Mt. Hawthorn would be people with limited means. Those with adequate means would have no difficulty in engaging an architect to assist with litigation; and, having the money, they would be more likely to succeed. But those with limited means and with an excellent case would be in difficulty in engaging an architect; they would not have the money to pay him beforehand.

What would there be unethical in an architect appreciating that a person who approached him had an excellent case and had suffered a wrong? What would be wrong in his wanting to help such a person, knowing that upon the action succeeding he would be recompensed to some extent for the professional service he was rendering?

To place an obstacle in the way of that occurring would be simply to load the scales more in favour of those who have and against those who have not. As the member for Mt. Hawthorn said, in the case of a lawyer, a person could be assisted under the Poor Persons Legal Assistance Act. But no such recourse is available to a person who wants to use the services of an architect. Why should not there be?

The Minister is prepared to allow an architect to say, "I will work for you for nothing; I will forego any fee to which I might be entitled; I will do this out of the goodness of my heart." The only case where that is likely to happen is in the case of relatives.

Mr. Ross Hutchinson: That is not so.

Mr. TONKIN: Oh yes, it is so. I have yet to find philanthropists running around the country who are prepared to give their services for nothing.

Mr. Ross Hutchinson: I have seen this happen in all the professions.

Mr. TONKIN: Having seen it happen, the Minister could no doubt give me the name of one such architect.

Mr. Ross Hutchinson: I would not give you the name of any architect, or of any accountant, or of anyone from any other profession; but it happens right throughout society.

Mr. TONKIN: That is pure guesswork; it is a statement, not evidence.

Mr. Ross Hutchinson: You have a bitter mind.

Mr. Court: I could tell you privately of a legal practitioner who did this.

Mr. TONKIN: What upsets the Minister for Industrial Development is that it is unethical for an architect to assist a person without winning his case, but it is not unethical to find an architect who ostensibly says he will forego his fee but is subsequently given a gratuity by somebody who wishes to see he is paid.

It is not unethical for somebody to go to the Crown Law Department and pay a fine in regard to members of a union who threaten to go to gaol—that is not unethical! The Government accepts that, but when it becomes a question of somebody in need getting the assistance of a professional man it is not to be made possible at all, because the Government does not like it.

Like the member for Mt. Hawthorn I wish to ensure that those who desire to go to law in order to establish their rights under law shall have all possible assistance and shall not be hindered by some legal provision, because it is considered unethical to assist.

Mr. BERTRAM: Having listened to the comments and interjections, it appears to me that the crux of the matter concerning this amendment is whether we are to give precedence to ethics or to justice. I suggest that this is clearly a case where justice should be given precedence. A litigant should not have to go into a strange architect's office with cap in hand to beg assistance. As a matter of fact, no self-respecting person would even attempt to go through the door.

There is a vast difference between law and justice and in this Chamber we should work for justice as well as law. If we are to do the right thing in this case, we should delete this paragraph. We should not open the door to a litigant and then shut it in his face.

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

Ayes—19

Mr. Bertram	Mr. May
Mr. Bickerton	Mr. McIver
Mr. Brady	Mr. Moir
Mr. Burke	Mr. Norton
Mr. T. D. Evans	Mr. Sewell
Mr. Fletcher	Mr. Taylor
Mr. Graham	Mr. Toms
Mr. Harman	Mr. Tonkin
Mr. Jamieson	Mr. Davies
Mr. Lapham	*(Teller)*

Noes—22

Mr. Bovell	Mr. Mensaros
Sir David Brand	Mr. Mitchell
Mr. Cash	Mr. O'Connor
Mr. Court	Mr. O'Neil
Mr. Craig	Mr. Ridge
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Dr. Henn	Mr. Stewart
Mr. Hutchinson	Mr. Williams
Mr. Kitney	Mr. Young
Mr. Lewis	Mr. I. W. Manning
	(Teller)

Pairs

Ayes	Noes
Mr. Jones	Mr. Nalder
Mr. Hall	Mr. Burt
Mr. Bateman	Mr. Dunn
Mr. H. D. Evans	Mr. McPharlin

Amendment thus negatived.

Clause put and passed.

Clauses 12 to 14 put and passed.

New Clause 3—

Mr. GRAHAM: I desire to move for the insertion of several new clauses. Firstly I move—

Page 2—Insert after clause 2 the following new clause to stand as clause 3:—

3. Section two of the principal Act is amended by deleting in lines three and four the words "The term includes the provisional Board."

Mr. ROSS HUTCHINSON: I agree with the amendment.

New clause put and passed.

New clause 4—

Mr. GRAHAM: I move—

Page 2—Insert after new clause 3 the following new clause to stand as clause 4:—

4. Sections three and four of the principal Act are repealed.

New clause put and passed.

New clause 5—

Mr. GRAHAM: I propose to move the following new clause:—

Page 2—Insert after new clause 4 the following new clause to stand as clause 5:—

5. Section twelve of the principal Act is amended—

(a) by deleting from line one of subsection (1) the words "The provisional Board shall open" and inserting in lieu the words "The Board shall keep"; and

(b) by deleting from line one of subsection (4) the word "provisional".

Mr. ROSS HUTCHINSON: I suggest that the whole of subsection (4) be deleted.

Mr. GRAHAM: Very well. I move—

Page 2—Insert after new clause 4 the following new clause to stand as clause 5:—

5. Section twelve of the principal Act is amended—

(a) by deleting from line one of subsection (1) the words "The provisional Board shall open" and inserting in lieu the words "The Board shall keep"; and

(b) by deleting subsection (4).

New clause put and passed.

New clause 6—

Mr. ROSS HUTCHINSON: I suggest that the whole of section 13 of the principal Act be deleted. The section is redundant and the amendment will follow the spirit of the previous amendments.

Mr. GRAHAM: I have no objection if the Minister has satisfied himself there is nothing to lose. I move—

Page 2—Insert after new clause 5 the following new clause to stand as clause 6:—

6. Section thirteen of the principal Act is repealed.

New clause put and passed.

New Clause 15—

Mr. GRAHAM: I should like to remark that this co-operation is proving most successful. I am enjoying it and it is a novel experience for me.

It is my intention to move for the addition of a new clause, to stand as clause 15. In this way, section 32 of the principal Act will be amended by deleting the passage commencing with the word "All" in line one down to and including the word "constituted" in line five.

Mr. Ross Hutchinson: I think the Deputy Leader of the Opposition ought to include the whole of it here, as well.

Mr. GRAHAM: I pondered initially on that point, too.

Mr. Ross Hutchinson: We believe it has to do with the provisional board.

Mr. GRAHAM: Yes and no. The paragraph which I suggest should be deleted does that, but what remains would allow the board to repay the Institute of Architects any expenses that the institute had incurred in promoting this Act. However, if the Minister has had advice from the board and does not regard this as essential, I have no objection.

Mr. Ross Hutchinson: The institute would not want that now. It was applicable when the Act was first formulated.

Mr. GRAHAM: I agree, so long as there is no continuing use for it. Consequently I move—

Page 9—Insert after clause 14 the following new clause to stand as clause 15:—

15. Section thirty-two of the principal Act is repealed.

The CHAIRMAN: The Committee will use the word "repealed." I point out to members that this, again, differs from the wording on the notice paper.

New clause put and passed.

New clause 16—

Mr. GRAHAM: Two amendments now remain dealing with schedules. I move—

Page 9—Insert after new clause 15 the following new clause to stand as

Clause 16:—

16. The First Schedule is amended by deleting the whole of Clause 1 of the Schedule.

I refer members of the Committee to clause 1 of the schedule. Members will appreciate this is now ancient history and serves no purpose.

Mr. Ross Hutchinson: I do not oppose this.

New clause put and passed.

New clause 17—

Mr. GRAHAM: I move—

Page 9—Insert after new clause 16 the following new clause to stand as clause 17:—

17. The Second Schedule is amended by deleting from Clause 1 of the Schedule—

(a) the passage commencing with the word "The" in line one down to and including the word "member" in line six; and

(b) the word "subsequent" in line six.

Paragraph (a) of proposed new clause 17 refers to the first meeting of the Architects' Board which shall be held within a certain time to be fixed, and then it goes on to state "Every subsequent meeting shall, subject to . . ." If the Committee agrees to the deletion of the first portion, the word "subsequent" becomes meaningless. This is why paragraph (b) of proposed new clause 17 has been framed. I trust the Committee will agree with me, because it serves the same purpose as the deletion from the first schedule.

Mr. Ross Hutchinson: I have no objection.

New clause put and passed.

The CHAIRMAN: I think I should offer some explanation regarding the amendments which appear on the notice paper and which have caused some confusion. The Deputy Leader of the Opposition notified certain amendments which appeared on Tuesday's notice paper. Subsequently these were changed and today's notice paper included many new amendments.

Mr. Ross Hutchinson: Two, with a different format.

The CHAIRMAN: This led to some confusion in the early part of the Committee. I think I should point this out in fairness to everybody.

Mr. Graham: It was quite unintentional.

Title put and passed.

Bill reported with amendments.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.35 p.m.]: I move—

That the Bill be now read a second time.

This Bill, which was introduced by the Minister for Justice in another place, amends the Legal Practitioners Act to make provision for control of certain practitioners. The new provisions will be contained in a new part VA.

I would mention in passing that parts I-IV and part VI of the Legal Contribution Trust Act were proclaimed on the 29th March, 1968, and consideration has since been given to the desirability of introducing some amendments to provide full protection for clients of legal practitioners in respect of moneys held in trust.

As a consequence, it appears necessary for the Barristers' Board to be given further powers under the Legal Practitioners Act to enable the freezing of the bank account of a practitioner on there being reasonable grounds for believing there is a deficiency in a trust or that there has been undue delay in properly paying or applying trust moneys. Provision is to be made for the appointment of a supervisory solicitor to conduct the practitioner's practice for the purpose of concluding or disposing of clients' matters where the practitioner concerned is unavailable to do so.

I might mention in this connection that there are provisions under the Land Agents Act for a judge of the Supreme Court, on application by the Land Agents Supervisory Committee, to order the freezing of a land agent's bank trust account on there being reasonable grounds to do so. Also, an order may subsequently be made that the amount of such account be paid to the Treasurer for distribution to the persons so entitled.

It is felt that a similar provision should be available in respect of legal practitioners, and as the Barristers' Board is the disciplinary body for legal practitioners, an application to a judge should be made by the board.

The Legal Contribution Trust has been empowered to receive and determine claims against defaulting practitioners, and payment of the proceeds of bank accounts to the trust is desirable to enable all claims to be dealt with by one authority.

Recently, when a legal practitioner was struck off the roll and was found to be not available in his office, his clients were much inconvenienced, if not prejudiced, by the delay in finalising their business. Such a case poses a good reason for giving

the Barristers' Board power to appoint a supervisory solicitor empowered to deal with uncompleted matters.

The Bill now before members therefore provides that where a judge, on the application of the board, is satisfied that there are reasonable grounds for believing, firstly, that there is a deficiency in any trust account of a practitioner or, secondly, that there has been undue delay on the part of the practitioner in properly paying out or applying trust moneys to or on behalf of a person or persons, for whose use or benefit they have been received, the judge may make an order directed to the practitioner and his bankers, and their respective servants and agents, restraining dealings in all or any of the bank accounts of the practitioner, subject to such terms and conditions as the judge may think fit.

There is also power for revocation or variation of such an order on the application of the board, the practitioner, or any interested person. The provisions I have just mentioned deal with restraint on bank accounts.

As to the control of trust moneys by the trust, a judge, in similar circumstances to those already indicated, may order that the trust take possession of the moneys constituting the balance of the account and amalgamate them with moneys deposited by the practitioner to the credit of the trust under section 11 of the Legal Contribution Trust Act, 1967.

It will be appreciated, therefore, that there is a need for a complementary amendment to the Legal Contribution Trust Act and that amendment is the subject of a separate piece of legislation.

This Bill provides that the judge may order that the trust deposit the amalgamated moneys in a separate account in the name of the trust and deal with those moneys according to law.

Members will see that special powers are granted to the board under new section 58D in the event of an order, other than an order of revocation, being made under either of the two preceding new sections during the currency of the order.

In that eventuality, the board may, on such terms and conditions as to remuneration and indemnity as it thinks fit, appoint a certified practitioner to be supervising solicitor of the practice and may authorise the trust to advance money out of the solicitor's guarantee fund, established by section 16 of the Legal Contribution Trust Act of 1967, to the supervising solicitor for the purpose of carrying on the practice, and to the practitioner for his sustenance.

It is provided also that the board may further determine what, if any, proportion of any profit, and costs recovered on account of the practitioner, and what proportion, shall be paid to the trust towards the expenses and remuneration of the supervising solicitor and for reimbursement of advances made out of the guarantee fund.

It is further provided that the supervising solicitor shall conduct the practice for the purpose of concluding or disposing of matters commenced but not concluded on behalf of the clients of the practice and, where necessary, for the purpose of disposing of, or dealing with, documents relevant to such matters.

When an order is made involving the trust, it may, on the certificate of the supervising solicitor, pay to him out of the moneys deposited in the separate account under the order, such amount or amounts as may be specified and directed in the certificate without inquiring or being liable in respect of the correctness of the certificate or the application of any money paid to it. Furthermore, a judge may, on the application of the board, the trust, or any person interested, give such directions as he thinks fit for the payment by the trust of any part of the moneys deposited in the separate account under the order. I commend the Bill to members.

Debate adjourned, on motion by Mr. T. D. Evans.

LEGAL CONTRIBUTION TRUST ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.43 p.m.]: I move—

> That the Bill be now read a second time.

This Bill is the complementary measure introduced to amend the Legal Contribution Trust Act to which reference was made in the Bill to amend the Legal Practitioners Act when it was being explained to members.

The purpose of this brief measure is to insert into the Legal Contribution Trust Act, provisions, firstly, for the temporary disposition of moneys received and, secondly, for the source of moneys to be paid or advanced under the proposals contained in the new part VA being inserted into the Legal Practitioners Act for the purpose of controlling certain practitioners in the interests of their clients.

The amendment is required to empower the trust to receive the proceeds of the trust's bank account and to dispose of it in a proper manner. I commend the Bill to members.

Debate adjourned, on motion by Mr. T. D. Evans.

FISHERIES ACT AMENDMENT BILL (No. 2)

Second Reading

MR. ROSS HUTCHINSON (Cottesloe—Minister for Works) [5.45 p.m.]: I move—

That the Bill be now read a second time.

In doing so, it should be explained that, in 1965, a very serious situation confronted the rock lobster industry in this State. Catches had dropped to an all-time low of 16,000,000 lb.; the taking of undersized and out-of-season rock lobster was reported to be rife; fishermen were leaving the industry and there were grave dangers that a valuable and lucrative activity would be lost to the State of Western Australia.

With the full support of this Parliament rigorous control measures were introduced. At the time some doubts were expressed that these would be 100 per cent. effective. However, it has turned out that they have worked better than many of us anticipated. Nevertheless, it has been necessary, from time to time, to bring further amendments to the House. This also was foretold when the original amending legislation was introduced.

This Bill is aimed at covering one or two situations which have arisen in the meantime and in blocking one or two loopholes which, at that time, were not apparent. It will also make certain adjustments necessitated by changing conditions in the fishing industry.

The Government has agreed to change the common name "crayfish" to that of "rock lobster" to ensure a continuation of acceptance of the name "rock lobster" on the American market. The need for this has arisen out of the deliberations of an International Codex Committee on which Australia is represented.

Mr. Davies: What kind of committee? Codex?

Mr. ROSS HUTCHINSON: Yes, Codex. France, a member country on the committee, is attempting to have all the *panulirid* crustaceans of the world marketed as "crawfish" instead of the accepted term "rock lobster." It is not believed that France will be successful in its endeavours, but the name in the Western Australian Fisheries Act should be changed to provide the Australian delegation with additional persuasive powers. Clauses in this Bill will substitute the words "rock lobster" or "rock lobsters," as the case may be, in all proclamations, notices, ministerial directions, licenses, etc., in force at the time this amending Act is proclaimed. Indeed this action takes up most of the Bill.

There is a further necessity for us officially to change the name to "rock lobster"; it is because that is the name used in the United State of America. If we continue to use "crayfish" there is likely to be a misunderstanding created in regard to the type of crustacean that is being marketed.

Another amendment deals with the use of fictitious names. On occasions professional fishermen endeavouring to dispose of undersized rock lobster use fictitious names on the bags. These lobster are paid for by the processing firm. When the inspector has attempted to trace the original owner of the rock lobster he has, on several occasions, found himself at the residences of people quite unrelated to the matter. Some amateurs have also used this subterfuge in trying to dispose of an abundance of rock lobster at a processing plant. It is therefore suggested that the person catching the fish should have to place not only his name and place of abode on the bag, but also the registered number of the fishing boat used in taking the rock lobster.

Whilst this requirement will probably not entirely stamp out the practice, it will make it easier for the processor to ensure that the correct name and boat number are used and will tend to assist in controlling the sort of operations I have just mentioned.

Previous amendments to the Act prescribed penalties for undersized rock lobster or underweight rock lobster tails and stated that if any such rock lobster or rock lobster tails were found on premises licensed as a fish processing establishment under the provision of the Fisheries Act, the licensee of such premises was liable to an additional penalty of $2,000.

If undersized rock lobster or underweight rock lobster tails are found in the possession of, or under the control of, the licensee of a processing establishment, but on other premises not so licensed, the additional penalty does not apply.

The purpose of the amendment in this regard is to ensure that, irrespective of the premises on which undersized rock lobster or underweight rock lobster tails are found, if such rock lobster and tails are in the possession of or under the control of a person who is the holder of a processor's license in respect of any fish processing establishment, such person shall be liable also to the additional penalty of $2,000. I think it will be agreed that a person should not be able to take advantage of a much lower penalty just by undertaking to pay for storage facilities and putting his illegal rock lobster into such premises owned by somebody else. I commend these various amendments to the House.

Debate adjourned, on motion by Mr. Fletcher.

LICENSING ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.50 p.m.]: I move—

That the Bill be now read a second time.

This brief measure proposes to extend for a period of 12 months the time during which canteen licenses may be granted under subsection (3) of section 44D of the Licensing Act.

This subsection of the Act enables the Licensing Court to grant canteen licenses in respect of premises that are situated within 20 miles of premises, the subject of a publican's general license or a wayside house license. The power to grant such licenses has been restricted to the 31st December, 1969.

Subsections (3) and (4) of the section dealing with these licenses was passed in 1967. At that time, it was ascertained that in some remote areas construction workers within the prescribed 20-mile radius of a publican's general license or a wayside house license were, on account of the topography of the area, obliged to travel distances greater than those where direct routes were possible. But these conditions would not be likely to persist when certain projects in the North were completed.

The Licensing Court has advised the Minister for Justice, under whose portfolio the Licensing Act is administered, of some licenses which are current under the special provisions of section 44D (3), and which cannot be renewed after the 31st December, 1969. The court can see no objection to an extension after the 31st December, 1969, and the Government, in giving consideration to all aspects affecting such licenses, is disposed to agree that an extension for 12 months is warranted.

Members will recall my having raised the point when introducing the amendments in 1967 to insert the appropriate subsections and, if I remember rightly, my comment then was that if Parliament had not made a positive decision before the 31st December, 1969, the Government of the day would be required to come to Parliament with a proposition seeking an extension of time, or, alternatively, to have the provisions in subsection (3) made permanent if these were not to lapse.

Having regard to the needs of construction workers in remote areas, the extension until the 31st December, 1970, as proposed in this Bill would seem desirable.

When explaining the Bill in another place, the Minister, in referring to the inquiry into the Licensing Act now being carried out by the Government-appointed committee, mentioned that he would not have brought this small Bill to Parliament had the question of time not been a factor.

In view of the difficult conditions, particularly those in the north, the Minister thought it proper that we should not wait for the report of the committee, because if we did we would probably have a situation in which many men now working under difficult conditions in remote areas would not have, to say the least, the facility of obtaining a cold beer, for which the canteen license makes provision. This provision, of course, applies to the northern areas of the State in particular, and at this period of our development the issue of canteen licenses is of greater concern to people working in those areas.

I think there are members who know the problem that arose out of the 20-mile restriction and I feel the added facility which Parliament approved on a temporary basis should be extended at least until the committee, presided over by Mr. Adams, Q.C., can make its report to the Government to enable legislative action to follow.

Canteen licenses have been a godsend to some of these projects; they have avoided considerable mileage having to be covered by workers who might wish to visit hotels. This sort of thing is not in the best interests of the workers and it is certainly not in the best interests of the projects concerned.

Debate adjourned, on motion by Mr. Bickerton.

METHODIST CHURCH (W.A.) PROPERTY TRUST INCORPORATION BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.54 p.m.]: I move—

That the Bill be now read a second time.

At the present time, each parcel of Methodist land is vested by the Methodist Church Property Trust Act of 1912—a Western Australian Statute—in three or more trustees, appointed as provided in the "Methodist Church Model Deed of Western Australia, 1912," and its subsequent variations. This is a document lodged and registered in the deeds office at Perth. Thirty trustees in one case are involved. Each parcel of land is so held for the purposes of the church, subject to the trusts set out in the model deed. The 1912 Act also establishes the offices of custodian and acting custodian of deeds in whose custody are all the documents of title to Methodist land in Western Australia and whose duties include the keeping of a register of trustees.

The system is a rather unwieldy one and, as a consequence, Mr. Keith H. Olney, as legal adviser to the Western

Australian Conference of the Methodist Church of Australasia, was commissioned by that conference to provide and implement a more modern and simpler system for the holding of the land and other property in Western Australia now vested in or in future to be acquired by the Methodist Church.

The new system envisages the creation of a central body corporate—Methodist Church (W.A.) Property Trust—consisting of the chief executive officers of the Western Australian conference, *ex officio*, and five other members appointed by that conference, and the vesting of all Methodist land in Western Australia in that body, to be held as trustee for the church, subject to trust regulations, which will replace the model deed.

The general conference of the Methodist Church of Australasia—the supreme governing body of Australian Methodism—at its triennial meeting held between the 12th and the 22nd May last in Brisbane, approved of the proposed legislation and of the proposed trust regulations, subject to a minor amendment to which there is no necessity for me to refer, as the trust regulations are not embodied in this Bill.

The general conference, this year, also approved of similar legislation submitted by Victoria and Tasmania and gave South Australia permission to proceed on the same basis. Approval was previously given to Queensland in 1963 and to New South Wales in 1966, so there is now machinery for the new system to become uniform throughout Australian Methodism.

Before explaining the Bill to members, I desire to state that this measure is introduced at the request of the Methodist Church. Legislation of this type has no effect on anybody other than the believers of the particular form of religion. Similar legislation has been introduced from time to time by Governments on behalf of other religious bodies.

It is of interest to note, with respect to parts IV and V of this Bill, which deal respectively with variation of trusts and incorporation of church instrumentalities, that the procedures set out are distinctive to the Western Australian Methodist Church legislation and were generally acclaimed at conference and one State, at least, proposes to amend its proposed legislation to include them. This is, I believe, a tribute to the author of the Bill. They do not appear in the draft Acts being prepared by the New South Wales, Victorian, and Tasmanian conferences, but at the general conference held last May, all of the State conferences commended the provisions and intimated that they would probably move to amend their Acts to include them. Part IV can find a precedent in the Charitable Trusts Act of 1962, where power is given to the court to vary trusts in some cases.

Part V has a precedent in subsection (1) of section 21 of the Presbyterian Church Act, 1908, and was inserted by Act No. 19 of 1964, and similar provisions can be found also in section 5 of the Churches of Christ Scientist, Incorporation Act, 1961.

Broadly, the proposed legislation provides for—

(a) The establishment and constitution of the Methodist Church (W.A.) Property Trust as a body corporate.

(b) The vesting of all Methodist land in Western Australia in the property trust as the single holding body, to be held subject to the trusts set out in the proposed trust regulations. In this connection, I would add that the regulations have already been adopted and will become operative, if and when this Bill passes into an Act.

(c) The abolition of the offices of custodian and acting custodian of deeds.

(d) The transmission of all Methodist land now vested in trustees under the model deed to the property trust without charge and with exemption from stamp duty.

(e) Power for the Western Australia conference, in its discretion, to vary the trusts upon which any property in Western Australia granted or devised to the church or any of its constitutions is subject and to direct the application of such property to some other purpose of the church. This is contained in part IV.

(f) Power for that conference in its discretion, by virtue of the proposed Act, to incorporate as a body corporate any church institution which it considers ought to have a separate legal entity and, in some circumstances, to allow an institution so incorporated to hold its property in its own name. Methodist Church institutions at present incorporated under the Associations Incorporation Act will cease to be incorporated under that Act and will automatically become incorporated under the proposed legislation. These provisions are in part V.

I desire members to be aware that it is not proposed to repeal the 1912 Act as this Act, *inter alia*, approves the union in 1902 of several sects subscribing to the doctrines of John Wesley and vests their property in the Methodist Church of Australasia. The proposed legislation can quite satisfactorily be read as one with the 1912 Act.

The first day of January, 1970, is inserted as the date on which the proposed Act comes into force, for the reason that the Methodist year is the calendar year and it would be most convenient to implement a new system from the beginning of the year.

The church would, therefore, be most grateful if the business of Parliament and the acquiescence of members would permit of this Act being passed during this first part of the session; and, on that note, I commend the Bill to members.

Debate adjourned, on motion by Mr. Tonkin (Leader of the Opposition).

MARKETING OF CYPRUS BARREL MEDIC SEED BILL

Second Reading

MR. LEWIS (Moore—Minister for Education) [6.2 p.m.]: On behalf of the Minister for Agriculture I move—

> That the Bill be now read a second time.

Before dealing with the broad provisions of this Bill, I think it desirable to provide the House with an outline of the background which led to its presentation.

The introduction of the Bill follows representations made to the Minister for Agriculture by the Farmers' Union of Western Australia to bring down legislation for the more orderly marketing and pricing of pasture seeds.

In 1964, following a public meeting convened by the union, a committee was formed to investigate ways and means of introducing a system of orderly marketing of small seeds, and in the following year, 1965, a delegation from the committee discussed proposals with the Minister. Following this there was a further public meeting, and the Minister received another deputation in April, 1965, when he agreed in principle to a referendum being held to ascertain the views of producers regarding a proposed marketing system.

In 1966 the Minister received yet a further deputation, this time representative of clover seed producers in the Boyup Brook and Tambellup districts, when opposition to the proposed scheme was expressed. The Minister was also informed later that the small seeds section of the Farmers' Union could not reach agreement regarding legislation for the orderly marketing of small seeds and, consequently, it was decided not to proceed with a referendum as previously agreed to in principle.

In July, 1967, the Minister was advised by a member of the small seeds marketing committee of the Farmers' Union that a review of information gained from questionnaires distributed in an informal poll to ascertain the attitude of producers towards organised marketing of barrel medic, serradella, cupped clover, rose clover, and rye grass indicated that most producers of barrel medic seed were in favour of a compulsory pool being established.

Because of the fact that the results of the informal poll did not appear to represent a large proportion of the *bona fide* growers of small seeds to whom the questionnaire was sent, but considering the favourable attitude displayed by barrel medic producers, the Government agreed to a formal poll being conducted by the Chief Electoral Officer to ascertain whether there should be compulsory marketing of Cyprus barrel medic seed.

I should explain that to this point of talks and negotiations—that is, in 1967—we were dealing in broad terms with small seeds marketing as a whole, and not specifically Cyprus barrel medic seed, which is the subject of this measure.

The referendum was subsequently conducted and closed on the 16th October, 1968. For the purposes of the Poll, a producer of Cyprus barrel medic enrolled and eligible to vote was defined as follows:—

> One who produces Cyprus barrel medic seed for sale, whether as a grower or a share farmer or a harvester of that seed. Provided that no producer shall be eligible to be enrolled as an elector or to vote at this referendum unless he has produced and sold Cyprus barrel medic seed to the value of at least $1,000 in any twelve months period in the three years immediately preceding the 30th day of June, 1968.
>
> "Twelve month period" and "year" means a period commencing on the 1st day of July in one year and terminating at the 30th day of June in the next following year.

The result of the poll, after the issue of 36 ballot papers, was—

Number of votes recorded in favour of the proposals	28
Number of votes recorded not in favour of the proposals	nil
	28
Number of informal votes	2
	30

As stated earlier, I considered it to be of benefit to members to provide some background information on events leading to the introduction of this Bill, and having done so I will now proceed to explain the broad principles contained therein.

In general, the Bill is modelled on the Marketing of Barley Act which has proved so successful in stabilising and bringing order into barley marketing.

It is emphasised that the Bill is restricted to the marketing of Cyprus barrel medic seed and is not intended to embrace any other types of pasture seed. The referendum conducted referred specifically to the Cyprus barrel medic cultivar and accordingly the legislation deals with that seed alone.

The marketing board to be established under the Bill will comprise six members. These will be—

(a) two persons who are producers elected by producers;

(b) one person who is a producer nominated by the Minister;

(c) one person nominated by the Minister to represent consumers of Cyprus barrel medic seed for other than seed production;

(d) one person nominated by the Minister to represent pasture seed merchants and pasture seed selling agents; and

(e) one person nominated by the Minister, who is a person not commercially involved in the pasture seed industry as a producer, consumer, merchant, or agent and who shall be chairman of the board.

The two elective members will hold office for a period of three years while the members who are nominated by the Minister will hold office during the pleasure of the Governor, who appoints all members of the board.

Unlike the Marketing of Barley Act, there is no provision in this Bill for control of production.

The usual provisions for the appointment by the board of licensed receivers who may receive and deal in Cyprus barrel medic seed on behalf of the board, and the establishment and maintenance by the board of a pool or separate pools for the marketing of seed, are included.

Provision is made for the legislation to come into operation on a date fixed by proclamation, and once proclaimed it shall remain in force for a period of three years from that date.

To some extent this Bill might be considered as pilot legislation for other small seeds and, depending on the results of this legislation for barrel medic seed, then organised marketing of other small seeds could be undertaken. At the present time, however, the producers of other small seeds are not wholly in support of a system involving a compulsory pool for their produce and the wiser course is to obtain the benefit of experience with barrel medic before considering or embarking on similar legislation for other small seeds.

I commend the Bill to the House.

Debate adjourned, on motion by Mr. Davies.

Message: Appropriations

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

House adjourned at 6.10 p.m.

Legislative Council

Tuesday, the 16th September, 1969

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

QUESTIONS (3): ON NOTICE

1. EDUCATION

Teachers' Salaries

The Hon. J. DOLAN (for The Hon. R. F. Claughton) asked the Minister for Mines:

(1) Is it a fact that the Minister for Education stated that he would average the salaries paid to teachers in New South Wales, Queensland and Victoria, when making the interim award to Western Australian teachers?

(2) What salaries are paid to teachers in New South Wales, Queensland and Victoria, who are placed on a grade equivalent to grade A14 on the Western Australian scale?

(3) What is the salary paid to a teacher in Western Australia on grade A14?

(4) On what dates were teachers in the three Eastern States placed on their present salary scale?

(5) What would be the gross salary of a teacher on grade A14 equivalent in New South Wales, Queensland and Victoria?

(6) Does the Minister consider that teachers on that grade in the Eastern States merit higher salary payments than their Western Australian counterparts?

(7) Is it true that Western Australian teachers must have higher qualifications to achieve grade A14 level than their colleagues in other States?

(8) What differences in the Consumer Price Index were taken into account when determining Western Australian salaries as compared with those in New South Wales, Queensland and Victoria?