while the amount for the year before was $82,000. This indicates that the Art Gallery is receiving an increased amount, although the Art Gallery people themselves, I am sure, would like to have more.

This brings us to another point. The Art Gallery is very poorly endowed so far as bequests are concerned. There was one in 1925 of $6,000, and this must have been used up because there is no record of it in the Gallery's report. The only bequest shown at the moment is the Nanny Barker bequest, and the interest of $285 from this bequest is what is used. It is, perhaps, a rather grave reflection on our community that the Art Gallery should be so poorly endowed by its citizens. Great value has been derived from bequests to galleries in other States and overseas. Notable among these is the Felton bequest of $380,000 to the Melbourne Art Gallery. In 1966 the value of paintings purchased from the bequest was estimated at $2,000,000. There can be little doubt that the Western Australian Art Gallery would appreciate and make effective use of similar bequests.

Coming a little closer to the contents of the Bill, I would say that I understand a branch gallery is one built from Government funds and under the sole management and control of the Art Gallery Board. Perhaps the Minister will correct me if I am wrong. A regional art gallery, on the other hand, is one which is established by local interests with advice and assistance from the Art Gallery Board, while the management and control and financing is largely a matter for the particular group concerned.

As the board itself has requested this legislation to clarify its legal position, we should ensure that its request is met. However, I feel the amendments do not fully achieve this objective. It would be wise to define what is meant by a branch gallery and what is meant by a regional gallery. This is not done. If my definition of a branch gallery is correct—that is, one built by and under the control of the Art Gallery—then these amendments will adequately cover the situation. However, regional galleries may be quite diverse in their origin. They might be set up by a local authority or by some business concern and they certainly do not appear to be likely to come under the sole management and control of the board.

If pieces of art are placed in these regional galleries, what will be the position of the board? Will the position remain exactly as it is at the moment? If it does, doubt will be experienced. If some damage is done or some article is lost, where does the onus lie?

Looking more particularly at the provisions of the Bill, clause 3, as I have said, contains the main amendment and gives authority for the board to operate outside the Art Gallery. Clause 4 is an amendment to section 20 and gives authority for the creation of a branch gallery. Clause 5 relates to the funds of the board, while clause 6 extends the prohibition of sale.

Here again the Act contains provisions for the sale of works of art in the gallery and I think the board would require similar authority in relation to the branch galleries. However when I spoke to the chairman of the board and other officers from the gallery I ascertained they did not desire this provision with regard to regional art galleries. If one of these regional art galleries wanted to allow an artist to conduct an exhibition in its building then the Art Gallery itself would have no objection. Here again, I am trying to indicate that the arrangement for the regional gallery is different from that for the branch gallery, but I do not think the Bill differentiates clearly enough between the two. Does this Bill prohibit the sale of pictures in regional galleries the same as in branches?

Clause 7 allows the board to manage the affairs of the Art Gallery and its branches and of any other place under the management and control of the board. This clause amends section 29. The amendment to section 18, paragraph (f), allows the board to advise and assist local authorities and other bodies in the establishment, control, and management of regional galleries. It can advise and assist. It does not stipulate that the board will have sole control.

Here again, doubt will remain as to the legal position of the board in regard to the regional galleries. I said earlier that the regional galleries will be the most important development of the extension work of the board and although it is intended under the Bill to clear up this point, it is still very vague. My reading of it may be wrong, and I hope it is; and I am sure the management of the Art Gallery will hope there is no doubt remaining. I would like the Minister to examine this and make quite certain the Bill does as is intended. I support the measure.

Debate adjourned, on motion by The Hon. J. M. Thomson.

House adjourned at 4.55 p.m.

Legislative Assembly

Thursday, the 3rd October, 1968

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

QUESTIONS (23): ON NOTICE

ROAD ACCIDENTS

Number and Causes

1. Mr. GRAHAM asked the Minister for Traffic:

   (1) What number of road accidents—

   (a) casualty;

   (b) non-casualty;

occurred during the year ended the 30th June, 1968?

(2) How many of these accidents, respectively, were attributed to—

(a) the effects of alcohol;

(b) tiredness;

(c) failure to give way to the right;

(d) speeding?

Mr. O'CONNOR (for Mr. Craig) replied:

(1) (a) 4,779.

(b) 17,378.

(2) (a) to (d) This information is not available from the Bureau of Census and Statistics.

ADOPTION OF CHILDREN

Costs Involved

2. Mr. TONKIN asked the Minister representing the Minister for Child Welfare:

Generally, what Government charges and private legal fees, respectively, have to be met by adopting parents in proceedings to effect the adoption of a child?

Mr. O'CONNOR replied:

Government charges through the Child Welfare Department total $21.30, made up of—

$5.00 court fees and commissioner's fees,

$0.30 for Extract of Birth,

$16.00 for departmental work.

These charges are at present under review. Charges for adoptions arranged by legal practitioners are not known to the department. It is understood, however, that they are governed by the scale of legal fees legislatively approved.

MODELLING AGENCIES

Registration and Fees

3. Mr. HARMAN asked the Minister for Labour:

(1) How many modelling agencies are licensed pursuant to the Employment Brokers Act?

(2) Which are they?

(3) What fees are charged by each agency?

Mr. O'NEIL replied:

(1) Five.

(2) McQuilkin School of Poise and Model Agency.
Julie McFarlane School of Deportment.
Joyce Spiers Modelling School and Agency.
Perth Mannequin Academy.
W.A. Model Academy.

(3) Ten per cent. of the earnings per engagement.

TRAFFIC BRIDGE

Seventh Avenue, Maylands

4. Mr. HARMAN asked the Minister for Traffic:

In view of his decision to close the Seventh Avenue Bridge to vehicular traffic because of deterioration, would he examine the feasibility of building a new bridge in this area which could also cater for traffic using the Third Avenue Bridge and thus allow this bridge, which presents a serious traffic hazard, to be closed?

Mr. O'CONNOR (for Mr. Craig) replied:

Investigations for a new structure to replace both the Seventh Avenue and Third Avenue Bridges will be undertaken by the Main Roads Department in consultation with the Perth Shire Council and the Town Planning Department. Preliminary surveys have already been carried out. As there are many problems to be overcome and a question of priorities to be considered some time will elapse before any decisions are made.

LAND AT TOODYAY

Bald Hill and Emu Brook Area

5. Mr. McIVER asked the Minister for Lands:

(1) What is the area of land in the Toodyay district, comprising Bald Hill and Emu Brook waterfall area, recently handed back to the Lands Department by the Defence Department?

(2) Will he table a map of the area?

Mr. BOVELL replied:

(1) The land concerned is the former Avon Valley Army training area containing 34,526 acres.

(2) Yes. A plan showing the area bordered green and hachured red is submitted for tabling.

The plan was tabled.

6 and 7. *These questions were postponed.*

BUNBURY POWER STATION

Coal and Production Costs

8. Mr. JONES asked the Minister for Electricity:

When 469,968 tons of coal was consumed at the Bunbury generating station in 1965, what was—

(a) the average cost of coal per ton landed at the station;

(b) the cost per unit of power produced?

Mr. NALDER replied:

Information for calendar year not available—reply based on financial year ended the 30th June, 1965.

(a) $7.53.

(b) .563c per kwh (capital costs are excluded).

COLLIE-ROELANDS ROAD

Sealing

9. Mr. JONES asked the Minister for Works:

(1) In view of the fact that portion of the new road being constructed between Collie and Roelands has been sealed, why has there been such a long delay in the sealing of the remaining section?

(2) When will the section referred to be sealed?

Mr. ROSS HUTCHINSON replied:

(1) The reconstruction of the road between Collie and Roelands extended into the winter months. Due to unsatisfactory weather conditions some sections became too wet to compact satisfactorily and therefore could not be primed.

(2) The compaction and priming of the remaining section is now in progress and should be completed by the end of next week.

POINT PERON-GARDEN ISLAND DEVELOPMENT

Provision of Boat Passage

10. Mr. RUSHTON asked the Minister for Works:

Released development plans for Point Peron-Garden Island have indicated a causeway connecting these two points with provision for passage to sea to allow for boating and cleansing of Cockburn Sound and Mangles Bay. In view of a writer's recent statement that the Government intended to close the south channel should development eventuate, will the department confirm the intention of providing a suitable boat passage to sea between Point Peron and Garden Island should planned development proceed?

Mr. ROSS HUTCHINSON replied:

Viewed from this point in time, yes.

BUILDING BLOCKS

Forrestdale

11. Mr. RUSHTON asked the Minister for Lands:

Referring to the answer by the Minister for Housing on the 18th September, 1968, as to the State Housing Commission's intended activities for the Forrestdale area—

(1) Will the department take immediate steps to release land for home building at Forrestdale as soon as possible?

(2) If "No," what conditions need fulfilling to allow the release of building blocks under demand?

(3) What acreage of land suitable for home building is held by the Crown at Forrestdale?

Mr. BOVELL replied:

(1) and (2) As stated in my answer to a similar question on the 12th September, 1968, this area is zoned "rural" and requires to be rezoned "urban" before steps can be taken to release land at Forrestdale for residential purposes.
The Lands Department is currently taking the necessary action and will approach both the Metropolitan Region Planning Authority and the local shire to have the area rezoned.

(3) There is about 15 acres of suitable land under consideration.

DUPLEX PROPERTIES

Separate Titles

12. Mr. CASH asked the Minister representing the Minister for Town Planning:

Does his answer of Tuesday, the 17th September, 1968, mean that it is legally possible to subdivide a residential lot on which a duplex residence has been erected, or is to be erected, so that the owners of each section of the duplex residence can secure a separate certificate of title for his portion of the original building lot?

Mr. LEWIS replied:

Yes, subject to the approval of the Town Planning Board or of the Minister on appeal.

NITROGENOUS FERTILISERS

Shortage

13. Mr. NORTON asked the Minister for Agriculture:

(1) Is there any shortage of nitrogenous fertilisers in Western Australia at the present time; if so, which are in short supply?

(2) When is it anticipated the shortage will be overcome and from what source?

(3) What is the reason for these fertilisers being in short supply?

Mr. NALDER replied:

(1) to (3) There is no shortage of nitrogenous fertiliser in Western Australia at present, and there seems no likelihood of any shortage developing.

CONTAINER BERTHS, FREMANTLE

Earnings and Completion

14. Mr. FLETCHER asked the Minister for Works:

(1) Is it anticipated that the Fremantle Port Authority can earn sufficient from the new container berth to service the capital outlay on the existing installation?

(2) Will charges to overseas shipping companies also be adequate to finance completion of the present uncompleted container berth?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) The financing of the completion of construction of the second container berth when required will not come from revenue but will be financed from normal capital sources.

HIGH SCHOOLS

Provision of Halls and Gymnasiums

15. Mr. DAVIES asked the Minister for Education:

(1) Are halls and/or gymnasiums being provided at high schools?

(2) If so, on what basis?

(3) What are future proposals in this direction?

(4) What schools have been selected for the provision of these facilities?

Mr. LEWIS replied:

(1) In a number of recently erected high schools, and in the new Como High School, enclosed areas have been specially designed to meet the needs of physical education and to serve as halls. In established high schools halls will be provided in accordance with priorities for other building requirements.

(2) The erection of halls will be determined according to priorities in the overall building programme. Consideration will also be given to factors such as the number of years the school has been established.

(3) In the 1968-69 building programme, two halls will be erected.

(4) A contract has been let for the Hollywood Senior High School. Plans are being prepared for Applecross Senior High School.

16. *This question was postponed.*

LOTTERIES COMMISSION

Advertising Expenditure

17. Mr. CASH asked the Chief Secretary: What amount was spent by the Lotteries Commission on advertising in each month of 1968—

(a) for promotional advertising;

(b) for advertising of the result of consultations?

Mr. O'CONNOR (for Mr. Craig) replied:

	(a)	(b)
	$	$
January	4,989.78	1,457.83
February	2,032.56	1,467.12
March	7,795.21	1,320.88
April	6,478.48	2,035.69
May	5,203.13	1,170.52
June	4,825.93	2,150.97
July	8,881.49	1,601.37
August	9,536.08	698.66
September	7,972.23	3,003.09

UNMARRIED MOTHERS

Number

18. Mr. HARMAN asked the Minister representing the Minister for Child Welfare:

Will he supply the number of unmarried mothers in 1965, 1966, and 1967?

Mr. O'CONNOR replied:

1965—1,428 (excluding children of full blood aborigines).

1966—1,594 (excluding children of full blood aborigines).

1967—1,932 (including children of full blood aborigines).

STUDENTS HOSTEL

Kalgoorlie

19. Mr. BURT asked the Minister for Education:

(1) Has he read a report of a conference of goldfields local governing bodies, held in Coolgardie on Saturday last and published in the *Kalgoorlie Miner* on Monday, wherein it was stated that a school students' hostel would be built in Kalgoorlie?

(2) If so, would he advise if this statement is correct?

(3) When does he anticipate that a students' hostel will be established in Kalgoorlie?

Mr. LEWIS replied:

(1) Yes.

(2) No undertaking has been given by the Country High School Hostels Authority to any organisation as to the building of a hostel in Kalgoorlie.

(3) The establishment of a hostel at Kalgoorlie will depend on—

(a) a survey, at present being undertaken, disclosing sufficient boarding students; and

(b) the availability of funds, bearing in mind high school hostel requirements generally throughout the country areas of the State.

SUPERPHOSPHATE

Demurrage

20. Mr. McPHARLIN asked the Minister for Railways:

How many charges have been laid and how many convictions have resulted under clause 32, railway goods rate book, for demurrage on superphosphate for the year ended the 30th June, 1968?

Mr. O'CONNOR replied:

Cases of outstanding demurrage are referred by the Railways Commissioner to the Crown Law Department for collection. The information sought cannot be provided without considerable research but it is estimated that fifteen persons were sued for debt in this connection during the year ended the 30th June, 1968.

ROAD MAINTENANCE (CONTRIBUTION) ACT

Convictions

21. Mr. McPHARLIN asked the Minister for Transport:

How many charges have been laid and how many convictions have resulted under the Road Maintenance (Contribution) Act since the inception of the Act to the present date?

Mr. O'CONNOR replied:

4,333 charges have been laid.

2,442 convictions have resulted.

TOTALISATOR AGENCY BOARD

Cash Bets

22. Mr. TONKIN asked the Minister for Police:

Where an agent of the T.A.B. acting on behalf of an investor, places a cash bet out of cash funds held on behalf of the investor, are records kept at the agency from which information may be obtained as to the identity of the investor being so accommodated, and the amount of cash funds held by the agent on behalf of such investor?

Mr. O'CONNOR (for Mr. Craig) replied:

Whilst apart from those kept in connection with cash betting, no other official board records would be available, it is considered that any agent who, acting in his private capacity, placed a cash bet out of cash funds held on behalf of an investor, would, on the day concerned, have records to satisfy the board that Operating Instruction No. 279/68 had not been contravened.

NARROGIN RAILWAY YARDS

Plans for Alterations

23. Mr. W. A. MANNING asked the Minister for Railways:

(1) Is it considered that the arrangement of the Narrogin railway yards is most inconvenient?

(2) In what year were plans prepared for major alterations?

(3) When will such a plan be implemented?

Mr. O'CONNOR replied:

(1) No, but some improvement is desirable and to this end work to the value of $19,000 has been authorised. This is expected to be put in hand almost immediately.

(2) and (3) Major alteration may be necessary at some future date but this will depend on several factors such as increase in traffic, dieselisation, and generally altered working, and is being examined on a long term proposition.

QUESTION WITHOUT NOTICE

LOTTERY RESULTS

Printing in Larger Type

Mr. T. D. EVANS asked the Chief Secretary:

A few weeks ago I asked a question as to whether steps could be taken to improve the layout of the printing of lottery results. I asked whether a larger print could be used, and the answer given to my question was, "Yes."

I now ask: Have steps yet been taken, because this week's lottery results showed no improvement?

Mr. O'CONNOR (for Mr. Craig) replied:

The Minister most directly concerned with this portfolio is in another place. As I have had no notice of the question I am unable to answer it. However, if the honourable member likes to place it on the notice paper, I will endeavour to obtain the answer required.

ELECTORAL ACT AMENDMENT BILL (No. 2)

Introduction and First Reading

Bill introduced, on motion by Mr. Bickerton, and read a first time.

WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL

Recommital

Bill recommitted, on motion by Mr. Ross Hutchinson (Minister for Works), for the purpose of inserting a new clause.

In Committee

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

New Clause 4—

Mr. ROSS HUTCHINSON: I move—

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

S.19 amended.

4. Subsection (2) of section nineteen of the principal Act is repealed and re-enacted as follows—

(2) A person shall not be admitted to examination for a certificate unless he speaks and writes the English language intelligibly. .

The relevant subsection sought to be repealed reads as follows:—

No person shall be eligible for candidature for examination unless he is a British subject.

This is contained in part III of the principal Act, which part is devoted to examinations and certificates, and the desire is to repeal the provision that no candidate shall be eligible to sit for an examination unless he is a British subject and to insert in lieu merely a provision that if an alien or migrant can write and speak intelligible English he may be eligible for examination. It has been the trend for some time to remove this particular provision from various Acts.

The amendment is placed before the Committee at this stage because of a motion that was carried at a safety of life at sea convention in Geneva, in 1960, when it was considered that international boundaries could be held to be broken down by such a move. The Commonwealth similarly moved in 1967—some seven years later—and since that time other States have followed suit, with the exception of South Australia. The only other advice I can give to the Committee is that, in addition, one or two of the States that have moved in this regard have also included another provision to the effect that a migrant must be resident in the State for 12 months.

I felt there was no necessity to include this provision in the Western Australian Act, because it would be foolish to try to recruit people for a particular purpose and then expect them to reside in the State for 12 months before they became eligible to be admitted for examination. The States of Victoria and New South Wales have the same sort of provision as that contained in the amendment I have just moved.

Mr. TONKIN: The Minister's explanation is satisfactory to us, and we agree to the proposal.

New clause put and passed.

Bill again reported, with an amendment.

KEWDALE LANDS DEVELOPMENT ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [2.35 p.m.]: I move—

That the Bill be now read a second time.

The Kewdale Lands Development Act, 1966, provided for the establishment of a body known as the Kewdale Development Authority. Members will recall that at that time a considerable amount of disorder had started to develop, and had, in fact, substantially developed, in this general area. In view of its significance in the industrial complex, and particularly in its relationship to the marshalling yards and the freight terminal, it was necessary to have statutory authority to bring this together for organised development, and so Parliament passed this legislation.

The functions of this authority, comprising *ex officio* the Town Planning Commissioner, the Director of the Department of Industrial Development, and the Under-Secretary for Lands, are to acquire certain land specified in the schedule and, in its discretion, to develop and sell the land. About 280 acres of the specified land comprised land excised from the Kewdale marshalling yards and replaced, for marshalling yard purposes, by other land at Forrestfield.

The balance of the specified land, comprising about 500 acres, was to have been acquired by the Metropolitan Region Planning Authority under the provisions of section 37A of the Metropolitan Region Town Planning Scheme Act, 1959, and sold to the development authority after consolidation with the land excised from the Kewdale marshalling yards.

The Kewdale Development Authority has prepared a plan of subdivision of the specified area, and some 600 acres of industrial land are available after providing for drainage and an entirely new internal road system. There are some 220 individual lots available in the subdivision ranging from three-quarters of an acre to six acres in area, with 12 lots from seven

to 10 acres, each with access to the railway system, and four special use lots of four, 13, 20, and 50 acres in area.

The 50-acre lot is to be reserved for future use for metropolitan markets; an alternative area of adjacent land being available for acquisition by the development authority by way of exchange. This new metropolitan markets site will not be required for this purpose for many years to come and may not be required at all, but in the meantime it will be available for lease. This is without losing the possible use of the land for its original purpose.

The 13-acre lot which is centrally situated in the overall Kewdale industrial area is earmarked for business and commercial purposes including a service station site and will be subject to further subdivision as such use is clarified.

The four-acre site is proposed to be used as a hotel site, while the 20-acre site may be used as a centrally-located fuel depot, or further subdivided if this use is not fulfilled.

Generally the subdivisional design is in keeping with experience of the pattern of demand for lot sizes encountered in the Department of Industrial Development over a period of years, but still sufficiently flexible to provide lots of greater or lesser size without embarrassing the structure of the road or drainage pattern. By way of amplification, although these areas for the time being have been subdivided into these size lots, it is not unusual to have inquiries which would mean bringing two or three of these lots together. However, a design has been worked out to give the degree of flexibility necessary to meet particular cases.

The existing Act provides in section 11 that the land described in part III of the schedule, being part of the land included in improvement plan No. 1 shall—I emphasise the word "shall"—be acquired by the authority—the Metropolitan Region Planning Authority—under the provisions of section 37A of the Metropolitan Region Town Planning Scheme Act, 1959.

If this is taken literally it means that all the land described must be acquired, but as some 56 acres are owned by some industrial concerns of importance, and they have undertaken developments which are consistent with the objects of the scheme, it is unnecessary and beyond the financial resources of the authority to acquire these properties, and the obligation to acquire should provide for discretion to be exercised to exclude such unnecessary acquisitions.

Quite obviously it would be futile and plain humbug to compel the authority to go through the cumbersome procedure of acquiring these industries which are in their rightful location and are fulfilling the purposes intended by the scheme, and then give the land back to them.

Mr. Jamieson: I pointed that out when the original legislation went through.

Mr. COURT: I remember the incident. At that time I was told there was no need for acquisition, because the industries would fit into the scheme. I think there is a reference in *Hansard* to this matter. I am given to understand that under the wording of the Statute we cannot use any discretion; we want to be able to exercise a discretion in the case of a concern which is established in a manner and in a location consistent with the overall scheme.

Also included in the land described in the existing Act are several parcels of land already in Crown ownership or agencies of the Crown in right of the State. There are about 145 acres of land owned by the State Housing Commission which, being classified for industrial use in the region plan, can no longer be used for Housing Commission purposes. Some 17 acres are controlled by the Metropolitan Water Supply, Sewerage and Drainage Board, and about eight acres are subject to the Industrial Development (Resumption of Land) Act. There is also a large area of closed roads, the fee of which is vested in the Crown.

It is unnecessary for this land to be transferred to the Metropolitan Region Planning Authority under the improvement scheme procedure and then to the Kewdale Development Authority, when it could be transferred direct; and the Bill provides for this.

Section 11 of the existing Act provides for consolidation of the lands described in parts II and III prior to sale by the Metropolitan Region Planning Authority to the development authority. When we discussed this matter with the lawyers it was not clear in the implementation of the scheme as to what the word "consolidation" meant. Consolidation in one title, under one ownership, or in one lot, is extremely difficult, time consuming, and not really necessary. Frankly I thought the Statute was quite clear in this respect. When we used the word "consolidation" we meant to bring these several pieces of land together for the purposes of a sensible scheme. Now there is conflict among our legal friends as to what the word does mean. Some of them say it means what Parliament and I thought it meant, but others think it means bringing the land together in one title. Under the Bill we are seeking to resolve the argument.

As effective consolidation is provided in the subdivisional plan, and as the Kewdale Development Authority will eventually acquire the whole of the land involved, the present ambiguity is proposed to be removed by subdivisional consolidation.

There is also some land in Crown ownership or agencies in right of the State which is available and desirable to include in the

subdivision, or otherwise to vest in the development authority, but which is not included in the description comprised in the schedules.

I propose to table a plan which will clarify the situation, and from which members will see very clearly the pieces of land I am referring to. These pieces of land adjoin the existing area, and they quite obviously should be incorporated within the boundaries; but because of the very specific wording of the original Statute these areas cannot logically be incorporated.

Mr. Brady: Does all this information have to be published in the newspapers to advise the general public of the proposed alterations?

Mr. COURT: There is no channel of information more public than this Parliament. We are dealing with a specific Statute. We cannot do any more than that.

Mr. Brady: It will be unfortunate if the people concerned come forward six months later and say they know nothing about the matter.

Mr. COURT: The honourable member can relax, because all this land is Crown land.

Mr. Jamieson: You will tell the Crown!

Mr. COURT: The Crown is telling me. It is desired to bring all this land within the boundaries, and that seems to me to be sensible.

Mr. Bovell: I have looked at the matter.

Mr. COURT: The Minister for Lands has a representative on the authority. Such land includes the substantial area of adjacent land, to which I have previously referred as being available by way of exchange for the 50 acres to be reserved for future use for metropolitan markets. Members will see from the plan there is an area to the south of the main marshalling yards which was originally set aside for the metropolitan markets. For better location, that has now been incorporated in the main authority area, and this land therefore becomes available for industrial purposes.

There are certain small areas of surplus railway land, one small area of land acquired by the Metropolitan Region Planning Authority, with other land purchased for road purposes, and a small area of State Housing Commission land, required to complete a sensible subdivision.

This additional land is to be specified by additions to the parts and is more particularly described in relation to the land comprised in the existing legislation in a plan which I will request permission to table when I have finished my comments on the second reading.

The Kewdale Development Authority has been actively carrying out its function of developing the land for sale to industrial users and is co-ordinating the operations of the respective departments concerned with initial acquisition, design, road and drainage construction, and provision of water supply. Liaison is also being maintained with the State Electricity Commission in regard to power supply and with the Postmaster-General's Department in regard to telephone services.

The bulk of the land concerned is located in the Shire of Belmont, only a small area of about 40 acres being within the Canning Shire. Both shires are being kept fully informed by the development authority, and internal roads the responsibility of the development authority as subdivider are being constructed by the local authority to its own specification at the cost of the development authority.

Generally the policy of the development authority is to develop on a face consistent with demand for sites and funds available, and as this project will involve a total estimated expenditure of some $6,500,000 to be repaid out of money resulting from sales of developed sites, the magnitude of the operation and necessity for such policy is obvious.

Considerable interest is being shown by industrial users in land becoming available as a result of this undertaking, and applications are already in hand for approximately a third of the land concerned. I might add that inquiries have been received for a very much greater proportion than that; but these are the blocks held, for which firm proposals for their purchase have been made.

This indicates the attractive nature of the proposition and the advantage of development of a well planned industrial estate by a body willing to help and encourage industry.

I should add that this land will not be cheap land based on the standards that we are used to in this State, or in the other States. I think it is fair to say this land will be much cheaper in its subdivided and fully developed state than it would be had we not taken the action which we did take in 1966. The matter was getting out of hand with speculators and others who could see the obvious value of land near the marshalling yards.

Mr. Jamieson: G.M.H. does not think it is too cheap.

Mr. COURT: It does not think it is cheap because it compares it with the prices for which it can get land suitable for its purposes in other cities. I have already dealt with this in some statements I made following the representations made in Armadale. I pointed out that the prices then asked in the Armadale area were going to make it extremely difficult to assist the area in the attraction of industry, having regard for the other problems, such as distance from the centre, and so on.

I thought members would be interested to know that with the exception of one small factory covering 2 roods 16.7 perches, the acquisition of all privately-owned land in this undertaking was completed with the gazettal of the resumption of 10 properties on the 29th March, 1968, mostly by negotiation.

Land owned by the State Housing Commission and the Department of Industrial Development is being transferred to the development authority. The procedure for transferring the land, described in the second and third parts of the schedule to the Kewdale Lands Development Act, is, being undertaken by the Crown Law Department, but this will necessarily take some time as surveys and subdivisional procedures are involved. However, there will be no delay in development or sale on this score as the Kewdale Development Authority is entitled to be registered as the proprietor of the land by virtue of the provisions of the Kewdale Lands Development Act, and sales of developed land can be legally made by contract of sale.

Expenditure to the 30th June, 1968, involved a total of $2,876,726 and this was expended out of Treasury advance of $3,000,000 provided for initial finance. This money, I want to emphasise, has not been made available at the risk or expense of any other development. It was money made available outside normal loan funds by the Treasurer on a short-term basis for the purpose of acquisition and development of the area. Proceeds will come in fairly quickly from the sales which are now starting to take place.

The expenditure to which I have referred comprised $848,562 for purchase of railway land; $1,760,412 for purchase of industrial land; $255,688 for provision of drainage and water supply; and $12,063 for payment of rates and taxes and interest.

Current estimates—as at the 30th June, 1968—provide for an additional $1,630,000 to be expended on settlement for land resumptions including $1,072,000 to the State Housing Commission, $600,000 on water supply and drainage, $630,000 on road construction, and $90,000 on land fill. The only income from sales to this point —there was none to the 30th June—is $65,000, but with the imminent completion of survey and drainage services in the first section of the area to be developed, some revenue will be available regularly from now on.

The subdivision comprises a total of 600 acres after providing for drainage and an entirely new internal road system. These 600 acres of industrial land comprise 217 individual lots from half an acre to five acres in area, 12 lots from seven to 10 acres each with access to the railway system, and four special use lots of four, 13, 20, and 50 acres in area.

I have already explained these special use lots. The 50-acre lot is for the new location of the metropolitan markets as an alternative to the original site; the 13-acre lot is centrally situated in the area and is earmarked for business and commercial purposes, and will be subject to further subdivision if such use is clarified. This, of course, indicates the value of having this on a consolidated basis because provision can be made for the special type of services which are so vital and need to be so centrally located in an area of this kind.

Generally the subdivisional design is in keeping with experience of the pattern of demand for lot sizes encountered by the Department of Industrial Development over a period of years, but we have allowed the flexibility to which I referred earlier for consolidating one, two, three, or four of these lots together so as to give the necessary size to appropriate industry, but without upsetting the general plan of the road or drainage pattern.

A survey of this subdivision is in progress, but is dependent on earth-moving and drainage construction, much of which has been completed. Submission has been made for Town Planning Board approval and advice has been sought from the Nomenclature Advisory Committee with respect to street names.

I think it is appropriate if I record some of the pertinent factors regarding this scheme, because it was the first of its kind we had attempted and members will want to know something of the procedures.

In view of the limitation of sums available for development, the provision of road, drainage, and water supply services, which are the obligation of the Kewdale Development Authority, as subdivider of the land, must necessarily be phased to suit the availability of funds and the demand for the land concerned; another important factor is the requirements of the Railways Department for road access to the Kewdale freight terminal where such access is partly or wholly the responsibility of the development authority.

To meet this situation and to take advantage of major contributions by the Main Roads Department where regional roads pass through or abut the land concerned, efforts have been concentrated on drainage and road construction in the area of land excised from the Kewdale marshalling yards and described in part II of the schedule of the Act. Construction of Kewdale Road from Welshpool Road to the intersection with Abernethy Road is well advanced, as is a section of Abernethy Road, and a short access road to suit the requirements of the department. These roads are being constructed

by the Main Roads Department with a proportion of the cost to be provided by the Kewdale Development Authority and the Canning Shire.

May Street from Planet Street to Abernethy Road will also be built by the Main Roads Department on completion of Kewdale Road and this will be followed by the construction of internal roads linking May Street and Kewdale Road. It is envisaged that internal roads will be constructed for the development authority by the Belmont Shire to shire specifications.

With regard to drainage of this first section, this is being undertaken, at cost to the Kewdale Development Authority, by the Metropolitan Water Supply, Sewerage and Drainage Board and is almost completed. Laying of water mains will proceed with road construction on completion of drainage.

Although there were no actual sales to the 30th June, 1968, numerous inquiries had been made by interested parties, and a total of 36 applications was registered at that time for 208 acres of land valued at $2,300,000. This is a third of the land available and indicates the attractive nature of the development to industry generally. At this point of time approximately 14 sales are being processed and over 30 firm applications are already held.

The sale price of the land to industry has been calculated on the basis of the total cost of acquisition and development and the number of acres available for sale, the resultant prices being $11,000 per acre for 489 acres which do not have access to rail, and $12,500 per acre for 111 acres which do have rail access.

The total sale value of 600 acres of available industrial land at these prices aggregates $6,766,000, which approximates the overall costs, including interest on the initial Treasury advance.

The objective is to recoup the Government for its cost of acquisition and, of course, the cost of development, and to make sure the Treasury is not out of pocket for interest on the short-term money which has been made available for the scheme. It is only because of the short-term money being made available to enable ready settlement of acquisition prices and to undertake the development necessary such as drainage, roads, and the like, that it has been possible to bring these pieces of land together under this legislation, and bring about what I consider to be a most desirable industrial complex.

The prices that are being asked are realistic when compared with asking prices for privately-owned land on the south side of the former marshalling yards area, where prices in excess of $10,000 per acre at the time of the Kewdale Development Authority's 30th June report were being asked, without constructed road access or drainage. These were the normal prices offering then, but they are slightly more now. All the Kewdale Development Authority land will be fully serviced with roads on two frontages to lots in excess of one acre and drained where necessary.

With your permission, Mr. Speaker, I would like to table a number of copies of a brochure in connection with the Kewdale industrial estate. Perhaps it will be preferred that I table only one and leave four copies with the Clerks which can be made available to any members who want to see them.

I would also like permission to table the plan of the area, which is much easier to follow than the schedules in the Bill. The broken red line is the original outline, as defined in the 1966 parent Act. The key to the plan shows very clearly the areas from one to nine, and shows the land formerly acquired for the future metropolitan markets site which is available to be vested in the Kewdale Development Authority. It shows the Crown land required to be vested in the Kewdale Development Authority to complete the subdivision, the industrial establishments to be included by the Kewdale Development Authority, the State Housing Commission land to be transferred direct to the authority, the Department of Industrial Development land to be transferred to the authority, and the Metropolitan Water Supply, Sewerage and Drainage land desired to be transferred direct to the authority; and the ninth key is for the new metropolitan markets site reservation, which is the site proposed in exchange for the original one shown on the map. The original one is outside of the original boundaries of the authority and it is now desired to bring it within the official boundaries of the authority.

The brochure and plan were tabled for the duration of the debate in the Legislative Assembly.

Debate adjourned, on motion by Mr. Davies.

TIMBER INDUSTRY REGULATION ACT AMENDMENT BILL

Second Reading

MR. BOVELL (Vasse—Minister for Forests) [3.4 p.m.]: I move—

That the Bill be now read a second time.

The Bill now before the House is designed to safeguard and protect those persons engaged in the sawmilling and other associated industries.

The Timber Industry Regulation Act was promulgated in 1926 and it not only provided for the inspection and regulation of the timber industry but it was also a means of introducing safety precautions for persons employed in the industry. The

Act was amended in 1937 to make provision for the registration of sawmills within the meaning of the Act.

Further amendments in 1946 and 1950 resulted in the amendment of the definition of "timber holding" so as to include timber yards and workshops associated with such timber yards. These are the only amendments since legislation was first introduced. Along with most other industrial processing, the timber industry has undergone a number of major changes since the Act was first passed by Parliament. Felling by axe and saw has been replaced, first by power saw and then by the chain saw. Loading by bulldozer and the transporting of logs by motor truck has revolutionised the methods of logging. Sawmilling and hewing were the only methods of treating logs. Hewing is now no longer carried out and other methods such as peeling, slicing, chipping, and pulping have been introduced necessitating the use of different types of machinery.

The techniques of sawmilling have also undergone drastic changes aimed at higher efficiency, and the introduction of modern machinery such as carriage-fed benches and multiple saws has completely changed methods of sawmilling in larger mills.

Electrification of mills and independent motors for each bench has led to greater efficiency, and the establishment of preservative treatment plants has increased the uses for different kinds of timber.

The Act and regulations, as they now stand, do not cover some of the new processes and machines, and amendments are necessary to ensure the maximum safeguards in the industry. Due to the work of inspectors and the close cooperation of the sawmilling companies, the number of fatal accidents in the industry has been reduced from 64 in the 10-year period from 1948 to 1957, to 24 in the next 10 years to 1967. Here I am pleased to quote that the year 1967 was the first in which no fatal accident occurred. A committee set up to redraft the Act and regulations, consisting of officers from the Forests Department, the Timber Industry Regulation Act district inspector, sawmilling industry, and Timber Workers Union officials, has suggested several amendments.

Under the proposed amendments, the workmen's inspector will be appointed by a panel comprising the controlling officer who is the Conservator of Forests, the district inspector, and a nominee of the Timber Workers Union. In the past the workmen's inspector was elected by the workmen but was then no longer responsible to them or the union. The controlling officer at present is responsible for supervising the duties of the workmen's inspector and paying his salary but has no say in his appointment.

For improved operation the Act is being revised so as to give the workmen's inspector greater responsibility and it is therefore most important that the duties are in the hands of the most capable person available. The Timber Workers Union is quite happy with the new arrangements and has signified its agreement to that effect to the Conservator of Forests.

The Bill also provides that section 47 of the Factories and Shops Act shall not apply in respect of timber holdings. If this section applied to the Timber Industry Regulation Act, it would completely override section 21 of that Act, which provides for the immediate stopping of any unsafe machinery. This would mean that the inspectors could only act with the sanction of the Factories Welfare Board, and any delay could cause loss of life or serious injury.

The committee considered that section 47 of the Factories and Shops Act was never meant to hinder or nullify the workings of the Timber Industry Regulation Act and that it should not apply.

I would like to pay a tribute to the workers in the timber industry. They work consistently and without any industrial trouble; I do not think there has been any trouble in the industry since the turn of the century. This is a result of the close employer-employee relationship. I believe this measure will add to the protection of the employees in the industry, and I would emphasise that it is designed mainly to provide for the safety and protection of workers in what is undoubtedly a most important industry. All sections have collaborated in forming the proposed amendments, and I commend the Bill to the House.

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

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL

Second Reading

MR. O'NEIL (East Melville—Minister for Labour) [3.13 p.m.]: I move—

> That the Bill be now read a second time.

In 1966, the Government amended the Industrial Arbitration Act by repealing the quarterly basic wage declarations of the Western Australian Industrial Commission, and tying the wage to subsequent equation with the Commonwealth basic wage and its annual adjustments. It must be remembered that Western Australia was the only State at that time with quarterly adjustments. The Commonwealth went onto annual adjustments in 1953. New South Wales was tied to the Commonwealth wage; and Victoria and Tasmania automatically adopted the Commonwealth

wage. Western Australia was second only to Queensland as the highest basic wage State—Queensland was only 5c ahead.

The Western Australian basic wage was above the Federal basic wage for Perth and this caused many anomalies. While the basic wage for Western Australia was adjustable quarterly, and the Federal wage only annually, the build-up of the wage differential was considerable and always to the detriment of Western Australia. It was also a burden to those on fixed incomes, such as superannuated and pensioned people. The sawtooth movements of relative wage costs was detrimental to Western Australia's growth and expansion and, with Western Australia as a claimant State, there was no provision to receive grants to offset the higher State basic wage.

So, in 1966, the Government amended the Industrial Arbitration Act to tie the State basic wage to the Federal basic wage movements when such wages were equated. This action by the Government was to avoid the financial penalties imposed by the Grants Commission, which simply meant that loan funds had to suffer.

In 1967, the Commonwealth Arbitration Commission chose to depart from the traditional two-tiered wage structure and provide a total wage basis in Federal awards; and as Western Australia was tied by the Western Australian Act to parity with the Commonwealth basic wage, which was then non-existent, the decision placed the Western Australian Industrial Commission in the situation that it could not adjust the State basic wage and it had to adopt a three-tiered wage structure to vary wages when economic adjustments were warranted. Therefore, the Western Australian Industrial Arbitration Act must be amended to free the anomalous locking of two unrelated wage structures.

The Government is faced with two alternatives: Either it should adopt the total wage structure as adopted by the Commonwealth commission; or it should retain the concept of a two-tiered structure of wages with a basic wage as the primary wage and allow for a secondary wage to award margins for skill.

It must be emphasised that the Commonwealth Act still provides for a basic wage—however, it is not currently used. The A.C.T.U. appealed to the High Court against the decision of the Commonwealth commission to adopt a total wage. The appeal was rejected. However, the A.C.T.U. has again claimed for a basic wage in the 1968 national wage case. The decision by the Commonwealth commission will be given shortly—I understand from Press announcements it will be tomorrow. New South Wales and Queensland still retain a basic wage, while South Australia recently legislated for the retention of a "living wage" in that State.

Another major factor which must influence thinking on the question is that Western Australia is no longer a claimant State with the possibility of adverse financial adjustment by the Grants Commission because of the declaration of a Western Australian wage higher than that of the Commonwealth or any other State. The majority of States that determine their own industrial destiny still retain a basic wage, and this Government, having confidence in its own State Industrial Commission, favours the retention of a State basic wage to be declared by its own State industrial tribunal.

Therefore, the Bill repeals the existing structure of tying our basic wage to that of the Commonwealth, and re-legislates for a State basic wage.

While dealing with the principle of the concept of a basic wage, it is advisable also to deal with the principle of equal pay to females for work of equal value with males. It will be recalled that the Government introduced this concept into the Government work force with effect from the 1st January, 1968, and phased to equality by the 1st January, 1972. The Government considers this principle should be extended to industry and, therefore, it is inserting a new part into the Industrial Arbitration Act to allow the Western Australian Industrial Commission to determine equal pay for work of equal value when it is satisfied that the criteria of equal work value is met. Therefore, the Bill introduces two very important principles. They are—

(1) The determination of a State basic wage by the Western Australian Industrial Commission, subject to regular review.

(2) Laying down the principles for the Western Australian Industrial Commission to determine equal pay for females performing work of equal value to males when such is made.

I now propose to explain the Bill in more detail and I shall deal firstly with the amendments related to a State basic wage.

Provision has been made for the basic wage, which will apply at the commencement of this amendment, to be the basic wage applying as at the 24th October, 1966, plus the special loading granted by the commission and operating from the 1st July, 1967. This makes the commencing basic wage for males $34.10, and for females, $25.73.

The Industrial Commission, in determining the basic wage, is required to take into consideration, to the extent that it considers it relevant or advisable, certain basic principles: Firstly, the amount the commission considers sufficient to enable the average worker to whom the basic wage shall apply, to live in reasonable comfort; secondly, to take into consideration the

economic capacity of industry; and, thirdly, those decisions made in regard to the rates of wages which have been determined on economic grounds by other industrial tribunals, which would include decisions in the Commonwealth sphere.

In regard to the determination and declaration of the basic wage, provision has been made for action to be taken by the commission on its own motion, or on the motion of either the Trades and Labour Council, the Employers Federation, or the Attorney-General. However, no further action may be taken, other than by the commission, until the expiration of a period of 12 months after the last preceding declaration.

Mr. Davies: Why did they pick 12 months?

Mr. Graham: That is a secret.

Mr. O'NEIL: When this provision is utilised, approval is given to the three parties mentioned and any other person who, in the opinion of the commission, has sufficient interest in the proceedings to appear and be heard.

Mr. Brady: That is a contradiction of the first part. You said only three people were concerned—the Trades and Labour Council, the Employers Federation, and the commission. Now you say other people can interfere.

Mr. O'NEIL: I never used the expression "interfere," but for the benefit of the honourable member I will read that part again. It reads—

> When this provision is utilised, approval is given to the three parties mentioned and any other person who, in the opinion of the commission, has sufficient interest in the proceedings to appear and be heard.

Mr. Brady: In other words, a lot more than the three mentioned.

Mr. O'NEIL: The first parties mentioned may occasion the basic wage hearing to be heard—nobody else. Once it is determined to have a basic wage hearing then the commission can decide whether other interested parties who so desire may be heard before the commission. The commission makes the decision.

Mr. Brady: Is that for the sake of the hearing?

Mr. O'NEIL: There is specific provision for the commission, on its own motion, to vary the basic wage, but a variation can only take effect after the expiration of 12 months from the previous declaration or variation, unless—and this is most important—because of special reasons existing in the circumstances of any particular case, the commission considers it just and equitable to make a variation.

The legislation provides that special reasons or circumstances must exist before any variation can be made in a shorter period than 12 months, and then only on the motion of the commission itself. Care has been taken to ensure that the commission still has the power under section 94 of the Act to prescribe a minimum rate of wage for male and female workers in any award or agreement.

Finally, it should be noted that there is nothing in this Bill to prevent the commission from prescribing wages by reference to a wage other than a basic wage. The commission is completely unfettered in its authority in the way it can prescribe wages in awards and agreements. This amendment will allow the commission to declare a basic wage and margin or a total wage, and a minimum wage, a separate wage for females, a percentage of the basic wage or of the basic wage and margin for juniors.

This will allow the commission and the parties to awards the fullest flexibility by being able to have a total wage concept in those awards which should be related to Federal awards, or have a basic wage and margin in those awards which traditionally provide for a basic wage and margin.

In many Acts, regulations, agreements, contracts, etc., provision is made for variations in prices, rates, etc., to be determined by variations in the basic wage. To delete the concept of a basic wage would necessitate the amendment of a number of Statutes, regulations, contracts, etc., and the necessary introduction of some other method of adjustment on a rise or fall basis to cater for price variations.

The reintroduction of a State declared basic wage—and incidentally, it is provided that this can only be done by the Industrial Commission—will provide for a system of wage adjustment which is accepted and understood by the average worker.

Economic adjustments which should affect the whole work force can be initiated by adjustments to the basic wage. Adjustments for work values, or for industry assessment, can be made to the margins. This, the Government believes, is the soundest way to legislate for a good arbitration system.

The second major principle introduced by this Bill is the concept of equal pay for work of equal value as affecting female workers. Legislation on this subject has been introduced in New South Wales, Tasmania, and South Australia, and in a limited way in Queensland by way of arbitration.

The Government considers that in introducing legislation in Western Australia it is impelled to seek uniformity with the other legislated States which have adopted this far-reaching principle. We have placed the onus on the commission to satisfy itself that males and females in a particular industry or calling are performing work of the same and like nature and of equal value.

The commission must also satisfy itself that the female workers concerned are, in addition, doing the same range and volume of work as their male counterparts. The Bill provides for the method of removing the differential between the male and female rates where the commission is satisfied that such action is justified.

It prescribes that providing an application is made prior to the 30th June, 1970, the differential shall be removed by January, 1972. If an application is made after the 30th June, 1970, the commission is empowered to make its own decision as to the method and period of time for the removal of the differential.

It will be noted that the general provision which appears in the legislation of other States dealing with the question of equal pay, namely, that the principle shall not apply to any award or agreement that applies to persons engaged in work essentially or usually performed by female workers, but upon which male workers may also be employed, is also inserted in the Western Australian legislation. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Moir.

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

Second Reading

MR. O'CONNOR (Mt. Lawley—Minister for Transport) [3.28 p.m.]: I move—

That the Bill be now read a second time.

Having regard to the substantial increase in population which is occurring in Western Australia and particularly in the metropolitan area, the stage will soon be reached when it will be necessary for the Taxi Control Board to comply with section 11 of the Act. This section requires the board to issue additional taxi-car licenses once the population has reached the equivalent of 800 persons to each one taxi-car licensed in that area.

According to figures supplied by the Bureau of Census and Statistics the population at the 30th June, 1967, was estimated to be 557,173 which was an increase of 19,000 approximately on the figure at the 30th June, 1966.

Assuming there has been a similar increase for the year ended the 30th June, 1968, the population at that date would have been 576,200 persons. As there are 726 taxis at present licensed, this would equal one taxi to each 794 persons. It is proposed, therefore, to issue an additional 20 taxi-car licenses. This of itself does not require any amending legislation.

However, the Government is mindful of the fact that when taxi-car licenses are transferred from one owner to another a substantial sum of money, something of the order of $7,500 to $8,000 additional to the value of the vehicle, is now paid by the purchaser for goodwill.

Within the industry there are some 200 taxi drivers who are leasing taxi-cars at $56 per week each, many of whom have been driving a taxi, and giving good service, for quite a number of years but who have been unable to accumulate sufficient capital to purchase a taxi for themselves.

It is felt that if additional taxi-car licenses were made available at only the annual license fee of $20, plus plate fee of $2.50, it would be grossly unfair to the many persons who, during the last few years, have paid this large sum of money for goodwill, and also for other reasons.

In order to assist those lease drivers who have driven a taxi continuously for the longest period with a good record of service, it is proposed to make the 20 sets of plates available to them at 70 per cent. of the current market value at the time applications are invited. This is the main purpose of the Bill, and it will enable the Minister, upon the recommendation of the board, to determine what the premium should be from time to time, and how it should be paid.

Here again, in order to assist lease drivers to secure their own taxis, it is proposed that this premium should be paid for over a period of five years, which, at 70 per cent. of the present value, would approximate $20 per week.

Mr. Davies: Are there any interest rates?

Mr. O'CONNOR: There is no proposal in this regard.

Mr. Davies: Give it to Custom Credit.

Mr. O'CONNOR: I do not think that company would charge the same rate. What we are endeavouring to do is to assist people who are presently in the industry, and who have given good service to the industry over a period of time, to obtain cars of their own and to operate on their own instead of for some other person. There are numbers of persons who have given long service to the industry and who, under the present circumstances because of the value of plates, are unable to purchase the plates and obtain licenses for themselves. This is designed to assist those people; and it is not proposed that plates shall be passed on or sold to a person who has another vehicle or who is an owner-driver at the moment.

In order to prevent any person who obtains premium plates from transferring them at a greatly enhanced figure, a transfer will not be permitted for a period of five years from the date the license is issued except by the approval of the Minister, who will no doubt take into consideration any extenuating circumstances. We believe these plates should be retained for a period of five years—during which time they should be paid for—before they can

be transferred, unless there is a particular reason such as death, sickness, or something of that nature. Consideration can then be given to the matter.

Mr. May: Can they be retained by the wife of a deceased person?

Mr. O'CONNOR: That could be done and she could arrange for someone else to operate the cab. We are endeavouring to prevent a person obtaining plates as the result of a low issue figure and selling them the next day or the next week at a high profit. This is designed to help the individual himself. All moneys received on account of premiums will be paid to the credit of the public account or go into Consolidated Revenue.

The Bill also proposes to enable the board to issue taxi-car licenses on a restricted basis for portion of a control area to meet the needs of isolated parts not at present regularly served by metropolitan taxis or a local operator. These restricted licenses will also be made available at a premium to be determined by the Minister upon the recommendation of the board, but, because of the conditions and restrictions, will attract a smaller premium.

We have had a number of requests from places like Armadale, Rockingham, and so on where taxi services are required; but, because of the small movement of population in, say, Rockingham, taxi operators in the metropolitan area object quite strongly to having to go there to take a person three or four miles. It is not a profitable operation. So we propose to issue restricted licenses in such areas to enable a service to be provided. This restricted license would be issued to someone the board would recommend.

Mr. Brady: How would Midland fare?

Mr. O'CONNOR: I understand Midland is fairly reasonably serviced.

Mr. Brady: I think the position is reasonable.

Mr. O'CONNOR: I understand that is so. I know that at Gosnells, Rockingham, and other places, a service is desired. Therefore the provision is designed to allow the taxi board to issue a restricted license for a service to operate in these areas, because the board cannot do that at the moment. For instance, as the Act stands now, if a license were issued for a service to operate in Rockingham the person concerned could immediately come back to Perth and operate. The provision is designed to assist Rockingham and any other areas that are brought to notice.

The Bill also proposes to make the Taxi Control Board a corporate body to enable the board to acquire, hold, and dispose of real and personal property. From time to time circumstances have arisen whereby the board could have established an off-street taxi stand to give greater convenience to the taxi travelling public and improve traffic flow. Because it lacked authority to acquire the necessary land the board has, in the past, had to reject offers by local authorities, although the land has been available at little or no cost.

Provision is also made in the Bill for the registration of part-time drivers of taxis and for determining the hours and conditions under which they shall be permitted to operate. The need for part-time drivers is brought about by the fact that more and more taxi owner-drivers are taking time off for leisure and recreation, particularly during weekends.

Members probably realise that in the Eastern States—New South Wales and I think Victoria—part-time drivers operate quite satisfactorily. This has the effect of keeping taxis operating to a greater degree than here; and by having the same cab operating for a long period of time the city is not congested with a larger number of taxis than is actually necessary.

Mr. Brady: Can wives act as temporary drivers?

Mr. O'CONNOR: This would depend on whether they had applied to the Police Department and obtained authority to drive. Having done so, then, with the approval of the board, a wife could drive a taxi. We have a number of women taxi drivers in this State at the present time. Provided they pass the necessary test they can operate as drivers and do so.

There is a necessity for restricted drivers to have a period of rest during the time they are operating on Saturday and Sunday. They can work only until midnight on Sunday. This precludes them from driving on Monday. The board intends to take precautions to make sure that a person does not go straight from a job and drive a taxi, or vice versa.

Because of the general prosperity of the State and the increased demand for taxis during normal operating hours, quite a number of owner-drivers are earning sufficient to enable them to cease driving after midnight, and some do not drive after 8 or 9 p.m.

Like other workers taxi-drivers are entitled to recreation leave in order to spend some time with their families. Without the authority to engage a part-time driver it means that the taxi itself is not available to the public for the whole period the owner-driver is absent on leave and not operating his vehicle as a taxi-cab.

It is felt that if part-time taxi driving is limited to weekends it will provide a pool of drivers during the period when taxis are in shortest supply, and at the same time enable persons who cease their normal work on Friday afternoon to engage in taxi driving for a limited number of hours during the weekend.

A clause is also included in the Bill to enable regulations to be made to require the furnishing by a taxi driver of a statutory declaration. This will be particularly

necessary if difficulty is experienced in securing proof of the period a person has been driving when the board has to determine, when allocating additional licenses, the person or persons who have been driving a taxi continuously for the longest period.

The Bill also contains several consequential amendments and one amendment to substitute for the passage, "State Transport Co-ordination Act, 1933," the passage, "Road and Air Transport Commission Act, 1966," in the interpretation of taxi-car.

I believe that the Bill if passed will tidy up, to a degree, some of the problems being experienced in the taxi industry in Western Australia. It will permit a few more taxis on the road to give to the public better service than we have at present, and this will also be achieved by permitting part-time drivers to operate. I commend the Bill to the House.

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

BILLS (2): MESSAGES

Appropriations

Messages from the Lieutenant-Governor and Administrator received and read recommending appropriations for the purposes of the following Bills:—

1. Industrial Arbitration Act Amendment Bill.
2. Taxi-cars (Co-ordination and Control) Act Amendment Bill.

FIREARMS AND GUNS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 29th August.

MR. BRADY (Swan) [3.42 p.m.]: The amendments proposed by the Minister deal with two aspects of the licensing of guns by the Police Department. On looking through the first amendment I find it amounts to permitting the department to issue licenses—which, I believe, run to a figure of 80,000 a year—on a new system which will be dealt with by a computer. The Minister did not enlarge on this aspect and we have been left to arrive at our own conclusions as to what it means. If it means what I think it means I doubt whether the Minister is doing the right thing by his department and the State generally.

The proposal concerning the use of a computer method will enable the Police Department to stagger the issue of licenses over the whole of the year, something like what is being done with motor vehicle licenses at the present time. To enable this to be done requires an amendment to the principle Act, and so the Minister has brought down this Bill.

If, as the Minister anticipates, the amendment is passed in its present form, it will allow licenses to be issued for a period of 12 months from the date of issue. I understand that normally licenses are issued from the 1st January and they expire on the 31st December; but if this Bill is passed a person will be able to go along in January, February, March, June, or any other month of the year, and obtain a license.

In order that the staggering of licenses may be done effectively, and to prevent everybody from going along in January, it is proposed to issue licenses at a reduced, or a slightly higher, fee according to the period for which the license is required. For example, a license for six months would be calculated for six months at 10c per month, which is 60c. However, if a person wished to take out two or three licenses for a period of six months he would pay $1.20 or $1.80. In other words it costs him more for the lesser period.

I do not think it was anticipated by the Police Department or the Minister that would happen; however, it could, and it is a complication which this amendment is going to bring about. At present the Police Department charges an extra amount if a person elects to have a six-monthly, instead of a 12-monthly, car license. All members of the public pay this slightly increased fee.

Sitting suspended from 3.45 to 4.4 p.m.

Mr. BRADY: Before the afternoon tea suspension I was pointing out that the Commissioner of Police now desires to use the computer method to issue gun licenses; and, as a consequence, those taking out licenses will find that the cost will be graduated according to the number of months under or over 12 months involved, the fee being 10c a month. Apparently in 1947, when the issuing of car licenses was staggered, it took approximately 12 months to put the scheme into operation. If the proposal to stagger the issuing of gun licenses is agreed to, the scheme will start in January, 1969.

As I have just said, the first amendment in the Bill deals with the staggering of the issuing of gun licenses, and the second proposal concerns the exemptions in regard to rifles. This amendment is to section 9 of the Act and by it the Commissioner of Police seeks to remove from that section the exemption which is now given to members of rifle clubs from the holding of licenses. These may not be the Minister's exact words, but he said that a year ago consideration was given to this matter because individuals had breached the law with weapons. The Government, at that stage, would not agree to the withdrawal of the exemption but suggested that a conference be held with the W.A. Rifle Association. Certain conditions regarding the control of firearms were agreed to but the Police Department subsequently found that there were breaches of the undertaking given by the W.A. Rifle Association members.

The Minister did not outline what those breaches were, but I think it is because the department felt that there had been breaches of the undertaking by the members of the W.A.R.A. that it is now seeking to have even the members of those clubs issued with gun licenses. As far as I am concerned it is probably only right that there should be a record of the names of people who have rifles, but I believe that in this regard the Minister is approaching the proposition from the wrong angle. Instead of making individual riflemen take out licenses, I think the obligation should be on the rifle clubs to supply lists of members, complete with all details of the rifles issued to club members.

As members know, the Licensing Act provides that all recreational and sporting clubs which hold licenses to sell liquor have to supply a list to the Licensing Court showing the membership of those clubs. Under those circumstances the police can walk into those clubs at any time and demand to see the list of members who are permitted to be on those licensed premises.

If the Police Department wants a record of who holds rifles, or guns, the Bill could be amended along the lines I have just suggested—that is, that the rifle clubs shall be responsible for issuing the rifles to their members and for submitting a list of names, complete with details of the guns, to the department.

Under section 18 of the Act the Governor may make regulations to deal with a number of matters, and one is to make provision for the safe custody and control of firearms by persons entitled to have possession of same. If the Minister and the department want some control over firearms, and rifles in particular, all they have to do is to make a regulation under section 18 of the Act. In my opinion there is no need to amend section 9 to deal with the matter by making the men concerned take out licenses.

Let me deal with this matter on a more comprehensive basis. Who are members of rifle clubs and what has been the history of those clubs over past years? Why should members of rifle clubs now be forced to take out licenses for their guns? The history of rifle clubs in Western Australia goes back approximately 100 years. I have been a member of this House for 20 years and I never heard the right of people to have rifles without a license questioned until 18 months or two years ago when, overnight, a prominent citizen had his rifle taken away from him. This caused questions to be asked in Parliament as to whether the correct thing was being done. Subsequently the Police Department returned the rifle to the person concerned and, as far as I know, he is still a fully-fledged member of the W.A. Rifle Association.

I understand that at the time there was a domestic upset in the association and somebody took it upon himself to write to the Police Department, and that was the action taken. The person who had his rifle confiscated has an outstanding record as a citizen, but that is what happened.

When introducing the Bill the Minister did not give us any details about the breaches which he alleges have taken place and which warrant the amendment in the Bill, which will have the effect of forcing 2,000 riflemen to pay a license fee. Over 100 years rifle clubs have had a wonderful record and there has never been any difficulty or trouble with them. Yet, overnight, the Police Department wants every member of a rifle club to take out a license.

I have made inquiries regarding the clubs and I find there are 201 in existence in Western Australia with approximately 2,000 members. These members are men of substance; they have some standing in the community, and I would say that in 99 per cent. of cases they are responsible. In the main they use their guns on the rifle ranges, which, in many cases, are under the control of the Defence Department. These people use the rifle ranges with the approval of the department, which is only too happy to make the facilities available. We all know that the Queen's Shoot off is held in this State, and riflemen from here travel overseas to compete in various contests. Over the last fortnight I have tried to contact two prominent Bisley riflemen but I find they are both overseas taking part in rifle shooting.

Mr. Davies: Have they shot through?

Mr. BRADY: I do not think that would be the case with men such as these. They would not need to shoot through. However, the fact remains that for 100 years nothing has been done to compel riflemen to take out licenses for their guns.

In many parts of Western Australia rifle clubs are the only clubs still in existence; most of the other clubs in some districts are not operating or have become defunct because of the sparse population. In some centres 15 or 20 of the local men will get together on a Saturday or a Sunday afternoon and have a pleasant time together at a cost of $2 or so. Under this legislation they will have to pay a license fee as well, if they wish to continue with their pleasant weekend's entertainment. Take a place like Southern Cross, Coolgardie, or any other area where there are not many people.

Mr. Evans: Hey!

Mr. BRADY: It is all very well for the member for Kalgoorlie to say "Hey," but these are remote areas. Some of the members of these rifle clubs have been members for 50 or 60 years. I was at a function at Bassendean two years ago when a rifleman over 90 years of age was being

honoured. This is one of the few sports in which elderly men can take part. I was going to say elderly women, too, because I know that in recent years women have been taking an active part in the annual shoots that have been held at Swanbourne.

Accordingly I feel the Minister could well withdraw the Bill. He should have another look at it both from the point of view of the necessity to introduce a computer system on the one hand, and to introduce the charging of a license fee on the other.

As I have already said, in my opinion the regulations give the Commissioner of Police and his department the right to frame regulations to compel clubs to provide lists of members who are riflemen.

Another point arises in connection with licenses, inasmuch as the Minister in his amendment has not distinguished between non-active members who have rifles, and those who are actively engaged in the sport. They are both treated in the same manner.

I understand that in New South Wales no license is required for rifles of any kind whether they are used on the rifle range or whether they are held privately. We all know that in various high schools, and in a number of private schools, possibly as many as 20 to 40 students are engaged in cadet activities. Many of these students take their rifles home, but when they use their rifles, they use them on the various ranges around the metropolitan area. In addition to this the A.T.C. cadets also carry out rifle shooting and training, and learn the correct manner in which to handle rifles.

As I said a moment ago, riflemen are responsible people and they have used rifles without licenses and have indulged in this reasonable sport for the past 100 years. I recall that when World War II broke out I used to attend regularly at the Bushmead rifle range with the V.D.C., and riflemen trained quite a number of the men who went into the army. They did this as a voluntary service.

I am sorry the Premier is not in his seat this afternoon, because I am sure he would be the first to say that the riflemen of the Greenough district—the district for which he is the member—played a very important part in the world war as a result of their activities in the V.D.C. The Premier was a responsible officer in this organisation for some time.

This legislation seems to be very poor recognition for the services these people have given to the community. I have a letter here from the W.A. Rifle Association saying it has written to the Minister in regard to this matter, and a copy of that letter is enclosed.

Mr. O'Connor: What is the date?

Mr. BRADY: The letter is dated the 10th September, 1968. It might be as well if I read both the letters so that members will gain an appreciation of the importance of this matter to a section of the community which has done nothing, in the opinion of the Opposition, to warrant this action by the Police Department. The letter to the Minister reads as follows:—

> I acknowledge receipt of your letter of 27th August, 1968, reference proposed amendment to section 9 of the Firearms and Guns Act.
>
> You referred to a meeting held in the Minister's office on 15th August, 1966, at which certain assurances were given regarding the issue and control of .303 in. rifles sold to and/or in the possession of members of the Western Australian Rifle Association.
>
> You now state, *inter alia*, "since that time a number of unfortunate incidents has occurred that clearly indicate that, although the association may be willing they are unable to enforce the assurances made in 1966".
>
> You also said that, "as a result, representations have again been made to Cabinet to withdraw the exemption (from requiring a license) and in view of these incidents and the fact that members of pistol and gun clubs are required to hold licenses, it has been agreed to introduce legislation to amend section 9 of the Act to withdraw the exemption".

This is the important part—

> At a special meeting called on Saturday, 7th September, concern was expressed at this proposed legislation and I have been instructed to enquire of you:—
>
> (a) The number and nature of the "unfortunate incidents" to which you refer, and
>
> (b) what the proposed legislation implies.
>
> Your early reply would be appreciated.

The association enclosed a copy of the letter to me and it states—

> By direction of my Council I am invoking your support in the matter of the amendment of Section 9 of the Firearms and Guns Act as proposed by the acting Minister for Police and Traffic.
>
> I enclose a copy of a letter sent to the acting Minister which, at this stage, merely asks for details of where this Association has fallen down and what the new legislation will imply.
>
> To the best of it's ability this Association has given the utmost co-operation to the Firearms Branch of the Police Department at all times and, as we assured the Minister, will continue to do so. We are not aware that we have fallen down on the job.

> It is not for me to presume to make out a case on our behalf to a man of your experience of rifle shooting in this State but I feel that there can be no justification in endeavouring to link the licensing of .303 in. rifles with concealable weapons such as pistols and shot-guns which can be and are used other than on recognised ranges. Members of these organizations are not required to take the Oath of Allegiance as the members of this Association do, neither are they bound by the Defence Act.
>
> Can we enlist your support in opposing this amendment?

I had decided to support the association before I received that letter, and the more I go into the matter, the more satisfied I am that there is no justification for these licenses to be held by individual riflemen; I would like to make that plain—by individual riflemen.

The existing legislation gives the Minister and his department the right to protect themselves and to provide a full coverage in regard to those in possession of rifles, and this can be done by promulgating suitable regulations.

Some members of Parliament belong to rifle clubs, and they know that the Commonwealth team shoot takes place from time to time. This has recently taken place in Queensland, and a number of riflemen from all walks of life in Western Australia—some in most responsible positions—made up the team which went to Brisbane recently to take part in that shoot.

The important thing is that 200 riflemen from the various States of the Commonwealth will be coming to Western Australia to take part in the Commonwealth rifle shoot in this State. Will it be necessary for all those men to take out licenses? It will if this legislation is passed. On the face of it the whole thing is too absurd.

There is another angle to this whole matter: The people concerned are not asking for any special privileges or financial assistance from the State Government while carrying out their activities. In the main they finance their own activities, with the possible exception that the Commonwealth Government provides them with military ammunition for their .303 rifles at reduced cost.

In many cases these people pay up to $60 or $80 for their rifles in an endeavour to equip themselves properly for their sport. In addition there is the expense of telescopic sights and other equipment which they might use.

I was talking to an elderly member—I have not seen that person, but I was speaking to him on the phone—and I asked him how much it cost him. He said that in the first place it cost him $18 for an ex-army rifle which he then had to convert to a rifle with a barrel suitable for range practice, and this cost him a further $22. I believe he had the rifle converted in South Australia.

Mr. Dunn: If somebody wants to indulge in bicycle riding he buys a bicycle.

Mr. BRADY: But he does not pay the Government $1 or $2 to permit him to ride on the roads provided by the Government. I am now talking about the matter of licenses and whether the Government is doing the right thing. We will next find that the Government will be charging a license for people to play bowls, tennis, cricket, or football. I know the honourable member is interested in football, and I do not think he would go back to the Swan Districts Football Club if he knew he had to pay for a license to play football.

I attended the rifle range as a potential member of the V.D.C., and was trained until I joined the A.R.P. organisation. These rifle clubs have done a great job over the years, and I am trying to save them the cost of a license fee.

I have been told by the gentleman I mentioned that it costs him 4c a round for his ammunition, and he uses 24 rounds in the afternoon. He finds that his costs for the afternoon amount to $2. Now the Minister and the department want to superimpose the further cost of a license fee. But this is not the worst of it, because I believe that after next year a different kind of ammunition will be issued to these people, and it will be necessary for them to have a rifle known as a 7.62 which is a smaller bore than that which they use at the moment. I understand the velocity of these rifles is much greater than that of the .303.

So these people who have spent a lot of money equipping themselves for this sport, and who have helped with the defence of their country, are now being asked to pay a license fee.

Mr. O'Neil: How much is the fee?

Mr. BRADY: It has not been fixed at the moment. But the point is that it might start at $1 but very soon it will be $2 or more, as happens with traffic and other licenses.

There is no necessity for individual riflemen to be licensed at all. For a hundred years we have got on without their having to be licensed. I do not suggest that the Police Department is not entitled to know just who is in possession of a rifle, but this question can be approached from a different angle. The rifle clubs can be asked to provide the names of their members who possess rifles and, if necessary, the amount of ammunition they have in their possession. This can be done by regulation.

Mr. Bickerton: What happens if a member resigns from the club?

Mr. BRADY: He would notify the club as would a member who resigns from a recreation club.

Mr. Bickerton: He must register his rifle.

Mr. BRADY: These rifle clubs constitute semi-defence organisations, and they have done so over the past 100 years. The Minister is most unreasonable in requiring them to take out a license.

As I said before, this is a sport in which most young and elderly people can take part, and they do have some interesting afternoons on the various ranges around the metropolitan area. In my own area I believe there are three clubs—Bassendean, Bellevue, and, I think, Midland.

The fact remains these men are upset over this effort that is being made by the Minister. The other afternoon the Minister casually said that there had been a number of incidents. He did not say what they were. I hope he is not bringing in the instance of the prominent citizen to whom I referred earlier, whose rifle was taken away from him and subsequently had to be returned. I hope that did not upset somebody's ego in the Police Department. This man was a member of the Commonwealth Rifle Association and was entitled to have a rifle whilst he remained a member.

In conclusion I wish to say that members on this side of the House will oppose this Bill going into Committee. If the Minister does get it to the Committee stage, as a consequence of Government members deciding to support him in both these matters, we propose to try to make some substantial amendments. We feel there is no justification for what is proposed and the Minister did not make out a case for the license for riflemen in particular.

For a few minutes I wish to refer to the computer method which the Minister wants to introduce in regard to the sending out of licenses to the 80,000 men who have other types of firearms. If the Minister's department wishes to stagger these licenses, it suggests to me that the department will have to notify these people when their licenses fall due. If that is so, it means there is going to be a tremendous cost involved in this very small activity, which returns only $1 per licensee each year. I do not know what the Minister's answer to that is, but we know that under the motorcar licensing system, where staggering takes place, every member of the public who holds a car license is advised at the time of renewal.

If 80,000 licenses have to be issued as a consequence of this new system, it will entail a lot of extra work for the Minister's department. Does not the Minister think that the department will be bogged down on the administration side? It will take the whole $1 to cover the cost of issuing each license. So we feel that in the interests of the department we should oppose this legislation. I do not mind saying that I was sympathetic towards the department when I saw that 80,000 licenses were to be issued each year.

I would remind the Minister that at the present time these licenses are spread throughout Western Australia and are issued by police stations or clerks of courts, as the case may be. If this computer method is established I think all licenses will be issued from Perth and this will cause extra working hours for the staff. In addition, the introduction of the computer method will take work away from outlying stations and they will get no *quid pro quo*.

At this point of time the Government, and the Police Department in particular, should be thinking about ways and means of avoiding what I would call for the time being a vested interest being established in the issuing of licenses. It seems to me we are building up unnecessary administration for simple things.

I would remind the Minister and the House that two years ago Parliament passed an Act to abolish licenses in regard to two sections of the community. The first exempted youths and children with bicycles from having to license them. Previously they had to pay the huge sum of 1s. per year, but subsequently this was abolished. We also abolished the necessity for a person to license a horsedrawn vehicle. If it was possible to do away with licenses in those cases, surely it is not necessary now to introduce this very complicated computer system to issue licenses to people who use firearms.

On the other hand, I feel it is not right and proper—having regard to the history of the rifle clubs in Western Australia—to make a rifleman take out a license for a rifle. So, as I said before, I have to try to convince the House that the second reading of this Bill should be opposed.

MR. MITCHELL (Stirling) [4.36 p.m.]: I would like to say a few words on this Bill and give it my support, perhaps with some qualifications. First of all, on the matter of the computer system and the issuing of gun licenses, it seems to me that whilst no doubt this will save money because of the speed at which licenses will be issued, I believe it is wrong to issue gun licenses from a central area. I take it that if licenses are computerised, they will be issued from a central area. I believe that when a license is being issued for a dangerous weapon, it should be done personally at a police station.

Mr. Brady: And they know the applicant personally, too.

Mr. MITCHELL: I do not think it is right to issue licenses from a central office in order to save on the cost. I can recall

one case in connection with the issuance of a driver's license from a central office. A man who at one time was employed by me received three different licenses because he did not renew his last one. These licenses were sent even though the man had been dead for about six months. Seeing this did happen, people may receive extra licenses for rifles or guns. I believe most licenses should be issued on a personal basis by a police officer. This should be done each year after personal application, because there are some dangers attached to issuing, by computer, licenses for dangerous weapons.

With some qualifications I can support the provision regarding the licensing of rifles of members of rifle clubs. My main qualification is that I believe section 9, which exempts members of rifle clubs, is still in existence. I would like to say that I have had almost 50 years' experience in the rifle club movement and was actually a delegate from the State when we discussed with the Commonwealth the changed system under which the rifle club movement would operate.

Prior to about 1960, rifle clubs were not only supported financially by the Commonwealth Government, but were part of the defence force of Australia and, as such, received the same rights and privileges as members of the defence force. When we were discussing the matter of the withdrawal of subsidies from the rifle club movement, I particularly asked the Secretary for Defence this question: "Despite the fact that you are withdrawing the subsidies and privileges, would the Commonwealth still allow the rifle club movement of Australia to operate under the Defence Act?" He said, "Yes, quite definitely."

Members of rifle clubs still take the same oath of allegiance as people in other forms of the defence forces, and rifle club ranges are still controlled by the Defence Act. In fact, there is no alteration in the position. Members of rifle clubs are protected and covered by the Defence Act just as they were in the days when they received the Government subsidy.

The member for Swan mentioned the fact that we are still receiving free ammunition. This is not so; a rifle club has to purchase its ammunition from the Commonwealth. Since the Commonwealth stopped making .303 ammunition, clubs have been purchasing some from England. The member for Swan also mentioned that it cost something like $10 for a rifle.

Mr. Brady: The cost varies, and I think it is $18.

Mr. MITCHELL: During my term as Chairman of the Rifle Association of Western Australia we purchased some thousands of .303 rifles from the Commonwealth disposals organisation at £1 per rifle. I understand some thousands of these rifles are still in existence at every rifle club headquarters and are still available for sale to members of rifle clubs for £1. As a matter of fact, most clubs purchased these rifles in cases of eight at a cost of £8.

Mr. Brady: Didn't they have to get them altered for use on the range?

Mr. MITCHELL: They did this because they did not want people throughout the country to purchase these rifles from disposal centres and then increase the charge to rifle club members. Many of these rifles have been sold throughout the State. I know these rifles are dangerous, but I refute the suggestion that has been made in my hearing that many members of rifle clubs have two of these rifles, one for use on the rifle range and one for use in the bush. To my knowledge, very few members of rifle clubs have ever used their .303 rifles in the bush. Most members of rifle clubs have other weapons which are licensed; and it is common knowledge today that many of the .22 rifles that are licensed are just as powerful as the .303 rifles and are more accurate. So there is no need for club members to use a .303 rifle in the bush. That is why members of clubs have two rifles.

These men are fanatics in regard to the accuracy of their rifles, and one they use for big time shoots like the Queen's Prize Shoot, and the other they fiddle around with until such time as they can bring it to perfection. They then have two rifles, one for ordinary Saturday afternoon shooting and one for the bigger shoots. So the suggestion that many members are using rifles in the bush is not accurate.

I do not believe it is necessary for the police to issue a rifle and say that a man cannot use it off the range. At the present moment I believe that members of rifle clubs are protected by the Defence Act. If an Army man or anybody else has a weapon issued to him for a specific purpose and is found using it unlawfully, he is still under the control of the Police Force and action can be taken against him. If a rifleman has a rifle issued to him for range work and is caught using it in the bush, he is liable to the same penalty as anybody else for using that rifle away from the place for which it was issued.

Although I do not think this Bill is necessary, I believe it will take away from the officers of the rifle association the responsibility of issuing these rifles, which are used for the one purpose only.

There have been complaints that the association has not complied with the request made by the Minister when the conference took place. To my knowledge the Minister—or the Police Department—has been supplied with a full list of every member of the rifle clubs in Western Australia. What is more, the Police Department has been supplied with a list of members who have asked to join rifle

clubs, and the department has been asked if there was any objection to those men joining the clubs.

I believe that action has given the Police Department the control it wants. I do not think this is necessary and I have very grave doubts whether this State Parliament can introduce a Bill to override a Commonwealth Act or regulation. I believe that under the Commonwealth Act, rifle club members are still covered and can still possess rifles for use on rifle ranges without interference from the State Government.

It has been suggested that the cost of licensing will worry the members of the rifle clubs. However, I suggest that 99 per cent. of rifle club members own some other firearm, and all that would be necessary would be to add the .303 rifle to the list. This would cost the members nothing.

I sympathise with the Minister, the police officers, and anybody else who has to try to get possession of rifles from men who have been members of rifle clubs, and who, while still retaining their rifles, have left the movement. I feel that is the greatest problem we have because I know just how difficult it is, in the country area spoken of by the member for Swan, for the club captains to get the rifles back. It is difficult to impress on a man who might have paid quite a sum for a rifle or a barrel that it is in the interests of safety that the rifle should be returned to the club when he leaves.

The club probably does not want the rifle, so it does not feel obliged to pay for it, and there the position lies. I would say that many thousands of .303 rifles are lying around Western Australia without any control over them. Perhaps something should be done about this matter, but I do not want anyone to think that the mere collection of those rifles will solve the problem, because there are plenty of other firearms.

Whilst I do not think this legislation will do any harm, I believe it is a slap at an organisation which has, for almost 100 years, carried out a very valuable service in this State and in the Commonwealth. It is quite true that the V.D.C., during the last war, principally consisted of rifle club members. The V.D.C., of which I had the honour to be an officer, did a valuable service in the defence of this country. We had control of the fort at Albany, and if necessary we would have been prepared to make the same contribution to the defence of this country as anybody else.

The rifle club movement does not really deserve the stigma put upon it by the suggestions contained in this Bill—or in the Minister's speech—that the clubs failed in their duty as an organisation; that the members neglected their citizenship duty; and that they failed in their moral obligation to control the rifles which are used principally on the rifle range.

With those few comments I support the Bill with the qualification that I believe it is really unnecessary. I also believe that the Minister—as I advised him earlier—will have some difficulty in enforcing a State law which supersedes a Commonwealth Act.

MR. TOMS (Ascot) [4.50 p.m.]: We have listened to one of the most remarkable speeches I have heard for a long while. We have heard a member supporting a Bill with reservations. I think that possibly he put up a stronger case against the Bill than the Minister put up when introducing it. However, I want to support the remarks made by the member for Swan. He dealt fully with the matter of registering new firearms, and I will be interested to hear the comments of the Minister when he replies.

I think it goes without saying, and is pretty well known throughout Australia, that Western Australia has one of the strongest and perhaps the fiercest of firearms and guns Acts in the Commonwealth. It is impossible for an ordinary citizen to get a license for a gun unless he can produce a permit from the person who owns the property where he will shoot.

It is interesting to note that this Act was passed in 1931 and that since its inception there have been but five amendments. Section 9 (a), which is to be amended by the present Bill, has not previously been amended in the 37 years of the life of the Act. It was also interesting to note that when the Minister introduced the Bill he made a fair amount of play on the computer system which is to be introduced. Then, almost as an afterthought, he said that in view of the proposal to amend the Act the Commissioner of Police asked that consideration be given to amending section 9 to remove the exemption from the necessity to hold a license now granted to members of rifle clubs. That came almost as an afterthought.

I cannot help but feel that there is far more in this particular clause than has yet been disclosed to the House. It is desirable that in all cases where amendments are presented to deliberative Legislatures, such as this, a reason for the amendments be given and examples quoted. For too long we have had Bills brought before this House saying that something should be done, without a particular reason given or example being quoted. Suffice to say that the Minister, in his second reading speech, stated as follows:—

> This matter was considered some years ago as the Police Department had experienced several incidents

where individuals had breached the law with weapons that had come into their possession by their being members of rifle clubs.

It may be unfortunate that the only case quoted by the Minister was, as far as I can see, an unfavourable one to bring up as an example. I think it might be a good idea to refresh the minds of members on this particular incident, because the Minister's reference could only apply to one particular case. As I have said, I think it was most regrettable that this should have been the example to be expounded in this House. The Minister said—

> Subsequently, a letter was received by the Police Department from the W.A. Rifle Association advising that a member of a rifle club had been suspended from membership of the association. On receipt of this advice, and in accordance with the agreement, the police seized the member's rifles. These rifles were later returned to the member as it was ruled by the Crown Law Department that, although suspended from the association, he was still a member of his rifle club and thus entitled to the exemption.

It will be recalled that questions were asked by three members, including myself, when Mr. Stokes's rifles were taken. I can fully appreciate that if that man had done something, away from the range—or even on the range—that was contrary to the proper use of the rifle or the ammunition, then the association may have had some reason for acting as it did.

However, the Minister indicated that the approach had been made by the association, and, after conference, the association agreed with this amendment. However, I do not think it did. Even if it did agree to a small degree, I do not think it would agree to the amendment now before this House.

Mr. O'Connor: Did I say that?

Mr. TOMS: You did not say that, but you did say a conference had taken place between the association and yourself, and certain points were worked out. Perhaps that could be taken to indicate that the move came from the association.

Mr. O'Connor: That was the Minister for Police, not me.

Mr. TOMS: I know the Minister for Transport is acting for the Minister for Police at the moment. However, the incident referred to is a most regrettable one to quote because it does not do justice to the proposal that has been put before this House for amending the Act. As the member for Swan said, the incident quoted had something to do with the internal workings of the association, and probably arose from a grievance within the association.

In fact, I believe the reason the man's guns were taken from him was that up until that time he had been the official reporter for the association, but just before the Queen's Shoot in this State, he was relieved of his duties. Mr. Stokes was the accredited representative of *The Sunday Times, The West Australian* and the A.B.C. and he made the unfortunate mistake, according to the association, of telephoning scores from the range to the various bodies he represented.

I do not see any great sin in his having done that. If the present amendment had already been in the Act, perhaps Mr. Stokes's rifles could still be lying in the police station. These rifles are not to be treated as marbles. Members of the association have a good sense of responsibility, and these are valuable weapons as far as they are concerned. I do not think any member of this House who participates in a sport—whether it be tennis or any other sport—would like his racket or other equipment taken from him and thrown in a corner.

It takes years and years to reach a standard in rifle shooting, particularly that at which Mr. Stokes participated. He is a man who has twice represented this country in England, and he has represented the State in many interstate competitions.

I understand the Minister said that the Commissioner of Police said it may be necessary now to amend this section of the Act—a section which has remained since 1931 without any attempt being made to amend it in any way. I should like the Minister to give me a little more clarification on the proposed deletion of paragraph (a) of section 9—and this point has been raised by the member for Stirling. too—which reads—

> who is a member of the naval, military, or air service of Her Majesty, or the police force, or of a rifle club, or who has in his possession any firearm for the use of such service or club: Provided that the firearm is not used other than in the performance of such person's duty or when engaged in drill or target practice as the case may be:

and the insertion of only the words—

> who is a member of the Police Force having a firearm in his possession for use in the performance of his duties.

That is to be the amended section.

Mr. O'Connor: Section 9?

Mr. TOMS: It is paragraph (a) of section 9, and that is the amendment which is proposed. Can the Minister tell me whether the amendment made by the Commonwealth in 1965 will overcome the problem of members of the naval, military,

or air force services having to be licensed for every gun they carry? Does the Commonwealth Act cover that?

Mr. O'Connor: The Commonwealth situation does cover the position in this regard.

Mr. TOMS: I do not see any harm in the words being left in the section. However the part to which I take exception is that which deals with the deletion of rifle clubs. It seems to be nothing more than an attempt to get at the rifle clubs, and over the years the Act has been in force I do not believe we have had any real trouble with rifle clubs.

The member for Stirling indicated it may be difficult indeed to get a rifle back from a member who has had it for 30 or 40 years and has been shooting on a range. If he has it locked up in a case, whom is it hurting? As has been indicated, these guns are bought for $2 but it takes hundreds of dollars to get them to perfection.

Mr. O'Connor: You think any member should not be licensed?

Mr. TOMS: As indicated by the member for Stirling I, too, think every member of a rifle club is a responsible person. The people who join rifle clubs and shoot on the ranges do not take their sport lightly.

Mr. O'Connor: Are you referring to the lot?

Mr. TOMS: Yes.

Mr. O'Connor: All members?

Mr. TOMS: At present all members of rifle clubs are exempted.

Mr. O'Connor: You are saying that all members of rifle clubs are responsible people and therefore should have this authority.

Mr. TOMS: I think they are responsible, because a person does not accept membership of a rifle club lightly.

Mr. O'Connor: You said all members, and that is the point on which I was seeking clarification.

Mr. TOMS: The Minister can please himself how he interprets the words "all members of a rifle club."

Mr. O'Connor: All members means every member.

Mr. TOMS: The amendment to section 9 which seeks to wipe out rifle clubs seems to have lost sight of the exemption given in paragraph (f) which reads—

> using a firearm the property of a member of a registered Gun Club, with his permission, on a properly constructed clay pigeon shooting range of a registered Gun Club.

These people will be exempt, but not the members of rifle clubs under this amendment.

The Minister should give most serious consideration to paragraph (a) of section 9 with a view to not allowing it to be deleted at this stage. After all it has been in the Act since 1931 and I believe the Act has worked very favourably. The proper thing to do would be to withdraw the amendment this session, get in touch with all the rifle clubs, and obtain their views before any deliberate action is taken It is not that we would ruin the State by waiting 12 months, and it would ensure that what we are doing in regard to these clubs is just and above board.

I await with interest the Minister's explanation of how the computer system will work when, currently, rifles are registered throughout the State at police stations. I must say that at the moment I am opposed to any amendment to section 9 until such time as all the rifle clubs have been contacted and their views ascertained in regard to the proposal.

MR. DUNN (Darling Range) [5.5 p.m.]: I rise to support the measure and, in doing so, I base my remarks mainly on a question of principle. The principle which I feel is involved is whether we accept the necessity for licensing firearms.

The speakers against the measure have not up to date, as far as I am concerned, indicated that they are against the principle of licensing firearms. If that be so, it seems to me only rational that we should then say to ourselves, "Are the laws in force at the moment adequate and practicable to properly control the firearms which are being used throughout the State?"

Mr. Toms: We have had them for 37 years.

Mr. DUNN: I listened with interest to what the member for Ascot had to say, and I agree with him that the laws have been in operation for some 37 years. I point out to him that I do not agree that the control has been completely and positively effective and it is time, indeed, that we closed all the loopholes.

Mr. Toms: What loopholes?

Mr. DUNN: We should endeavour in the protection of the interests of everybody to ensure that what we write into the Statute provides the necessary machinery so that those to whom we look for protection are able to protect us.

I have no quarrel at all with rifle clubs or with people who are members of rifle clubs. If it is a sport which the members enjoy, I would be the first to agree that they have every opportunity to enjoy it to their utmost. Unfortunately—and I say "unfortunately" because we have had plenty of evidence of what I am about to say, and I am quite sure the Minister will make it available when he replies to the debate—we have seen that in the question of the non-licensing of

rifles controlled by members of rifle clubs, there are some drastic and tragic weaknesses. As a reminder of fairly current vintage of how serious the problem can be, I would just like to read an extract from the *Daily News* of the 5th September, 1968. It is headed, "Bystander Hit by Spent Bullet" and reads as follows:—

> A spent .303 rifle bullet hit a woman standing 20 feet from where a couple died at Westonia yesterday.
>
> One of five bullets fired, after having passed through corrugated iron walls, hit Mrs. Jane Penfold and lodged in her cardigan, just below her breast.
>
> Those killed were Carol Ann Gabauer (21) and John Dennis Lynn, also known as Robinson (32). Murder and suicide are indicated.
>
> The woman was a domestic employed at the Westonia Hotel and the man was a truck driver.
>
> They were living together in quarters at the rear of the hotel.
>
> Sergeant K. Weaver, of the Merredin police, said that the .303 rifle used was the property of the Westonia Rifle Club. It was kept, without ammunition, behind the door of the licensee's office at the hotel.

That is a clear indication of how serious the matter can be. As I said before, I am sure the Minister will give many more instances where the situation in regard to rifles which have been issued in good faith to, and accepted I am sure in good faith by, the administrators of rifle clubs, has got out of hand with that result.

Let me also point out that, in comparing the sport of rifle shooting with, say, yachting, cricket, golf, or any other sport—and whilst I know it can be said that, following an incident that occurred on a golf course not so long ago, the sport of golf can be an effective way of bringing about the demise of another party—a .303 has a very high muzzle velocity and when fired, even at a target at close range, the bullet can have disastrous effects many hundreds of yards distant. I have many vivid, but not happy, memories of occurrences in the hills area where, as a result of bullets being fired from .303 rifles at a short range target, the bullets ricocheted all over the place many hundreds of yards away.

Mr. Bickerton: Was that at election time?

Mr. DUNN: No, that was not at election time because, at election time, I take care to visit the right places.

The major problem confronting the Police Department is how to control effectively the issuing of licenses for these rifles. To me it would appear that the amendment in the Bill provides a practical and suitable means by which this can be done. We heard the member for Swan talk of Southern Cross being in the outback. He was immediately challenged by the member for Kalgoorlie, who claimed that that town was no longer in the outback. That illustrates the rapidity with which development is progressing throughout the whole of this State, and there is no doubt that such development will continue at a rapid rate.

There are rifle clubs already established throughout the length and breadth of the State, and as various areas become more closely populated there is an urgent need to have rifles properly controlled by the Police Department. No doubt in the past rifle clubs have served a very useful purpose, and no doubt those who are interested in the sport of rifle shooting will continue to do a good job in many ways.

Nevertheless, I can recall the Minister asking the member for Ascot whether he considered all members of rifle clubs to be truly responsible people. I do not think there is one member of this Chamber who would not acknowledge that in every organisation or among any group of persons there are those who accept responsibility; there are those who respond to responsibility; and there are also those who can become extremely careless in regard to their responsibilities. Unfortunately, they are the people who make most of our laws and regulations necessary.

It seems to me it would be a weakness on our part if we did not support this Bill to the full. The member for Stirling admitted that difficulties would be experienced by the police in requesting that all rifles should be called in for the purpose of keeping track of them. However, such a state of affairs must continue, because we are dealing with people, and there is no doubt that, in certain circumstances, steps have to be taken to ensure their welfare. If we are to control effectively the issuing and licensing of rifles, the administration of this control must be left in the hands of those who are trained and those who are already engaged in controlling the use and licensing of firearms in a general sense, and the control extended to include those who are members of rifle clubs.

The member for Swan raised the question of introducing the necessary regulations. In theory, I could not help but agree with that idea, but one cannot help but ask: Who will police the regulations? Will they be policed by the president or the secretary of the club, or some other person authorised by the club? Also, it must be borne in mind that many of these clubs, especially those situated in country districts, as distinct from those in the metropolitan area, may hold meetings once a month or once every two months.

So it can be realised that in such circumstances there is ample opportunity for a member of a rifle club to become careless and to show a lack of responsibility, especially when it is considered that rifles are scattered throughout the length and breadth of the country without anyone knowing where every rifle can be found at any particular time. A record should be kept of every rifle showing when the rifle was issued to a particular person and where he intended to keep the firearm.

We all know it is most difficult at present to keep track of those rifles that are already licensed. Surely, therefore, we must support this measure which will extend control over firearms, harsh though it may be in the opinion of some people. As I have said, there is a tremendous number of rifles distributed throughout the length and breadth of the State ostensibly under the control of the various rifle clubs; but, I cannot truly believe that all rifles are completely under the control of these clubs.

So it seems to me that if we are to be practical, sensible, and responsible in our attitude towards this Bill we must thrust aside any thought of what is the popular thing to do; that is, to give our support to the rifle clubs. Here let me hasten to add that it has come to my notice that on more than one occasion people have seen fit to join a rifle club purely for the purpose of being able to buy cheap ammunition. Therefore, if such people do exist, they do not measure up, in any shape or form, to the picture of good character and responsibility which was depicted by both the member for Swan and the member for Ascot.

I have no doubt that the member for Swan, the member for Ascot, and the member for Stirling are all keen to ensure that those who are responsible citizens will get their full measure of benefit from being members of rifle clubs.

However, I cannot help but feel, as I said before, that among many members of these rifle clubs there are those who are irresponsible; and, as we are dealing with lethal weapons which will be distributed throughout a State which has a rapidly developing community, it is not sufficient for us to accept that rifles should be left lying around the country willy-nilly with there being a chance of a repeat performance of the incident which happened on the 5th September this year, and which was reported in the *Daily News*.

I believe the measure to be an extremely sound, sincere, and sensible attempt to deal with a problem which we must acknowledge requires all our attention. I support the Bill.

MR. NORTON (Gascoyne) [5.19 p.m.]: I am afraid I cannot agree with the remarks expressed by the member for Darling Range. The Bill, first of all, deals with the new method of licensing; that is, licensing by computer. There is no doubt that in the initial licensing period under the new system the license fee for most rifles will be more. In the second place the passing of this measure will cost the Police Department considerably more in administration expenses in regard to the licensing of rifles in this State.

An extra item of expense will be the double postage that will be necessary, because the department will, first of all, have to notify the holder of a firearm that his license is due for renewal, and then, when payment is made, there will be another lot of postage in forwarding the renewal of the license back to the holder of the firearm. Therefore, this act alone will cost the Police Department 10c for each license issued, without taking into consideration the extra administrative work involved.

At the present time, irrespective of where they are stationed, all police officers know that on the 1st January the license of every firearm is due for renewal, and if a firearm is not licensed within a certain period the person who has failed to renew his license is liable to receive a summons for not paying his fee. That would solve a great many problems, but I cannot see how the method of licensing by computer will save the department a great deal of work.

Let us now come back to the clause of the Bill which deals with section 9 of the Act. As members know, this section caused a great deal of argument, particularly the provision which sought to exempt the employee of a pastoralist. Section 9a deals with the three services which cannot legally be covered under the Federal Constitution, as the Minister well knows. As far as I can see from the Federal Constitution, the rifle clubs are also covered

The rifle range itself is Commonwealth property; it is land over which the Commonwealth either holds a lease, or which it owns freehold for the purpose of a rifle range. Unless that lease or freehold is held by the Commonwealth, no rifle range can be constructed thereon. If we look at section 111A of the Commonwealth Defence Act we will find—

> For the purpose of legal proceedings all arms, ammunition, or other military articles belonging to or used by any rifle club, shall be deemed to be the property of the captain of the rifle club.

I think that indicates very clearly that one person is responsible and is designated as the owner. For a number of years now, as far as I can recall, when a rifle was purchased by a member of a rifle club it was not sold to him as his personal property, but more or less leased to him over the period of his membership

of that club. My understanding was that these rifles had to be returned immediately the person concerned ceased to be a member of the club.

Under those conditions, any person who is a member of a rifle club cannot be forced, under the Commonwealth Constitution, to register his firearm. There are many anomalies in this section, particularly those which deal with exemptions, and I feel that over the years section 9 has been dealt with in a piecemeal manner.

There are seven exemptions contained in section 9 of the principal Act, the first of which deals with rifle clubs, the Police Force, and the three services. We might call this a military provision. I am afraid I cannot understand the provision contained in paragraph (b) of section 9 which states that no license shall be required by—

> any common carrier or warehouseman, or his servant, who carries a firearm in the ordinary course of the trade or business of a common carrier or warehouseman.

I cannot understand why any common carrier or warehouseman should be exempt from licensing his firearm, while a member of a rifle club is not. I can understand why his servant need not hold a license when using his employer's firearm, because this is similar to the exemption we provided for the employee of a primary producer who used his rifle in the destruction of vermin.

Let us consider the difference between a rifleman, and a common carrier and his employee. It is necessary for a rifleman to take the oath of allegiance and be accepted as a club member; but the common carrier does not have to fulfil either of these obligations. He merely sets up in business under the terms of the appropriate Act, and yet he can carry a firearm in the ordinary course of trade or business. What is more important, he can employ anyone from off the street—perhaps someone he does not know—to drive a vehicle, and that person is entitled to carry a firearm.

I cannot understand why this paragraph has not been deleted; it seems far more dangerous than the paragraph we are trying to amend at the moment. The next person who is exempt from licensing his firearm is—

> any person *bona fide* using at a shooting gallery under the supervision of the licensee a firearm belonging to such licensee.

This is understandable.

Mr. O'Connor: You are now dealing with exemptions from licenses.

Mr. NORTON: Yes; these are persons who do not need to have a license at all. If I had a gun which was licensed I could not say to the Minister, "Come out and have a shoot with me"; because the Minister could not use my rifle—he would not have a license to do so.

The section also provides that the Governor is exempt from licensing his firearm, and it further exempts any person—

> who is sent to the State to reside temporarily therein as the diplomatic or consular representative of a foreign state.

It is probably right that such people should not be required to license their firearms, but I do feel, however, that they should be asked to register their firearms with the police, so that some measure of control can be exercised. There is always the possibility of a rifle being stolen, and if there is no knowledge of its owner it would be difficult to trace.

Paragraph (f) of section 9 exempts any person using a firearm which is the property of a member of a registered gun club, with his permission, on a properly constructed clay pigeon shooting range of such registered gun club. This exemption, however, is not offered to rifle clubs. The provision in paragraph (f) means that any person having a gun which is licensed and who is using it for clay pigeon shooting can lend that gun to anybody to fire over that particular range.

As I have said, however, this provision is not extended to members of rifle clubs. For instance, the member for Stirling—who has had a long experience with rifle clubs—could not go on a rifle range, if this amendment is accepted, and borrow a rifle with a view to firing a few rounds at a target. At the moment, however, it would be possible for the honourable member, if he so wished, to have a few shots at a target during an afternoon's outing.

There are many people who travel throughout the State from time to time and who attend shoots at various rifle clubs. Members will recall that the exemption contained in paragraph (g) was passed by this Parliament in 1960. This gives the employee of a primary producer the right to use his employer's rifle when it is necessary to destroy vermin or other animals on the employer's land. I think that is a good exemption.

The proposal in the Bill could contravene the Commonwealth Act. I would like to see a ruling in respect of the rifle ranges which are set up under the Commonwealth defence legislation, in order to to see where we are going. By demanding that the rifles of those who are mentioned in section 9 (a) of the Act be licensed we might be contravening the Commonwealth Act. Consideration should be given to this aspect before the Bill is passed.

When the Bill reaches the Committee stage it is my intention to move an amendment to section 9 (f) of the Act

which relates to gun clubs, so as to enable any person visiting a rifle or a pistol club to have the same privileges extended to him as are now enjoyed by the gun clubs. At this stage I oppose the Bill.

MR. BICKERTON (Pilbara) [5.31 p.m.]: I agree that firearms should be licensed, but perhaps the licensing of them does not do as much good as we think it should. However, it is a step in the right direction to require records of firearms to be kept by the Police Department.

The member for Gascoyne has just dealt with the exemptions under the Act, and with the indivduals who are exempted from the need to register their firearms. In my view people should not be so exempted, but I leave the Governor out of that because it might be unparliamentary to suggest that he should be required to obtain a license. For that reason I do not oppose the provision in the Bill, which states that members of rifle clubs must register their firearms.

I do not think it will be of great inconvenience to the rifle clubs, and I cannot see that registration will interfere in any shape or form with their sport or with the role they play in the community. They play a very important role, as I found from my association with many of them. Further, I know many of their members. I go so far as to say that the exemptions mentioned by the member for Gascoyne should not be granted, and the people concerned should be required to register their firearms.

Registration is not a great inconvenience, and at least it is some form of control by the police over lethal weapons. The owners of firearms should be required to give reasons for wanting them. Heaven forbid that Western Australia should reach the position that exists in the United States of America where almost every citizen has a gun.

I support the procedure requiring owners of guns to be registered, and I am against exemptions being granted to any of the parties referred to by the member for Gascoyne. As registration will not in any way inconvenience the members of rifle clubs, they should not be exempted from the provisions of the Act.

MR. O'CONNOR (Mt. Lawley—Minister for Transport) [5.34 p.m.]: I thank the members who have spoken in this debate. I wish to make it clear that I also believe that most members of rifle clubs and the rifle associations are very reputable people. Let me say that similarly most drivers on the roads are also reputable, but we do find a few irresponsible ones who seem to cause a great deal of trouble. In the rifle clubs we also find a few irresponsible people and these have caused a lot of trouble.

In answer to the member for Swan, who commented on the new system of licensing by the use of a computer, and on a license being issued for a six-month period, such a license would cost 60c for the half-year, instead of $1 for a full year. He said that two six-month licenses would cost $1.20 instead of $1; but I should point out that it is not the intention of the Police Department to continue licensing firearms for six-month periods. This will only be done in the initial stages in order to bring the holders of firearms into line and to stagger the licensing period throughout the year. After that has been done the licenses will be for 12 months. I agree that in the initial stages a person licensing a firearm for six months will be paying 60c for half a year, but the difference between that and a yearly license is not of very much concern.

The reason for adopting six-month licenses in the initial stages is to assist the Police Department. At present all licenses fall due in the one time, at the end of the year around the Christmas period when many people are away on vacation. During that period many people fail to relicense their firearms and the police have to go to their properties to notify them. This causes a considerable amount of work at a busy time of the year. It is considered that the provisions in the Bill would ease the burden on the Police Department, and would be the means of staggering the licensing period throughout the year.

Some members said they could see no reason for the introduction of the Bill. I should point out that most members of rifle clubs are responsible people, but a few are not. Without giving names I shall mention a few instances which occurred in the last year or two and caused some trouble to the Police Department. One instance concerns a rifle club in the south-west of the State. A few months ago it was brought to the notice of the department that bullets had been fired at a house, and one bullet was supposed to have hit it. This house is located near a wheat silo. The police checked on the person who had fired the shots, and he admitted having done so. The rifle was a .303 from the Gnowangerup Rifle Club.

In point of fact about 56 rifles had been handed into this club, and the person who was interviewed by the police said that he was the captain of the club. The police checked on the records of the club and found them to be in a shocking state. Of the 56 rifles which were supposed to be in the club, only 10 of the rifles could be found. The rest of the rifles were missing and there were no records. In other words, 46 rifles were missing or were lent to people, and no record was kept by the club.

No-one would condone this laxity. I do not say that all the members of rifle clubs are irresponsible, but some are. In this case the police officers were able to locate 14 of the missing rifles in that area; some were in the possession of farmers, and others in the possession of rifle club members. However, a number of these rifles have not yet been located by the police.

Another instance occurred in the Southern Cross area where a rifle was found in the possession of a person shooting kangaroos. The barrel had been cut down for this purpose.

Mr. Davies: In the first case who was responsible for the missing rifles?

Mr. O'CONNOR: The captain of the club; he was the person responsible. The member for Gascoyne also said that the captain of a club is the person responsible for the rifles. It was this particular person who, in this instance, was guilty of the offence, and he was convicted.

Mr. Jamieson: How do you get over the section of the Commonwealth Act? Isn't your provision *ultra vires?*

Mr. O'CONNOR: I will refer to that matter at a later stage. I wish to point out to members that the police have cause for concern because there have been instances of irresponsible people shooting with .303s at houses and around houses.

Mr. Jamieson: Isn't the responsibility in this regard with the Commonwealth Defence Act and shouldn't representation be made to the Commonwealth to do something about it?

Mr. O'CONNOR: I will come to this point if the honourable member will wait a little while. I have related one of several instances. I believe there are many hundreds—well over 1,000—of .303 rifles that have gone through rifle clubs and are in possession of people who are not members. During the last amnesty quite a number of rifles were handed in by people who were then not connected with a club.

The member for Darling Range mentioned an incident involving a woman at Westonia where a man was shot with a .303 club rifle. There was another incident in West Perth some 18 months ago where a man shot a woman. There was some controversy as to whether the shooting was accidental. The man's rifle was taken away from him. He was a member of a rifle club and, in this case, according to information given to the Police Department, the man involved in that incident could have had his rifle handed back to him. There was a case not long ago where a university student went along and obtained a rifle from the University Rifle Club. He did not sign up as a member until some time later, but he had a rifle.

I know the rifle association does a good job, but it is almost impossible for it to control the number of rifle clubs throughout the State.

The incidents I have mentioned are just some of a number which have occurred and which have caused the Police Department quite an amount of concern. The member for Swan mentioned non-active riflemen. I believe these people should not have rifles. By a non-active rifleman, I presume the honourable member means a person who is a member of a rifle club but is not shooting. In this case there is no purpose in that person having a rifle.

Frankly, I think members who participate in the activities of a rifle club do a lot of good in many ways. It is a sport that is worth while, and one that is in the interests of the country; but we must act in the interests of the country in trying to control rifles to the stage where we know what is happening to them so that innocent individuals cannot be adversely affected.

According to information which I have, the cost of a rifle to a rifle club is not $18 as was mentioned by the member for Swan but is $2. I have heard of instances where members of a rifle club have offered these rifles to someone else for that amount. I do not think this is done with the approval of the club. The fact that people can obtain rifles as easily as that is something which neither I nor the Police Department can condone.

The point raised by the member for Belmont and the member for Stirling is something which I am having checked by the Police Department. I believe the Federal authorities did have a fair amount of control and interest in rifle clubs, but about six years ago I understand they withdrew the subsidy that was paid to the various associations and they withdrew their interest in these clubs.

Mr. Jamieson: Did they amend their Act? That is the point.

Mr. O'CONNOR: This is being checked. If this has not been done, I believe the Federal authorities are prepared to do so. If the Commonwealth has not amended its Act, it would override our Act, as the honourable member would know.

Mr. Jamieson: You would have to delay proclamation?

Mr. O'CONNOR: That is so. If the Commonwealth Act does apply, it could be amended in the near future.

Mr. Ross Hutchinson: Someone could do it.

Mr. O'CONNOR: I understand the Commonwealth Government has not the same interest in rifle clubs as it had previously.

The point brought forward by the member for Pilbara and the member for Gascoyne is quite a relevant one and I propose to make a further investigation into it. I refer to the people who have exemptions in connection with this Act. During the Committee stage I will report progress and ask leave to sit again in order

to have a look at this point to see whether some further amendment should be made in this regard.

I think I have covered most of the points raised by members. I think we should go ahead with the Bill as printed. I say this, because I do not believe we want to become like America where rifles are being loosely used by people. We know the problems that occur there and also in the Eastern States, where rifles do not have to be licensed. However, I believe we have a system which a number of the other States would like to have.

I do not think we should endeavour to make it easy for people to obtain rifles; we should have as much control as possible. I do not wish to make it difficult for members of rifle clubs to participate in their sport. Most of them would have a rifle apart from the .303, and the .303 could be included in the license and would cost nothing or next to nothing. Therefore cost does not come into it to any extent at all.

We must have proper control and we must try to overcome the anomalies that do exist. The few instances I have mentioned, indicate there are anomalies in the Act. Some people in this State use these very high-powered rifles in an irresponsible manner to the disadvantage of a number of other people. When we have a number of people being killed by rifles that belong to rifle clubs, this measure is worthy of some consideration and I feel it should be passed at the present moment.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. O'Connor (Minister for Transport) in charge of the Bill.

Clause 1 put and passed.

Progress

Progress reported and leave given to sit again, on motion by Mr. O'Connor (Minister for Transport).

BILLS (3): RECEIPT AND FIRST READING

1. Public Trustee Act Amendment Bill.
2. Administration Act Amendment Bill.
3. Offenders Probation and Parole Act Amendment Bill.

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

House adjourned at 5.52 p.m.

Legislative Council

Tuesday, the 8th October, 1968

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

BILLS (5): ASSENT

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

1. Superannuation and Family Benefits Act Amendment Bill.
2. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill.
3. Illicit Sale of Liquor Act Amendment Bill.
4. Mental Health Act Amendment Bill.
5. Housing Loan Guarantee Act Amendment Bill.

MEDICAL TERMINATION OF PREGNANCY BILL

Rejection: Petition

THE HON. J. DOLAN (South-East Metropolitan) [4.35 p.m.]: I desire to present a petition from the residents of Western Australia praying for the rejection of the Medical Termination of Pregnancy Bill. There are 1,609 signatures attached to it, and the petition bears the Clerk's certificate that it conforms to the Standing Orders. I move—

That the petition be received and read and ordered to be laid on the Table of the House.

Question put and passed.

THE HON. J. DOLAN (South-East Metropolitan) [4.36 p.m.]: The petition reads as follows:—

To—

The Legislative Council of the Parliament of Western Australia.

We the undersigned residents of Western Australia hereby humbly petition the Honourable Members of the Legislative Council of Western Australia to do all within their power to reject the Medical Termination of Pregnancy Bill 1968.

The main grounds of our objection are that your petitioners are deeply concerned that from the moment of conception, when a baby begins to live in its mother's womb, any direct intervention to take away its life is a violation of its right to live. It is felt that those who have the responsibility to govern this State should protect the rights of innocent individuals, particularly the helpless; and that the unborn child is the most innocent and the most helpless and most in need of the protection of our laws, whenever its life is in danger for whatever reason.