matter along these lines. I am certain that the chamber, and the mining division of the A.W.U. will give every assistance possible in the committee's inquiries. The honourable Mr. MacKinnon has foreshadowed an addendum to the motion to put the matter in order, so that the form of the motion will be in line with that moved in another place.

I have confined my remarks to the amendment, and I will take the opportunity at a later date of having more to say on the motion itself.

THE HON. H. C. STRICKLAND (North) [10.59 p.m.]: As I interjected, I feel that that I should say something. My view is that the Minister put up a very good case why we should agree with the amendment. He mentioned that expert knowledge is required. Of course it is. We cannot get more expert knowledge than from those people directly concerned in the industry. The Minister gave us the opinion of the President of the Chamber of Mines, but he did not say that it was the opinion of the Chamber of Mines. They are two different things. With all due respect, Mr. President, you could express an opinion, but the members of the Legislative Council might not agree with it.

The President of the Chamber of Mines, while expressing his private opinion to the Minister, was not, as the Minister made it quite clear, expressing a decision of the Chamber of Mines as a whole. Therefore I would not place a lot of weight on that personal discussion which the Minister had with the President of the Chamber of Mines.

I think the president's opinion is not a good one, and I think it would be better if the chamber had a representative on the committee to help examine witnesses; because the original motion refers to the disabilities of the industry. I think the strength of the committee would be greatly increased with the addition of a representative of the Chamber of Mines and a representative from the Australian Workers Union. After all, those two concerns represent the population of the goldmining industry in Western Australia.

The Hon. J. J. Garrigan: They are the goldmining industry.

The Hon. H. C. STRICKLAND: Surely this committee would be greatly improved if it had on it representatives of those two organisations. The honourable Mr. Heenan has had some communication with certain members of the Chamber of Mines in connection with the motion, and he will tell the House about it. While the honourable Mr. MacKinnon did make certain submissions regarding his objections to the amendment he indicated that had he been in his place as Chairman of Committees, and a similar proposition been put forward, he would not have agreed to it; because in the first instance the amendment was in the wrong place and, secondly, he could not see how such representatives could act on a committee as they were not permitted to become members of a Select Committee. But this committee will not be a Select Committee. It will be totally different. It will be a committee established as a result of the passing of a motion introduced by an honourable member in another place.

If we are genuine about our attemps to do something for the goldmining industry we should appoint the strongest committee possible to undertake the task set out in the motion; and there is not the slightest doubt that with the addition of a representative of the owners and a representative of the workers to promote the interest of those people and ask questions of witnesses, the strength of the committee will be increased. I support the amendment.

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

Ayes—11

Hon. D. P. Dellar	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. H. C. Stubbs
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. R. Thompson
Hon. F. R. H. Lavery	*(Teller)*

Noes—14

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. H. R. Robinson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. J. Heitman	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. R. C. Mattiske *(Teller)*

Pairs

Ayes	Noes
Hon. G. Bennetts	Hon. A. L. Loton
Hon. W. F. Willesee	Hon. J. Murray

Majority against—3.

Amendment thus negatived.

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

House adjourned at 11.7 p.m.

Legislative Assembly

Tuesday, the 13th October, 1964

CONTENTS

	Page
ASSENT TO BILLS	1457
BILLS—	
Agriculture Protection Board Act Amendment Bill—Assent	1457
Banana Industry Compensation Trust Fund Act Amendment Bill—3r.	1457
Bibra Lake-Armadale Railway Discontinuance and Land Revestment Bill—	
2r.	1457
Com.; Report	1458

CONTENTS—*continued*

Page

BILLS—*continued*

Bush Fires Act Amendment Bill—Returned 1461
Country Areas Water Supply Act Amendment Bill—2r. 1480
Electoral Act Amendment Bill—2r. 1463
Fremantle Harbour Trust Act Amendment Bill—
2r. 1461
Com.; Report 1468
Health Act Amendment Bill—Assent 1457
Inquiry Agents Licensing Act Amendment Bill—Assent 1457
Long Service Leave Act Amendment Bill (No. 2)—
2r. 1467
Com. 1468
Mining Act Amendment Bill (No. 2)—2r. 1466
National Trust of Australia (W.A.) Bill—
2r. 1458
Message: Appropriation 1466
Presbyterian Church Acts Amendment Bill—Assent 1457
Prisons Acts Amendment Bill—Returned 1461
Rights in Water and Irrigation Act Amendment Bill—
2r. 1489
Com.; Report 1491
Used Car Dealers Bill—
2r. 1468
Com. 1478
Report 1479
Water Boards Act Amendment Bill—
2r. 1491
Com.; Report 1491
Wheat Marketing Act (Revival and Continuance) Bill—
2r. 1465
Message: Appropriation 1466
Wills (Formal Validity) Bill—
2r. 1479
Com.; Report 1480
Youth Service Bill—Report 1457

QUESTIONS ON NOTICE—

Agricultural Training—
Facilities at Narrogin Agricultural Wing 1450
Muresk Agricultural College: Punishment for Breaches of Regulations 1453
Programme for Future Farmers 1449
Censorship of Literature: Action towards Uniformity 1454
Country Towns: Valuations 1455
Education—
Alma Street School, Fremantle: Drainage—
Investigation of Complaints 1453
Responsibility for Installation 1453
Electoral Rolls: Protective Covers and Plans of Electoral Districts 1448
Electricity Supplies—Generation and Distribution: Authorities Concerned 1449
Fishing—
Licensed Fishermen and Number Engaged in Crayfishing 1453
Number and Value of Licensed Boats 1453
Galvanised Iron—
Loading by State Ships on Round Trip 1449
Surcharge on Albany Shipments 1449
Housing—Multiple Pensioners' Flats: Water Supply Arrangements 1454

Page

QUESTIONS ON NOTICE—*continued*

Johnston, W. O. Pty. Ltd.: Subsidiaries and Associated Companies—
Government Assistance for Abattoir Construction 1450
Indebtedness to Government 1450
Mallet—
Acres Stripped and Bark Produced 1450
Cost of Stripping, Transport, etc. 1450
Price Received for Bark 1450
Narrows Bridge Lighting: Improvement of System 1452
Police Station at Gosnells: Provision for Establishment 1451
Railways—
Country Railway Lines: Tonnages Carried on Seasonal Sections, and Total Earnings 1451
Footbridges—
Albany: Replacement by New Structure 1449
Bellevue: Demolition and Replacement 1454
Railway Freight: Tonnages Carried and Revenue 1451
Standard Gauge Railway—Land for Storage: Owner and Rental 1451
Superphosphate Production—Minerals Used: Quantity and Price 1452
Water Supplies—Rating in Country Districts: Effect on Rentals of Commonwealth-State Homes 1454

QUESTIONS WITHOUT NOTICE—

Government Offices on Observatory Site—Protection of Construction Workers: Inspector's Report 1456
Railway Strike—
Developments 1457
Discussions between Commissioner and Unions 1456
Negotiations between Commissioner and Unions 1456
Notification to Commissioner 1456
Rule Disputed: Application 1456
Traffic Accidents: Action against Youth Involved 1457

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

QUESTIONS ON NOTICE

ELECTORAL ROLLS

Protective Covers and Plans of Electoral Districts

1. Mr. GRAHAM asked the Minister representing the Minister for Justice:

   In view of the fact that certain numbers of electoral rolls are handled a great deal by the public in places such as post offices, etc.—

   (a) will he arrange when future issues are made that a supply is available with protective covers in a manner similar to the blue covers provided for certain statutes;

(b) will he have plans of the electoral district concerned inserted in such publication?

Mr. COURT replied:

(a) Recent improvements were made to the electoral rolls by increasing the size of the print, and the Electoral Department already has in hand the matter of providing suitable covers for future prints.

(b) The subject of the insertion in electoral rolls of maps of the districts concerned is also receiving consideration, and providing maps of adequate dimensions can be printed, they will be inserted in those rolls.

RAILWAY FOOTBRIDGE AT ALBANY

Replacement by New Structure

2. Mr. HALL asked the Minister for Railways:

(1) When was the overhead railway footbridge built at Albany?

(2) Is it envisaged by the Railways Department that a new footbridge should be built to serve the wharf and, if so, where is it anticipated it should be built?

(3) If the answer to (2) is "Yes," have plans been prepared and, if so, when is it contemplated that the bridge will be built?

Mr. COURT replied:

(1) 1914.

(2) Responsibility for the maintenance or renewal of the footbridge passed to the Albany Harbour Board in 1954.

(3) Answered by (2).

ELECTRICITY SUPPLIES

Generation and Distribution: Authorities Concerned

3. Mr. HALL asked the Minister for Electricity:

(1) How many towns or centres are in this State generating and distributing electricity not under control of the State Electricity Commission?

(2) How many towns and centres are receiving electricity supplies from the State Electricity Commission, other than the metropolitan area, and what are the names of the towns receiving electricity supplies from the State Electricity Commission?

Mr. NALDER replied:

(1) 81.

(2) A map to be tabled shows the towns and centres supplied from the State Electricity Commission system.

(The supplies in Dalwallinu-Pithara, Ballidu-Wongan Hills, and Shackleton-Bruce Rock-Narembeen are not operated by the commission).

I ask for permission for the map to be tabled.

The map was tabled.

GALVANISED IRON

Surcharge on Albany Shipments

4. Mr. HALL asked the Minister for the North-West:

(1) Would he undertake to investigate the matter of surcharge of £2 3s. 9d. per ton being placed on galvanised iron shipped through the port of Albany as against no surcharge being placed on galvanised iron shipped through the port of Fremantle?

Loading by State Ships on Round Trip

(2) Would he make approaches to the State Shipping Service with a view to getting State ships on the round trip to pick up galvanised iron shipments for delivery through the outports of this State?

Mr. COURT replied:

(1) This matter has been recently examined together with the overall problems associated with shipping at Albany. The results of this examination will be released in the near future.

(2) Shipments are accepted for all Western Australian outports excepting Busselton and Bunbury, two ports not included in the round-Australia programme. However, it should be appreciated that the present round-Australia schedule is experimental and cannot be assumed to be permanent. The first responsibility of the State Shipping Service is to the northern ports of the State.

AGRICULTURAL TRAINING

Programme for Future Farmers

5. Mr. W. A. MANNING asked the Minister for Education:

(1) Is he aware of—

(a) The annual value of agricultural products in this State;

(b) the number of acres of new land being developed each year?

(2) Does he consider that the situation demands an urgent and progressive programme for training future farmers?

(3) How much of the £3,000,000 provided in loan appropriations for school building, etc., has been allocated to the provision of facilities for practical training in agriculture?

Facilities at Narrogin Agricultural Wing

(4) Is it a fact that all facilities are available for training about 150 students at the agricultural wing of the Narrogin Agricultural Senior High School, except dormitories?

(5) What amount is to be spent this financial year for the erection of dormitories to meet the need in (4)?

Mr. LEWIS replied:

(1) Yes.

(2) Yes—such a programme is in operation.

(3) £19,000.

(4) Yes.

(5) Nil.

MALLET

Acres Stripped and Bark Produced

6. Mr. W. A. MANNING asked the Minister for Forests:

(1) How many acres of mallet have been stripped in State forests during the past winter?

(2) What tonnage of bark was the result?

Cost of Stripping, Transport, etc.

(3) What is the cost per ton of—

(a) stripping;

(b) transport;

(c) any other costs to point of sale?

Price Received for Bark

(4) What price is received per ton of bark?

Mr. BOVELL replied:

(1) To date mallet bark has been produced only as part of a thinning operation from small trees. So far this year an area of 194 acres of mallet stands have been thinned. This operation is still proceeding.

(2) To the 9th October, 1964, an estimated quantity of 92 tons has been produced.

(3) As the 1964 operations are not complete, it is only possible to give 1963 costs.

(a) Stripping and thinning (separate costs not available)—£14 11s. per ton.

(b) Transport—£3 11s. per ton.

(c) Other costs (chipping, bags, etc.)—£5 16s. per ton.

(4) £26 per ton.

W. O. JOHNSTON PTY. LTD. SUBSIDIARIES AND ASSOCIATED COMPANIES

Indebtedness to Government

7. Mr. OLDFIELD asked the Premier:

(1) To what Government departments and State instrumentalities (including the Rural & Industries Bank and the Department of Industrial Development), if any, are the following subsidiaries and associated companies of W. O. Johnston Pty. Ltd. indebted:—

(a) Jason Packaged Meats;

(b) Johnston Properties Pty. Ltd.;

(c) Harvey Meat Exports Pty. Ltd.;

(d) Harvey By-Products Pty. Ltd.;

(e) Service Meats Pty. Ltd.?

(2) In each instance, what is the sum involved and how was the indebtedness incurred?

(3) Is W. O. Johnston Pty. Ltd. indebted to the Department of Industrial Development and, if so, for how much and for what reasons?

Government Assistance for Abattoir Construction

(4) Has the Government entered into, or agreed to enter into, any arrangements to assist financially the construction of abattoirs at either Geraldton, Katanning, or Esperance and, if so, to what extent in each instance?

Mr. BRAND replied:

(1) and (2) Harvey Meat Exports Pty. Ltd. and Harvey By-Products Pty. Ltd. owe the West Australian Government Railways £27 and £31 respectively, for current freight charges.

(3) The company is not indebted to the Department of Industrial Development.

(4) The Government has not entered into or agreed to enter into arrangements involving financial assistance for the construction of abattoirs at Katanning or Esperance.

In regard to the abattoirs and meatworks to be established at Narngulu in the Geraldton area by Service Meats Pty. Ltd., the Government has, subject to the performance by the company of a number of conditions, merely undertaken to eventually supply water and power to the boundary of the works site, and to construct a railway siding at or near that site. The company is required to meet half the cost of the siding, with a maximum contribution of £5,000.

COUNTRY RAILWAY LINES

Tonnages Carried on Seasonal Sections, and Total Earnings.

8. Mr. D. G. MAY asked the Minister for Railways:

For each year, including 1963-64, the Burakin-Bonnie Rock, Lake Grace-Hyden and Katanning-Nyabing sections have been operated on a seasonal basis. Will he advise particulars of tonnages carried and total earnings for the following commodities:—

(a) Wheat;
(b) grain;
(c) fertilisers;
(d) livestock?

Mr. COURT replied:

Burakin-Bonnie Rock Section

Year	Wheat		Grain		Fertilisers		Livestock	
	Tons	£	Tons	£	Tons	£	Tons	£
1959-60	29,267	68,074	251	620	4,731	11,113	174	869
1960-61	34,083	94,081	1,149	3,454	5,317	13,646	19	152
1961-62	34,877	99,692	2,285	6,392	6,220	16,112	15	88
1962-63	47,448	132,228	517	1,475	7,507	19,399	40	237
1963-64	45,788	133,927	2,625	7,752	8,481	21,711	71	509

Lake Grace-Hyden Section

Year	Wheat		Grain		Fertilisers		Livestock	
	Tons	£	Tons	£	Tons	£	Tons	£
1959-60	24,105	62,100	4,261	11,098	5,065	17,132	10	66
1960-61	23,747	74,173	8,113	25,882	6,577	20,544	46	293
1961-62	34,104	107,576	4,259	13,470	8,231	23,280	18	89
1962-63	34,804	107,173	3,618	11,236	8,625	26,562	13	41
1963-64	26,519	83,482	5,309	12,724	8,733	27,064	16	61

Katanning-Nyabing Section

Year	Wheat		Grain		Fertilisers		Livestock	
	Tons	£	Tons	£	Tons	£	Tons	£
1960-61	11,726	27,481	4,922	12,665	5,297	11,478	....	....
1961-62	10,498	24,729	4,572	10,969	6,033	13,155	....	....
1962-63	17,034	39,486	4,034	9,518	7,388	15,726	....	....
1963-64	17,449	41,008	3,834	12,196	8,849	18,909	....	....

POLICE STATION AT GOSNELLS

Provision for Establishment

9. Mr. D. G. MAY asked the Minister for Police:

In connection with the estimated expenditure for 1964-65 for police buildings, etc., as listed in the General Loan Fund, will he advise if financial provision has been made for the establishment of a police station at Gosnells during 1964-65?

Mr. CRAIG replied:

As a result of readjustment of finance, it is now hoped to commence this work during the present financial year.

RAILWAY FREIGHT

Tonnages Carried and Revenue

10. Mr. D. G. MAY asked the Minister for Railways:

For the year 1963-64 will he advise the tonnages carried by the W.A.G.R. and the applicable total earnings for the following commodities:—

(a) timber (excluding firewood);
(b) wool;
(c) fertilisers;
(d) wheat;
(e) grain;
(f) ores and minerals;
(g) "A" class;
(h) "B" class;
(i) "C" class;
(j) first class;
(k) second class;
(l) livestock—total journey by rail;
(m) livestock—"feeder" service?

Mr. COURT replied:

	Tons	Earnings £
(a) Timber (excluding firewood)	363,069	1,221,957
(b) Wool	89,871	585,295
(c) Fertilisers	521,910	1,151,802
(d) Wheat	1,473,981	3,546,788
(e) Grain	198,065	485,220
(f) Ores and minerals	626,560	826,860
(g) A class	97,498	376,381
(h) B class	70,678	377,487
(i) C class	76,028	442,263
(j) 1st class	106,013	835,443
(k) 2nd class	54,140	667,350
(l) Livestock—total journey by rail	114,905	363,681
(m) Livestock—feeder service	Not recorded	3,982

STANDARD GAUGE RAILWAY

Land for Storage: Owner and Rental

11. Mr. BRADY asked the Minister for Railways:

(1) Under what conditions is land being leased for storage for the standard gauge railway at Upper Swan?

(2) Is it not possible to use Crown land for standard gauge storage in the area?

(3) Who owns the land leased and what rental is being paid?

Mr. COURT replied:

(1) The land is being temporarily occupied under the provisions of section 112 of the Public Works Act.

(2) There is no suitable Crown Land available in the area.

(3) The land is owned by Bell Bros. and compensation for its use has yet to be determined.

NARROWS BRIDGE LIGHTING

Improvement of System

12. Mr. HEAL asked the Minister for Works:

Will he consider the alteration of the unsightly overhead lighting system on the Narrows Bridge with a view to installing a more powerful and modern system of lighting from the road level on the railing level?

Mr. WILD replied:

The intensity of lighting of the pavement of the Narrows Bridge is adequate for safe traffic movement. However, some months ago the Main Roads Department requested the designers of the structure to advise on the feasibility of applying more modern lighting techniques to the bridge, and experiments are being undertaken in the United Kingdom on a different system of lighting.

SUPERPHOSPHATE PRODUCTION

Minerals Used: Quantity and Price

13. Mr. MOIR asked the Minister for Agriculture:

(1) What amounts of—

(a) Copper ore;

(b) imported bluestone,

have been used as additives to superphosphate fertiliser by manufacturers in this State in each of the last three years?

(2) What has been the price paid by the manufacturer for these minerals respectively in each of these years?

(3) What quantity and what grade of these minerals respectively is used in the manufacture of a ton of superphosphate fertiliser containing these additives?

(4) What is the price paid by the manufacturer for—

(a) imported sulphur;

(b) local pyrites?

(5) What quantity from each source of sulphuric acid has been used by the manufacturer of superphosphate in the last three years?

(6) What quantity of sulphuric acid is obtained from—

(a) a ton of imported sulphur;
(b) a ton of local pyrites?

(7) How much sulphuric acid is used in the manufacture of a ton of superphosphate?

Mr. NALDER replied:

(1) Exact information on this question is not available. However, cupreous ore was used to supply approximately 65 per cent., 30 per cent., and 55 per cent. of the copper used in fertilisers in 1961-62, 1962-63, and 1963-64 respectively. The total use of copper in these years was equivalent to approximately 4,000 tons of bluestone.

(2) Information on the price paid by the fertiliser manufacturers for imported bluestone is not available to the Government.

The prices paid for cupreous ore over the last three years are as follows. Ores containing less than 10 per cent. copper are not now normally accepted by the manufacturers.

Percentage Copper	Price per Unit (1% of copper per ton)		
	1961-62	1962-63	1963-64
	s. d.	s. d.	s. d.
5	65 0	58 0	....
10	65 0	71 0	67 6
15	65 0	75 0	70 0
20	65 0	77 6	72 6
25	65 0	80 0	72 6

(3) Superphosphate and copper fertiliser is guaranteed to contain one per cent. of copper. The copper is added as a mixture of copper ore and bluestone. The proportions of copper ore and bluestone have been varied according to supplies of copper ore. 1.05 cwt. of a blend containing 20 per cent. of copper is mixed with 18.95 cwt. of superphosphate. One company has a registered superphosphate and copper sulphate fertiliser guaranteed 1.25 per cent. copper. This is obtained by mixing 1 cwt. of bluestone and 19 cwt. of superphosphate.

(4) This information is only available to the Government on a confidential basis for consideration of assistance to the mining industry.

(5) Approximately 25 per cent. of the sulphuric acid used in Western Australia for superphosphate manufacture in the last three years has been made from pyrites.

(6) (a) Approximately three tons of 100 per cent. sulphuric acid is obtained from one ton of imported sulphur.

(b) The amount of sulphuric acid obtained from one ton of local pyrites depends on the sulphur content of the pyrites. Approximately 0.85 ton of pyrites is required to make one ton of 100 per cent. sulphuric acid.

(7) Approximately .35 ton of 100 per cent. sulphuric acid is used in the manufacture of one ton of superphosphate.

MURESK AGRICULTURAL COLLEGE

Punishment for Breaches of Regulations

14. Mr. JAMIESON asked the Minister for Agriculture:

(1) Have individual masters the right to inflict punishment for breach of Muresk Agricultural College regulations without prior approval of the college principal?

(2) If so, what is the maximum degree of severity that instructors may use this power without reference to the principal?

Mr. NALDER replied:

(1) Yes.

(2) Imposition of additional manual or scholastic work, petty fines under £1, temporary exclusion from privileges. These are channelled through the housemaster for consistency, record, and review. Students have the right of appeal to the principal.

ALMA STREET SCHOOL, FREMANTLE: DRAINAGE

Investigation of Complaints

15. Mr. FLETCHER asked the Minister for Works:

(1) Would he have investigations made into dissatisfaction expressed by Alma Street State School Parents & Citizens' Association, Fremantle, regarding faults in drainage at that school: complaints including—

(a) a poorly positioned sump which is by-passed by storm water;

(b) another soak well, having soakage only on bottom and not on sides and as a consequence is unable to cope during wet weather;

(c) that in view of items (a) and (b) above, area of the school ground is frequently flooded to the detriment of teachers and pupils?

Responsibility for Installation

(2) Was this drainage installed by—

(a) Public Works Department;

(b) private contractors?

(3) If this work was done by private contractors, which firm was concerned?

Mr. WILD replied:

(1) Yes. The investigation has revealed—

(a) the sumps are in the correct position, but the paving contractor misdirected the falls in the bitumen topping. It is intended to correct the levels at the end of the maintenance period which occurs in the Christmas holidays. Moneys are being held against the contractor to ensure that this work is rectified.

(b) The soak wells have been constructed with soakage only on the bottom. It is considered, however, that when the grades in the paving have been corrected and all soak wells are brought into proper use they will be adequate to cope with the storm water.

(c) Flooding has occurred, but this is due to incorrect grading of paving and is not expected to occur when the paving is corrected.

(2) Private contractor.

(3) Consolidated Constructions.

FISHING

Licensed Fishermen and Number Engaged in Crayfishing

16. Mr. KELLY asked the Minister for Fisheries:

(1) How many fishermen were licensed in the years from 1956 to 1964?

(2) Of this number, how many were engaged in fishing for crayfish?

Number and Value of Licensed Boats

(3) How many licensed boats operated in the same bracket of years?

(4) What was the value of licensed boats in the same period?

Mr. ROSS HUTCHINSON replied:

(1) to (4) The replies are set out in the following table:—

Year	Total Number of Licensed Fishermen	Number of Crayfishermen	Licensed Fishing Boats	Value of Boats £
1956	1,285	786	706	1,242,000
1957	1,348	835	812	1,488,000
1958	1,503	927	871	1,703,000
1959	1,673	1,109	960	2,089,000
1960	1,923	1,320	1,053	2,723,000
1961	2,039	1,415	1,120	2,875,000
1962	2,483	1,716	1,325	3,220,000
1963	2,526	1,305	1,456	3,717,000
1964*	2,159	1,626	1,370	3,522,000

* To 31st August, 1964.

CENSORSHIP OF LITERATURE

Action towards Uniformity

17. Mr. DAVIES asked the Chief Secretary:

(1) Is it a fact that uniform literature censorship is proposed for the whole of Australia?

(2) If so, what action is being or has been taken in this regard?

Mr. ROSS HUTCHINSON replied:

(1) and (2) The matter of uniform literary censorship is being reviewed at Commonwealth level prior to further discussion with the various States.

WATER RATING IN COUNTRY DISTRICTS

Effect on Rentals of Commonwealth-State Homes

18. Mr. NORTON asked the Minister representing the Minister for Housing:

What effect will the new country water supply rating have on the rental of Commonwealth-State rental homes in country areas?

Mr. ROSS HUTCHINSON replied:

The answer to this question can only be given when the full details of the scheme are released.

MULTIPLE PENSIONERS' FLATS

Water Supply Arrangements

19. Mr. GRAHAM asked the Minister representing the Minister for Housing:

(1) Where there are multiple pensioners' flats, such as groups of four, what are the water supply arrangements?

(2) In how many cases is there one meter only?

(3) Are submeters installed?

(4) Is an addition made to the rentals to cover use of excess water?

(5) If so, what is the weekly charge?

(6) Are tenants supplied with information as to the annual cost of excess water?

(7) Should the excess water cost be less than the total additional levy paid by tenants, what happens to the balance?

(8) What protection is there for the other tenants if one tenant indulges, for example, in extensive vegetable gardening activities, thereby using considerably in excess of his share of the allowable water?

(9) What is the total received under the heading of (4)?

(10) What sum has been paid to the Water Supply Department for excess water on behalf of the people concerned?

Mr. ROSS HUTCHINSON replied:

(1) Between 1955 and 1958, the commission erected multiple flat projects of three or four flats each as rental accommodation including some for pensioners under either the Commonwealth-State or McNess Housing Trust schemes. A variety of water supply arrangements were made, these being individual metering to some flats; master metering with and without submetering to some flats and no metering. The location of the laundry facilities and the condition of the supply governed the method employed.

(2) and (3) No detailed break-up has ever been kept.

(4) and (5) Yes, where the excess water has been unduly high as in one project of four flats with a master meter only and where the tenants established excellent gardens. They have not objected to paying for some years an additional 2s. 6d. per week towards the cost of the excess water used to maintain the high standard of their gardens.

(6) No.

(7) This has not occurred.

(8) Should a tenant in his use of water be unduly excessive, similar arrangements as stated in answer to (4) and (5) would be considered. However, this has not been necessary to date.

(9) Approximately £143.

(10) £151 12s. 11d.

RAILWAY FOOTBRIDGE AT BELLEVUE

Demolition and Replacement

20. Mr. BRADY asked the Minister for Railways:

(1) Did the Railways Department confer with the Education Department before removing the overhead bridge at Bellevue Road, Bellevue?

(2) Is he aware that daily approximately 30 children use the bridge now being demolished?

(3) As many mothers have to see their children over the railway line for safety sake, will he see a replacement bridge is built?

Mr. COURT replied:

(1) No. Observation showed that the bridge has had little if any use for years and that the pedestrian level crossing provided alongside the bridge is preferred.

(2) and (3) A suitable footpath will be provided across the railway at this point, with races at each end to ensure that users will look both ways before crossing.

COUNTRY TOWNS

Valuations

21. Mr. CORNELL asked the Treasurer:

(1) In what country towns have net annual valuations been reviewed since the 1st July, 1962?

(2) What was the aggregate net annual value, respectively, for each of those towns—

(a) prior to the revaluation;

(b) after the revaluation?

(3) Which country towns are being currently revalued for net annual value purposes?

(4) Which country towns are scheduled for a net annual revaluation during the next 12 months?

Mr. BRAND replied:

(1) and (2) The towns revalued since the 1st July, 1962, and the aggregate net annual values before and after the revaluation are—

Town	Aggregate Value before Revaluation	Aggregate Value after Revaluation
	£	£
Australind	*	8,496
Baker's Hill	†	143
Bencubbin	4,256	4,243
Boulder	101,077	105,315
Bremer Bay	†	2,051
Bruce Rock	18,345	24,081
Bullfinch	16,852	5,094
Balingup	*	4,635
Boyup Brook	17,392	25,747
Brunswick Junction	25,517	30,124
Belka	81	220
Boyanup	*	8,853
Broomehill	*	3,905
Bowelling	†	105
Boogardie	†	294
Buntine	†	1,074
Benger	†	384
Bunbury	633,834	673,406
Coolgardie, including Bulla Bulling	13,200	10,149
Corrigin	29,396	31,725
Carnamah	11,035	12,212
Coorow	5,113	5,239
Cranbrook	5,744	6,186
Cuballing	1,713	1,782
Cue-Day Dawn	4,705	3,776
Capel	*	13,833
Cunderdin	18,352	28,003
Central Districts, Northam, includes—		
Amery		
Benjaberring		
Cadoux		
Ejanding	2,425	2,157
Korrelocking		
Manmanning		
Yelbeni		
Central Districts, Merredin, includes—		
Baandee		
Burracoppin		
Bodallin		
Elabbin	3,717	4,600
Hines Hill		
Moorine Rock		
Nangeenan		
Noongaar		
Dowerin	10,738	13,846
Denison	7,188	9,320
Dwellingup	5,893	7,176
Dumbleyung	10,656	12,612
Doodlakine	1,421	1,720
Dukin	†	102
Dongarra	6,301	9,512
Duranillin	†	225
Darkan	†	4,672
Esperance	*	84,408
Eaton	*	8,781
Fitzroy Crossing	†	1,154
Goomalling	16,663	19,358
Gabbin	404	475
Gnowangerup	14,726	24,532
Grass Valley	1,335	1,931
Gingin	*	8,283
Gunyidi	†	9
Greenbushes	5,391	1,267
Hamel	*	800
Harvey	63,057	84,459
Howatharra	†	215
Jennacubbine	†	635
Kununoppin	3,429	3,543
Kalgoorlie	289,479	338,646
Kondinin	8,127	9,270
Koorda	6,822	7,584
Kulin	7,170	8,847
Kellerberrin	31,270	40,997
Kulja	†	181
Kalannie	†	577
Lake Brown	46	20
Lake Grace	10,939	15,297
Laverton	*	1,265
Leonora	10,122	13,222
Mukinbudin	4,350	4,695
Marvel Loch	2,801	1,250
Margaret River	21,694	27,683
Miling	3,325	3,071
Meckering	6,450	8,464
Minnivale	001	705
Mt. Magnet	13,332	14,042
Merredin	77,982	112,374
Marchagee	†	338
Mogumber	†	696
Mudiarrup	†	131
Norseman (including Widgiemooltha)	39,044	48,024
Narrogin	107,981	158,138
Nannup	10,705	9,764
Northampton	20,827	19,779
Northam	266,575	272,465
Nukarni	161	315
Nungarin	6,405	5,848
Newdegate	*	3,837
Naraling	†	95
Nanson	†	876
Nabawa	†	320
Needilup	†	253
New Norcia	†	1,008
Nullagine	*	569
Ongerup	†	2,068
Pinjarra	26,973	31,052
Pingelly	20,430	24,328
Popanyinning	1,335	1,446
Pithara	†	2,626
Piawaning	†	454
Quairading-Dangin	18,711	22,007
Quindanning	†	1,566
Southern Cross (including Karalee, Carrabin and Yelbeni)	15,864	16,651
Salmon Gums	2,017	2,038
Sandstone	656	662
Shackleton	1,272	2,116
Trayning	4,226	4,703
Tambellup	7,028	8,901
Three Springs	10,462	12,137
Toodyay	14,874	18,132
Tammin	6,238	8,531
Welbungin	31	31
Wyalkatchem	14,915	18,008
Woodanilling	1,675	2,333
Waroona	27,691	29,836
Watheroo	*	1,731
Westonia	1,242	2,109
Williams	10,137	11,113
Wandering	*	1,131
Wickepin	*	7,926
Wiluna	†	2,217
Wyening	†	34
West Arthur	†	483
Wokalup	†	2,674

Town	Aggregate Value before Revaluation	Aggregate Value after Revaluation
	£	£
Yarloop	7,378	8,355
York	37,741	41,973
Yericoin	†	2,248

* Assessed for Public Works Department for new or proposed water systems. No previous annual values.

† Assessed for local authorities, previous values unknown.

Note.—Where towns have been reviewed simultaneously for public works water supply rating and for local government rating, the information given is extracted from the water supply valuations.

Due to differences in the formula prescribed in the relative acts, minor differences in annual values may occur.

(3) Bowgada.
Bunjil.
Caron.
Latham.
Maya.
Mingenew.
Moora.
Morawa.
Mullewa.
Perenjori.
Pindar.
Tardun.
Tenindewa.
Wongan Hills.

(4) Beverley.
Bridgetown.
Brookton.
Denmark.
Donnybrook.
Highbury.
Katanning.
Kojonup.
Mt. Barker.
Wagin.

QUESTIONS WITHOUT NOTICE

RAILWAY STRIKE

Notification to Commissioner

1. Mr. CROMMELIN asked the Minister for Railways:

(1) Did the Commissioner of Railways have any warning of the present railway strike?

Rule Disputed: Application

(2) Is the rule complained of by the loco drivers peculiar to this State?

Mr. COURT replied:

(1) No. To the best of my knowledge the first advice the commissioner received was at approximately 3.45 p.m. yesterday, and the commission immediately reported the matter to the Industrial Arbitration Commission. It was not practicable for the Railway Commission to contact the loco drivers' union officials, because when the commission's officers tried to do so they were not available in their office.

(2) It is not peculiar to this State; in fact, in all other States, with the exception of one—I think it applies in the case of New South Wales, Queensland, South Australia, and the Commonwealth Railways—the total operation is done by the fireman without any assistance at all from the guard. In the case of the Western Australian rule that is complained of the guard does give some assistance.

Discussions between Commissioner and Unions

2. Mr. W. HEGNEY asked the Minister for Railways:

Can he say whether the Commissioner of Railways discussed the matter with the unions before he put the new order into operation?

Mr. COURT replied:

Yes. The matter was discussed with the unions at some length, and it was a letter from the unions that eventually, of course, notified the commissioner that they intended to go on strike.

GOVERNMENT OFFICES ON OBSERVATORY SITE

Protection of Construction Workers: Inspector's Report

3. Mr. HEAL asked the Minister for Works:

Last Thursday I asked the Minister whether the report he read was the full report of the inspector as presented to him, and if that were not so would he table the full report? Could the Minister supply the information sought?

Mr. WILD replied:

Yes. The report as read by me was the exact report that came from the officer who did the inspection. It came through the senior inspector to me.

RAILWAY STRIKE

Negotiations between Commissioner and Unions

4. Mr. JAMIESON asked the Minister for Railways:

Is he aware that negotiations have been going on for some considerable time between the union concerned and the Commissioner for Railways in respect of the cause of the holdup with the drivers and firemen?

Mr. COURT replied:

Yes, I have just indicated that information to the honourable member for Mt. Hawthorn.

Mr. Jamieson: Not in the same way.

Mr. COURT: It is in the same context and has the same meaning.

TRAFFIC ACCIDENTS

Action against Youth Involved

5. Mr. CRAIG (Minister for Police):

On Thursday last the honourable member for Balcatta asked me a question arising out of a report in the *Daily News* of the evening before regarding a young man who had been driving cars which were involved in a number of roll-overs. I think he asked whether it was considered that this particular person should be in possession of a license, and I undertook to have investigations made and advise the House accordingly.

From inquiries and from statements made it would appear that the newspaper report was not correct. It is presumed that this report was based on information supplied; but whether this information was true or false I am not in a position to say. However, the Commissioner of Police sees no reason why the license should be withdrawn at this point of time.

RAILWAY STRIKE

Developments

6. Mr. HEAL asked the Minister for Railways:

Can he inform the House whether there are any late developments in regard to the present strike?

Mr. COURT replied:

The conferences were held this morning under the direction of Industrial Arbitration Commissioner Cort, and they were adjourned until this afternoon. The latest information I had at 4.25 p.m. was that no finality had been reached at that stage.

BILLS (4): ASSENT

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

1. Inquiry Agents Licensing Act Amendment Bill.
2. Agriculture Protection Board Act Amendment Bill.
3. Health Act Amendment Bill.
4. Presbyterian Church Acts Amendment Bill.

BANANA INDUSTRY COMPENSATION TRUST FUND ACT AMENDMENT BILL

Third Reading

Bill read a third time, on motion by Mr. Nalder (Minister for Agriculture), and transmitted to the Council.

YOUTH SERVICE BILL

Report

Report of Committee adopted.

BIBRA LAKE-ARMADALE RAILWAY DISCONTINUANCE AND LAND REVESTMENT BILL

Second Reading

Debate resumed, from the 24th September, on the following motion by Mr. Court (Minister for Railways):—

That the Bill be now read a second time.

MR. FLETCHER (Fremantle) [4.55 p.m.]: I have had a look at this Bill and I find that very few provisions are required to achieve the purpose set out, which is to authorise the discontinuance of the Bibra Lake-Armadale railway. I notice that paragraph 4 says—

On and from the date of the coming into operation of this Act the scheduled railway shall cease to be operated until the Governor otherwise declares.

We find, however, that paragraph 5 contains a provision that the Minister for Railways may direct that all or any of the material comprising the scheduled railway—

(a) be used in the maintenance of any Government railway as defined by section two of the Government Railways Act, 1904.

It also states that this material may be used in the making of any railway for Her Majesty in the State that is made under the authority of a special Act, and that it may be sold, disposed of, or otherwise dealt with.

This seems to me to be in contradiction of the earlier clause that the railway shall cease to be operated until the Governor otherwise declares. I just wonder how the Governor could otherwise declare once the railway had been dismantled. The provisions in the first and second schedules pinpoint the actual railway line to ensure that the correct line is disposed of. A reference to the metropolitan region scheme map shows that when this line is discontinued there will be a junction with the Jarrahdale-Kwinana-Fremantle line, and there will be a small spur running from that line to Bibra Lake. I noticed this fact on the map previously referred to which indicates a junction with the proposed line south of the river.

This small line running eastwards from the Jarrahdale-Kwinana-Fremantle line is evidently to serve the timber company referred to by the Minister in his second reading speech. I noticed that in part of his speech the Minister said that receivals at Jandakot totalled 530 tons and 4,797 respectively for the two years, and this consisted mainly of timber. The Minister, of course, referred to the two

years that have just passed. This does demonstrate, therefore, that the new siding at Bibra Lake will handle something like 3,267 tons. I arrived at that figure by subtracting the firstmentioned figure from the second. This shows that that small line will have some economic purpose in the future.

In speaking to the Bill generally I find that the line covered by the Bill was opened on the 15th July, 1907, which is prior to many of us in this House arriving on this planet—not all, as I think someone interjected. It served a good purpose for poultry farmers and others in regard to pastoral activities in the area contiguous to the line. It enabled timber and other material to be carted to the Fremantle area; and it was a short cut to Fremantle south of the river. Good roads and modern transport now seem to have superseded this utility. Road transport and the installation of the Fremantle-Kwinana rail link that is now connected with the south-west make the old line redundant.

Records reveal that the continuance of the old line is certainly not an economic proposition. Owing to the alternative transport I have mentioned being available, few, if any consignees or consignors will be disadvantaged; and I understand that passenger transport was nil. The railway personnel who had been operating the line will not, I hope, be disadvantaged and will not become redundant; and I hope they will be engaged on the alternative contiguous railway route. The timber firm that previously handled timber by rail through Jandakot will, in the future, handle its timber traffic through Bibra Lake. The Minister, in his second reading speech, asserted that the firm concerned would not be disadvantaged but rather that it would be advantaged as a consequence of that siding being closer to the works than was Jandakot.

The area affected is not in my electorate, but I was requested by the honourable Mr. Curran, M.L.A. for the area, to watch his interests in this matter.

Mr. Bovell: He is the honourable member for Cockburn.

Mr. FLETCHER: That is so. I did mention the honourable member by name, and said the area was not in my electorate.

Mr. Bovell: It is against Standing Orders to mention an honourable member's name.

Mr. Hawke: The Minister should not be so bad-tempered on a Tuesday.

Mr. Bovell: I am most good-humoured towards the honourable member for Cockburn.

Mr. Hawke: The Minister must have lost his money on East Fremantle last Saturday.

Mr. FLETCHER: I did not catch the Minister's interjection; but the honourable member mentioned by the Minister and mentioned by name by the honourable member for Fremantle is absent from today's sitting, owing to a leg abscess requiring some small surgery. He will be here tomorrow to speak for himself.

The line, as I have said, played a prominent part in the economy of Fremantle and the area it served, so I have some association with it. It has been a faithful public servant; and, like all faithful public servants, it has to retire at some time.

Mr. Cornell: Without a pension!

Mr. FLETCHER: Yes, without a pension; but it is necessary to retire this line and to introduce this Bill to do just that. I regret the need, but I support the Bill.

MR. COURT (Nedlands—Minister for Railways) [5.4 p.m.]: I thank the honourable member for the comments he has made both as a member of the Chamber and on behalf of the honourable member of one of the districts directly concerned.

I should emphasise that the closing of this railway is a sign of progress. The line has, in fact, been replaced by a more effective and much more efficient system: one that has been more closely designed to serve the needs of what we expect to be a great industrial complex in these parts.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

NATIONAL TRUST OF AUSTRALIA (W.A.) BILL

Second Reading

MR. BRAND (Greenough—Premier) [5.9 p.m.]: I move—

> That the Bill be now read a second time.

Honourable members will recall that this Bill was originally introduced by me in 1962. Subsequent to the moving of the second reading, the Historical Society sought certain amendments which were the subject of discussion with the National Trust. As the session had reached a fairly advanced stage; and as it did not appear that a satisfactory decision would be arrived at between the two organisations, it was decided not to proceed with the Bill.

However, I am happy to say that since that time agreement has been reached between the National Trust and the Historical Society; and the appropriate alterations have been made in the Bill. I am in receipt of a letter from the Historical Society which wishes the measure success and assures me of that society's cordial association with the National Trust in its public-spirited work to preserve and to cherish our historical and cultural heritage

in any way within members' individual or combined powers. That is a clear indication, I should say, of the Historical Society's full support for the contents of this measure.

The Bill has for its purpose the establishment and incorporation as a statutory authority of the National Trust of Australia (W.A.). The need for a National Trust in this State has been written of and talked about intermittently for about 35 years; in fact, ever since some city councillors proposed to make drastic changes to the Perth Town Hall clock tower. With the rapidly changing skyline of our city and the need to provide modern highways, many of our historic landmarks are in danger of disappearing.

The need for a country or a State to form a national trust, supported by legislation and by public-spirited citizens, became widely appreciated in England during the latter part of the last century. From the beginning of the movement, the emphasis on preservation was directed to the outstanding and beautiful scenes in the countryside, as well as to buildings of historic and architectural merit. It came more and more to be realised that if a famous building or a place of beauty were to be preserved for future generations, then it should be put in the safe hands of an independent authority, whose primary function would be its preservation for the enjoyment of the whole community.

The National Trust of England was first incorporated in 1895, and received statutory recognition by a special Act of Parliament in 1907. Since then it has steadily grown in national significance; and now, in addition to holding very many buildings of great historic value, it also owns hundreds of thousands of acres of the countryside in England to be preserved in the national interest.

In Scotland, the National Trust was formed in 1930; and now, after only 30 years of its existence, it owns nearly 100 castles, cottages, gardens, beauty spots, and historic sites. I might say that during my visit to Scotland last year, I met some of the leaders of the trust in Scotland who were very anxious to show us some of the work of the trust; and I am glad to say that even though the trust was founded only in recent years, timely action has been taken to preserve the worth-while buildings and to retain the worth-while scenic sites in and around that beautiful country.

In Australia the pattern of development of national trusts in the various States has been more recent but on similar lines, with emphasis on the preservation of the best of our national heritage and with the equally important function of developing in the public mind an awareness and appreciation of beauty, whether man-made or God-made. There is always a danger in a country like ours, where the history of white settlement is so short, of undervaluing the worth of historical buildings and places; and the National Trust throughout Australia has aimed at educating the public to a realisation of the importance now of preserving for future generations the existing monuments to our history.

The first of the Australian National Trusts was formed in 1945 in New South Wales; was registered in 1950 as a non-profit company; and in 1960 was recognised by Statute and given wide powers. In South Australia the National Trust was incorporated by Act of Parliament in 1955. I believe the Queensland Government is considering the introduction of similar legislation. In Victoria a National Trust was founded in September, 1956. Tasmania also recently formed its own National Trust and has already received a number of historical buildings under its control.

In this State the National Trust of Australia (W.A.) was incorporated under the Associations Incorporation Act in July, 1959, by a group of citizens who felt the urgency of tackling the problem of preservation in this State before there was spoliation by "development."

The principal aims and objectives of the trust here are similar to those in the other States, and are—

1. To restore and preserve historic buildings and those of outstanding architectural merit, and, where possible, to keep them in use, or at least open for regular inspection by the public.
2. To safeguard the beauty and interest of the countryside and coastline in the form of wildflower patches, stands of timber, primitive reserves, national parks, aboriginal relics, and places of importance as the breeding grounds of native birds, animals, and plants.
3. To stimulate and encourage public interest in places and things of national or local importance by reason of educational, historic, architectural, traditional, artistic, or other special interest.

The National Trust is seeking to avert thoughtless or heedless destruction, but is not attempting to prevent progress, and fully appreciates that every old building cannot be preserved just because it is old. It has realised that its objectives cannot be adequately achieved without legislative safeguards and assistance. With this in mind, discussions have taken place with representatives of the trust, and the legislation before honourable members is the result of recommendations and suggestions

emanating from these meetings. The legislation is based broadly on existing Statutes in Britain, New South Wales, and South Australia.

The main proposals are as follows:—

1. The trust will be constituted a body corporate with perpetual succession and a common seal and power to sue and be sued and with power to purchase and hold real and personal property.
2. The objects of the trust have been briefly mentioned. They are set out in detail in the schedule to this Bill and were adopted from the existing objects of the present registered body.
3. The trust will be managed by a council consisting of 25 members, of whom 16 will be elected by the members of the trust (and these 16 will include a president, two vice-presidents, a secretary, and a treasurer) and nine will be nominated by the following:—
   (i) The Premier of Western Australia;
   (ii) The University of Western Australia;
   (iii) The Royal Western Australian Historical Society;
   (iv) The Royal Institute of Architects (W.A. Chapter);
   (v) The Royal Society of Western Australia;
   (vi) The Country Women's Association of Western Australia;
   (vii) The Tree Society;
   (viii) A representative of local governing bodies throughout the State;
   (ix) The Western Australian Tourist Development Authority.

   Provision is made for a chairman and deputy chairman to be appointed by the council from its elected members.
4. The trust will have power to make by-laws regarding its various activities. Such by-laws will be subject to Executive Council approval.
5. The trust will have power to make rules to regulate the conduct of its own affairs and internal management.
6. The trust will be exempt from all rates and taxes (except for a charge for water used) and gifts, devises, and bequests to the trust will be free of probate and stamp duty.
7. There are other provisions relating to the trust's powers to accept or disclaim gifts and bequests, to invest, to mortgage, to sell or dispose of its property (but only with the consent of the Governor in Council), also power to let or lease property and appoint managers, servants, caretakers, etc., of all or any of its property.
8. The trust's financial accounts will be audited by the Auditor-General.
9. The trust will report annually to Parliament.
10. Finance.—It is not expected that the ordinary running expenses of the trust will be very great. The Government is providing office space and is subsidising the salary of a secretary. However, the trust envisages that its property will grow in the course of time by its acquisition of buildings and sites either by gift, or bequest, or purchase.

    In many cases arrangements will have to be made for the maintenance and upkeep of these properties where they are not revenue producing and the trust contemplates in each case that this will be done with financial help from the public, or from local government authorities, or from the Government.

    Provision is contained in the Bill for the funds of the trust to include all money received by it out of money appropriated by Parliament, for the purposes of its Statute.

It can be confidently stated that this Bill represents a forward move in the very desirable objective of preserving for posterity buildings and places of beauty and historical interest.

During my visit to Britain I could not be other than impressed by the steps taken in that country by the National Trust, and the extreme interest displayed reflects the immense tourist value of its work.

It is, of course, necessary to strike a balance between the utilitarian needs of a progressive community and the enthusiasm to preserve objects of interest and beauty; and in this respect I am pleased to have the assurance of the trust, as previously mentioned, that it does not believe a building should be preserved just because it is old.

The work of the trust will require money, but I wish to emphasise that it is not intended or suggested that we should divert large Government sums for this purpose. It would seem to me that if due publicity is given to this move and the public generally has a full appreciation of the desirable aims and objectives of the trust, there will be a steady response in financial contribution to the fund. In fact, I suppose we can look forward to contributions in both cash and kind.

I believe this to be a timely move. There is abroad a feeling that many buildings of our present generation should be preserved, but it must be recognised that we cannot preserve even the older buildings

of every generation. However, there is a need to have people on this trust with an appreciation and knowledge of the value of such old buildings in the overall concept of this move; and the Government for its part will be guided by their views when it comes to any action required by it.

Therefore I commend the Bill to the House and hope it will receive full support in the knowledge that all bodies interested in this movement are now unanimous in regard to having the Bill placed on the Statute book in accordance with the trust's desire.

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

BILLS (2): RETURNED

1. Prisons Acts Amendment Bill.
2. Bush Fires Act Amendment Bill.

Bills returned from the Council without amendment.

FREMANTLE HARBOUR TRUST ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 24th September, on the following motion by Mr. Wild (Minister for Works):—

That the Bill be now read a second time.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [5.25 p.m.]: The reason for this Bill is to effect two purposes—to change the name of the Fremantle Harbour Trust to a name which the Government regards as more appropriate and suitable; and to effect certain alterations in the law with regard to the powers of the trust. I could not quite follow the Minister when he introduced the Bill. He said that its main purpose is to give a more appropriate title. Surely that is not the main purpose of the Bill? I would say that that is the least important of the things contained in the Bill.

The trust will continue to function under its existing name without any loss of prestige or power; and whilst I am not opposed to the change of name if the Government and members of the trust desire it as a means of giving them greater prestige, I would not under any stretch of imagination regard it as the main purpose of the Bill.

If it is the wish of those concerned that a much higher-sounding title be conferred on this august body, so that it shall in future be known as the Fremantle Port Authority instead of the Fremantle Harbour Trust, well and good. I have no objection. I cannot see it advances us very much, but it has become the custom throughout the world that the larger administrations in ports be regarded as port authorities instead of harbour trusts, and I suppose that is the reason for this. In a few years' time we will no doubt have the Roebourne Port Authority, the Bunbury Port Authority, the Busselton Port Authority, and the Esperance Port Authority.

Mr. Brand: Don't forget Albany!

Mr. TONKIN: And the Albany Port Authority.

Mr. Hall: You'll hear more about that later on!

Mr. TONKIN: No doubt this Bill will initiate the desire in the breasts of a number of people for this higher-sounding title. However, it makes no difference to me if the trust wishes to be known as the Fremantle Port Authority.

I agree with the Government that it is not desirable that the administration of the port should have the immunity of the Crown, because it is an authority which comes into association with a number of business people. It has business dealings and should have the same responsibilities and obligations as the people with whom it is dealing. This is in accordance with modern thought, and so this provision in the Bill to ensure that the port authority will not have the immunity of the Crown is a good provision and I have no objection to it.

Another provision is to make it possible for the Governor to fix the fees which will be paid to the members of the authority. At present the commissioners receive a fixed fee which is based on their attendance at meetings. That is not such a bad idea, either, as I think it does a lot to ensure that members will attend; because if they do not attend, they do not get paid. If they receive a fee whether they are there or not, it is an inducement to some people to attend as few meetings as possible and to allow more pressing private business to take precedence over their attendance; because a number of members on the port authority are men engaged in other activities.

It seems to me not unreasonable to say, "If you do not attend, you do not get paid; you are not rendering any service." I do not know that this is such a good idea, after all. But I know it is general practice. It applies to honourable members of Parliament. We do not get paid on the number of sittings we attend; and I suppose it is a case of what is good for us might be good for somebody else.

I do feel, however, that there is an advantage in providing that if the members of some boards do not attend to do the work of the boards they shall receive no emolument for the particular meeting; because, after all, that is all that some of them do: the contribution they make is their attendance at the board meetings and their participation in the discussions while they are there. Apart from that, some of them have no obligations at all.

So I am not completely satisfied that this move is a good one; but I will acknowledge that there are other boards where this provision for payment by attendance does not apply, and a set fee is given for the position; and if that is the Government's desire, I am not going to quarrel about it.

I agree without any reservation at all that there is no necessity for the Governor to approve of the appointment of all the officers in the trust. This is an unnecessary task under the existing Statute. I have studied carefully the exclusions which it is proposed to make, and I am quite satisfied that the position will be properly met if the remaining officers are appointed by the Governor from time to time. All that the Bill does in this connection is to remove the obligation that now exists to have all officers of the trust appointed by the Governor; he will only appoint a few of them, and they are the most important ones.

As the Minister explained, if the Bill is agreed to, Executive Council approval will apply in future only to the appointment of senior officers, such as the general manager, the assistant general manager, the wharf manager, the harbourmaster, and the secretary. Likewise these officers will be able to be dismissed only with the approval of the Governor.

The commission at present has authority to undertake extensions to the harbour to the extent of £2,000 only, in connection with any one project. There was a very good reason for that in years gone by. The Government itself had a large work force —it had it right from the construction of the harbour—known as the harbour works. Those men served for a number of years, building up long service leave rights and the like, and so it was considered uneconomic for the harbour trust to duplicate this work force and gradually build up a work force of its own to be available to undertake large extensions.

Because of that, the amount of work which the trust could initiate was limited to an expenditure of £2,000 on any one project. Now, it has been the policy of this Government to disband the Public Works Department work force. It has been considerably reduced in numbers, and the trust has not expanded its work force to any great extent, but has followed Government policy by having its work done as a result of calling tenders from outside contractors.

A provision in the Bill will mean that in future when the trust wants to undertake extensions exceeding £2,000 in cost, it will be authorised to do so if it obtains the approval of the Minister for the work which it desires to carry out. It will not be limited to an expenditure of £2,000. If it wants to spend £50,000. it will be able to obtain the approval of the Minister for the expenditure and will then call tenders and have the job done.

That has been brought about by the changed circumstances. It would not have been economic to do that in past years because it might have meant that a large Government work force would be overlooked and standing idle while the trust itself built up a work force to do the job, or while it gave the work to somebody outside. But as the Government work force has practically been destroyed and most of the work is now being done by private contract, there is a safeguard here that the trust may not embark upon this policy without ministerial approval. The Government will therefore be able to know all along what the trust proposes to do; and if the Government is prepared to give its approval, I see no reason why the trust should not be allowed to carry out such work.

There is also provision for navigational aids to be provided within the area under the control of the trust. Now this can only be done with the sanction of the Minister. Well, what does the Minister know about navigational aids, anyhow? He would have to be advised by some officer of the department; and I can imagine nobody in the department who would know more about the need for navigational aids than the men in the port authority itself and the men advising the port authority. So I have no objection to this alteration being made so that the trust, if it feels that navigational aids are required, will be permitted to have them supplied.

I can see no necessity for obliging the trust to display out in the front of its offices a list of its dues and charges. That is a bit archaic. It is a simple matter, if one wants the information, to go into the office and ask to be shown a list of the dues and charges. I can see little value in obliging the trust to post the list outside; and I am not too sure whether the trust has been complying with the law in this respect. However, the point is that the Government proposes to relieve the trust of its obligation to do this, and I have no objection to the proposal.

There is also a provision to increase the penalty for the evasion of port dues from £10 to £100 so that the penalty for this offence can be brought into line with penalties for other offences. This seems to me to be the order of the day now: increased penalties for all sorts of things. I have no objection to this increase in penalty, because evasion of port dues is not something to be encouraged; it has an adverse effect on the revenue of the authority and can only result in higher charges to somebody else. So I think this is desirable as a deterrent; and, of course, if one has only to pay a maximum penalty of £10, there is an inducement to try one's luck in respect of the evasion of port dues. But if there is a liability of £100, it might not be such an attractive

proposition. So I think this proposed increase in penalty is desirable and is likely to be effective.

It is also intended that the port authority, or the commissioners of the port authority, shall be permitted to borrow money on overdraft. I think it was last session, or the session before, when we gave the harbour trust commissioners authority to borrow—it might have been earlier than that; time passes so quickly—and they borrowed, not at the rates of interest that the Premier told this House that the money would be available to the Government and most Government instrumentalities, but at much higher rates. However, they borrowed, and now it is proposed to allow them to borrow on overdraft. There is no alteration in principle: borrowing is the same whether one borrows on overdraft or on mortgage on property, or whether one borrows from an insurance company. In each instance one has to pay the money back and has to pay interest on the money.

Mr. Bovell: Yes; but an overdraft is usually calculated at a daily rate of interest, and if you pay in credits, it does save a certain amount.

Mr. TONKIN: Yes; there could be a saving in the cost of the money. But if the trust is going to borrow money for harbour installations, it is not likely to borrow the money on short term. So I do not know that the commissioners will get any great advantage in that direction in regard to a saving of interest. However, as they have the power to borrow from institutions, I have no objection to their having the power to borrow on overdraft if they find banks that are prepared to lend them money for the purposes for which they desire to use it.

Under the existing Act there is a limit to the local authorities that can make by-laws with respect to land which comes within the trust boundaries. The local authorities mentioned in the Act are those of Fremantle, East Fremantle, and North Fremantle. North Fremantle no longer exists as a municipality; it has been amalgamated with Fremantle. So there are only two which have the power to make these by-laws.

The Bill proposes to give to all local authorities with boundaries contiguous to the Harbour Trust boundary power to make by-laws in connection with that portion of their area which is concerned with the Fremantle Harbour Trust; and I think that is desirable. I see no reason why this right should be limited to two specific local authorities and other local authorities with contiguous boundaries should be excluded. So it is proposed to make an alteration to provide that all local authorities with contiguous boundaries shall have the power to make these by-laws.

I think what I have said practically covers all the new proposals. Some of them appear to be quite necessary and desirable; others I would not regard as necessary although they may be desirable. I see no very strong points of difference at all with the Government's intentions in regard to the measure, and on behalf of the Opposition I indicate that we are prepared to support the Bill.

MR. WILD (Dale—Minister for Works) [5.45 p.m.]: I thank the Deputy Leader of the Opposition for a clear explanation of the various points that were submitted on this measure; and I am glad to hear that, on behalf of the Opposition, he agrees to the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

ELECTORAL ACT AMENDMENT BILL

Second Reading

MR. COURT (Nedlands—Minister for Industrial Development) [5.53 p.m.]: I move—

> That the Bill be now read a second time.

Except for a small amendment to section 70 of the Act, which was accepted by the Minister for Justice in another place, this is the Bill introduced by that Minister to provide for adult franchise, compulsory enrolment, and compulsory voting for the Legislative Council. This was foreshadowed during last session, when the Electoral Districts Act Amendment Bill was passed providing for the redivision of the State into 15 provinces instead of the existing 10 and the amendment to the Constitution Acts Amendment Act.

The reason this Bill could not have been introduced last session lies in the fact that, in addition to making provision for adult franchise, other amendments were required, and it was desired to take the opportunity of examining the Electoral Act closely in order to give effect during this session to all amendments necessary to dovetail in with the legislative scheme for the redistribution of Legislative Council districts and the conduct of elections on the basis of adult franchise and compulsory voting.

The amendments in this Bill have been prepared on the basis that there will be a registrar for each Legislative Assembly district, who will also be the registrar for the corresponding district of a province.

Only one claim card will be required under these amendments and the one roll will be used for both Legislative Assembly and Legislative Council elections.

The Bill, when it passes into an Act, will not become operative until a date to be proclaimed. Its provisions are essential following the amendments to the Constitution Acts Amendment Act of 1963. It is of considerable length; but, nevertheless, it may be regarded as a purely formal measure. I propose to comment briefly on each clause.

The proclamation in clause 2 would coincide with the date of the proclamation under the Electoral Districts Act bringing the 15 new provinces into existence between the 10th and the 31st December of this year. The next is a consequential amendment. The interpretation "conjoint election" in paragraph (a) covers the holding of two general elections on the one day when considered desirable. Other amendments in clause 4 are consequential or repeal matters covered by the Interpretation Act.

It is in clause 5 that provision is made for each Legislative Assembly registrar to be the registrar for the corresponding district of the province. This obviates the necessity for a separate registrar for a province. The wording in the amendment in clause 6, which refers to the qualification of electors, extends the qualification provisions to include electors for both the Legislative Assembly and the Legislative Council. Provision is included for the enrolment of an honourable member of the Council and his wife for a district of the province which he represents. This now corresponds with the existing provisions in the Act applying to honourable members of the Legislative Assembly.

Clause 7 has reference to electoral rolls and entitlement to vote. The amendments anticipate the use of one roll for both Houses. They confirm the entitlement of each elector whose name appears on a Legislative Assembly roll to vote for a Legislative Council election for the province of which the Assembly district forms part. Clause 8, dealing with rolls, is purely consequential to clause 7. Clause 9 is consequential—the qualification of Legislative Council electors being no longer required to be shown on the rolls. Clause 10 contains a recasting of the provisions in respect of copies of rolls being available for public inspection. It also is consequential to clause 7.

The five following clauses are of a consequential nature or merely correct titles and require no further elucidation at the moment. Clause 16, again of a consequential nature, will remove mention of "qualifying property" from the section of the Act dealing with the essential particulars of a claim. A claim for enrolment for the Council would be made on the same card as for the Assembly. No special explanation is thought necessary at this stage concerning clauses 17 to 22. They are, in the main, consequential or contain corrections to titles, but in clause 23 is contained the important provision for triennial elections in the Legislative Council instead of biennial elections.

The amendment in clause 24, which follows upon the adult franchise provisions, extends to the Legislative Council general elections the same provisions as apply to Legislative Assembly general elections in that polling day will be on the same day in each province. Clause 25, to which I referred in my introductory remarks, amends section 70, which provides that the date fixed for the nomination of candidates shall not be less than seven nor more than 45 days from the date of the writ. This section also carries a proviso that the date fixed for the nomination of candidates for any election in the North Province shall be not less than 35 days before the date fixed for the polling.

The amendment to section 70 moved by The Hon. F. J. S. Wise and accepted by The Hon. A. F. Griffith deletes the proviso. The effect of this is that the date fixed for the nomination of candidates in any part of the State, on the passing of this Bill, may not be less than seven nor more than 45 days from the date of the writ. So, in future elections, the nomination day in respect of any province in the north-west area may be less than 35 days before the date fixed for the polling, as long as it is not less than seven days.

Under clause 26, the Clerk of Writs' notice of intention to issue a writ will be sent to each registrar in the province. Clause 27 is of a consequential nature. The amendments contained in clause 28 give uniformity to postal voting in elections for both Houses instead of the separate provisions contained in the existing section 90. One application from an elector will suffice for the two general elections in the case of a conjoint election. Similarly, one declaration will suffice from the one elector in a conjoint election. That is under clause 29.

The next amendment is consequential upon the concept that an elector voting at a polling place, other than one in the district for which he is enrolled, will be required to make an absent vote for a Council or an Assembly election. This is similar to the requirements in the Victorian and Commonwealth Acts.

Clause 31 makes uniform the provisions for recording votes in a mobile, portable ballot box for Assembly and Council elections. In Council elections up to the present, with non-compulsory voting, the mobile, portable ballot box has been taken to a Council voter only after he has sent a message to the presiding officer requesting he be afforded the right to vote.

The new section 102A introduced through clause 32 deals with conjoint elections, and the provisions now to be incorporated in the parent Act have been culled from the Victorian Act. They clarify the position of returning officers and staff at a conjoint election. The new section also gives the Chief Electoral Officer authority to issue such directions as he considers expedient to implement the proper and efficient conduct of an election.

Under clause 34, either the Registrar or the Chief Electoral Officer will be allowed to sign and date printed rolls for use in polling places for an election. Delays—which possibly may have occurred in the despatch of rolls to remote places when, under existing conditions, they would have to be sent first to a country registrar for signature—will be avoided through this amendment.

Clause 35 will, together with the adult franchise provisions, give a uniformity not at present possible to the questions to be asked of electors attending to vote. Again, it will obviate the necessity for two declarations being requested of an elector at a conjoint election.

Clause 36 deals with section 122A. Under this clause, a claimant for a section 122A vote may apply for a vote only in the district in which he is or should be enrolled. As with postal voting and absentee voting, the amendment provides for one declaration only in a conjoint election.

Clause 37, though brief, is important for it will make the provisions under division 7 relative to compulsory voting applicable to both Legislative Assembly and Legislative Council elections. It will be seen also that under clause 38, all the compulsory voting provisions of section 156 will apply to both Legislative Council and Legislative Assembly elections.

The final amendment is a purely formal one providing for the repeal of the subsection covering the gazettal and tabling of regulations, as this procedure is covered by the Interpretation Act.

I desire to point out that the provisions contained in this measure can come into operation when the State is divided into 15 electoral provinces. This will occur some time between the 10th and the 31st December next. Should there be any points on which honourable members may desire further information, I shall be pleased to clarify them to the best of my ability as the debate proceeds.

It would be of assistance if honourable members were to give advance warning of queries of a technical nature in respect of this Bill that might come to their notice, before the Bill is considered further during the second reading stage.

Debate adjourned, on motion by Mr. Jamieson.

(54)

WHEAT MARKETING ACT (REVIVAL AND CONTINUANCE) BILL

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [6.5 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to revive and continue the Wheat Marketing Act for a further five years, to the 31st October, 1969.

The background to this legislation commenced shortly after World War II, when the original Wheat Marketing Act was passed in 1947. At that time the marketing of wheat was under the control of the Commonwealth, under the Defence Act, 1947, which was due to expire at the end of that year.

In view of the uncertainty of the position regarding marketing of wheat in that period, it was decided to legislate to provide Western Australian wheatgrowers with their own marketing system. The main provision of the Wheat Marketing Act was the setting up of a marketing board to function in the case of an emergency in regard to the marketing of wheat.

The legislation was to be renewed after five years, and this was done in 1951 and 1956; but, due to an oversight, a renewal was not made in 1961, and the legislation expired on the 31st October, 1961.

Although the Wheat Marketing Act was passed in 1947 it has never been used. The reason is that in the intervening years, as a result of agreement between the States on common policy, the wheat industry stabilisation scheme came into being in 1953, and has been in operation ever since. This scheme provides a certain income and security to wheatgrowers throughout the Commonwealth.

The Wheat Industry Stabilisation Act, the State legislation which is complementary to the Commonwealth Act that controls the wheat stabilisation scheme, was extended last year to 1968, for a further five years.

Of course, we do not know what the position will be at the end of this period. It is for this reason it is considered advisable to have the State Wheat Marketing Act revived and kept alive over this term; in fact, a continuation for a further five years would take it through to 1969.

Any breakdown in wheat marketing arrangements with the Commonwealth, although unlikely, would be taken care of by the continuation of the Wheat Marketing Act. Also, this would protect the position in 1968 should there be a failure of agreement, when the wheat stabilisation scheme comes under review once more.

For all practical purposes this Act has been inoperative since its inception, and particularly since the 31st October, 1961, when the last continuation Act expired.

However, as a point of caution, and to remove any doubts as to the validity of any transactions that may have taken place between the expiry date and the passage of this Bill, it is necessary to revive and continue the Wheat Marketing Act as from the end of October, 1961.

If this Bill becomes law, the effect will be that the Wheat Marketing Act would be declared to have been in continuous operation from the expiration of the previous Act on the 31st October, 1961.

This Bill, which I commend to honourable members as a precautionary measure, will put the Wheat Marketing Act back on the Statute book and it would be available, should the occasion arise and it become necessary for the State to implement its own arrangements for the marketing of wheat

Debate adjourned, on motion by Mr. Kelly.

NATIONAL TRUST OF AUSTRALIA (W.A.) BILL

Message: Appropriation

Message from the Lieutenant-Governor received and read recommending appropriation for the purposes of the Bill.

WHEAT MARKETING ACT (REVIVAL AND CONTINUANCE) BILL

Message: Appropriation

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

MINING ACT AMENDMENT BILL (No. 2)

Second Reading

MR. BOVELL (Vasse—Minister for Lands) [6.10 p.m.]: I move—

That the Bill be now read a second time.

While this is quite a brief measure and in appearance contains only two minor amendments to the Mining Act, it is considered essential that, in the interests of the mining industry, the proposals contained in the Bill, which was introduced in another place by the Minister for Mines, be put into effect.

The first amendment, which appears in clause 2, has reference to the definition of Crown land in the Mining Act. We have in the Lands Department for some years past been changing the purposes for which a number of reserves have been set aside from "commons" to "public utility". This procedure has been desirable in order to facilitate the granting of pastoral or grazing leases.

Through this action, however, it has been brought to my notice that these reserves have been removed from the category of Crown land for which titles may be granted for mining purposes. The reason for this lies in the definition of Crown land in the Mining Act. The definition encompasses "common reserves", but makes no provision for reserves set aside for "public utility" purposes being regarded as Crown land for the purposes of the Mining Act. As a result, miners are now required to go to the trouble and expense of applying for the special authority necessary to mine on this type of reserved land.

Parliament, by passing this amendment, will obviate the need for miners to have recourse to such applications and save them the expense entailed. The proposal is understood to be acceptable to all concerned. I am in accord with it and commend it to honourable members.

The necessity for the other amendment in the Bill was brought to the notice of the Minister for Mines during the course of negotiations with a company which questioned the import of the word "reviewed" in subsection (4) of section 277 of the Act, which contains special provisions relating to grants of right of occupancy of temporary mining reserves.

As a consequence of the company drawing the Government's attention to the matter, it was looked into and established that the word was obviously intended to be "renewed". When explaining the Bill in another place, The Hon. A. F. Griffith pointed out that in the text as it now stands, it says the Minister shall review a temporary reserve.

Mr. W. Hegney: Did you say "review" or "renew"?

Mr. BOVELL: I said "review". A Minister might be able to say, "Very well, I have reviewed it and having reviewed it, I will not renew it". But the intention was that the Minister should renew. This point could be quite important in the wide-scale development of our mining deposits which is taking place.

I think it might be preferable now, rather than later, to inform honourable members as to how this inaccuracy in the Act came about. The word correctly appeared as "renewed" in the section when it was first inserted as section 297A by Act No. 56 of 1937. It was altered when the section was repealed and re-enacted and this could give strength to the view that the intention of Parliament was to change it, and the courts might feel constrained to try to give effect to the subsection as it now reads, though it just does not appear to make sense.

The error was actually noticed in 1957 when a Bill to amend the Mining Act was in the Committee stage and section 277 was being repealed and re-enacted with amendments. On that occasion, the Minister for Mines advised the Committee that rather than move an amendment at that

stage for the deletion of the word "reviewed" in line 18, page 4 of the Bill, and the insertion of the word "renewed" in lieu, he would arrange for it to be done in another place. "This", he said, "is merely a printer's error".

By some oversight no action was taken in another place. The printer's error remained in the Bill as passed; and, as already mentioned, the matter having been brought to notice through negotiations being in course, opportunity is taken to set it right. I might add it was not an omission on the part of the present Government.

Debate adjourned, on motion by Mr. Moir.

Sitting suspended from 6.15 to 7.30 p.m.

LONG SERVICE LEAVE ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 8th October, on the following motion by Mr. Wild (Minister for Labour):—

That the Bill be now read a second time.

MR. W. HEGNEY (Mt. Hawthorn) [7.32 p.m.]: This is a Bill to amend the Long Service Leave Act of 1958; and I might say, in passing, that the trade union movement has made quite an appreciable amount of progress over a long period of years, despite much opposition, from time to time, not only in regard to long service leave, but to leave generally, such as annual leave and sick leave.

I recall the Public Works Agreement of many years ago. This was an agreement between the Australian Workers' Union and the Public Works Department that workers who were on railway construction and road construction had to work three months before being entitled to holidays on the basis of one day a month. On many occasions I had to protest strongly to the department and to engineers against the fact that men were sacked after two months and 3½ weeks' employment. Their service was broken and, consequently, they were denied the three days' holiday for approximately three months of service. The trade union movement has had to conduct strenuous campaigns for the introduction of holiday pay; and it is not so very long ago that one week was awarded to workers in industry.

Later on, two weeks a year were awarded; and of recent years, following the New South Wales legislation for three weeks, that amount of annual leave was awarded in this State. Concurrently, the matter of sick leave was one which received a great deal of debate between employers and workers; and the establishment of up to half a day a month, or six days a year sick leave has been in operation for quite a time.

When discussions took place years ago concerning what is generally regarded as long service leave, there was quite strenuous opposition to the proposal; and some employers had the idea that industry would be ruined if this industrial advance were made in the interests of workers in Western Australia.

It may be of some little interest to mention that one section of the workers of Western Australia have enjoyed long service leave for 60 years. By the Public Service Act of 1904, public servants on the permanent staff have been entitled to long service leave after seven years' continuous employment. I took part in discussions years ago in labour councils for the purpose of trying to get long service leave established for wages workers, and the Collier Labor Government instituted by regulation long service leave provisions for all government wages employees, based on three months' leave for 10 years' continuous service. That has been in operation ever since.

Incidentally, the unions comprising government employees have taken advantage of the position and have had effected amendments to awards on the basis I have just mentioned. Wages employees in the Government obtain three months' long service leave after the first 10 years' service; three months after the second 10 years; and their third period of long service leave is based on seven years' service. However, certain foremen in the Public Works Department or government services receive long service leave on the basis of three months after 10 years' service; and then three months after each successive seven years.

The Labor Government in 1957 deputed me to introduce legislation as Minister for Labour on the basis I have just outlined in respect of government employees; but the Bill, although it passed this House, was defeated by another place. The following year we introduced legislation on the basis of three months for 20 years, which was the basis of an agreement arrived at between the Employers Federation and the trade union movement of this State; and that has been in operation for some six years.

As I have said, New South Wales led the way in regard to annual leave; it led the way in regard to other legislation of an industrial and social character; it introduced its Long Service Leave Act in 1955, three years before it was obtained in this State; and now the New South Wales Government has liberalised that provision by reducing the period to 15 years.

It is true, as the Minister for Labour mentioned when he introduced the measure, that the unions and the Employers Federation in this State have agreed that the Long Service Leave Act be amended on the basis of three months after 15 years' service, and on a *pro rata* basis afterwards;

but I desire to mention this: The trade union movement is not entirely satisfied with the agreement that has been arrived at and will take the earliest opportunity to obtain more generous provisions on the basis of the New South Wales Act.

I have had the provisions of the amending Bill checked and the Minister was correct in saying that they are in conformity with the terms of the agreement recently agreed to between the Employers Federation and the trade unions of Western Australia. The provisions of the Bill are such that it is not proposed to contest them, because the agreement, which I just mentioned, was registered in the court only a few days ago; and I presume if any amendments are made to the benefit of trade unionists in this State, whichever government is in office will introduce amending legislation at the earliest possible moment.

I have no doubt that in the course of a few years, 10 years will be the maximum which one will be required to work before being entitled to three months' long service leave. If anybody had said some years ago that a worker, after 20 years' continuous service, would be entitled to three months' long service leave, in addition to sick leave and annual leave, that person would have been regarded as holding very extravagant and extreme views; but when one realises a big section of the workers of Western Australia have enjoyed long service leave on the basis of three months after 10 years' service for the last 36 years—that is, from the 1st January, 1928—it is not so very extravagant after all, particularly in this era of mechanisation, space flights, and automation.

I suggest that before many years pass an amendment on the basis of three months' leave after 10 years' service will not be of a visionary nature at all. I support the second reading of the Bill and hope it will be carried; and I also hope it will be agreed to by another place. Accordingly, I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Wild (Minister for Labour) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Section 8 repealed and re-enacted—

Mr. W. HEGNEY: I would draw the attention of the Minister to paragraph (b) of subclause (6) where mention is made of the Long Service Leave Act, 1955. I think that figure should be 1958.

Mr. ROWBERRY: I would draw the attention of the Committee to page 5, line 8, which reads, "paragraph (a) on paragraph (b). I think the word "on" should be "or".

The CHAIRMAN (Mr. I. W. Manning): Thank you. It is a misprint and the error is being attended to.

Mr. WILD: I know the honourable member for Mt. Hawthorn is very knowledgeable about this legislation and I ask him whether it should be 1958 or 1955.

Mr. W. HEGNEY: The first long service leave Act was introduced into Western Australia in 1958. The year "1955" which is mentioned in the clause I think is a misprint and refers to the 1955 Act of New South Wales. I think the year should be 1958.

Mr. WILD: I move an amendment—

> Page 5, line 40—Delete the figure "1955" and substitute the figure "1958".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 6 to 18 put and passed.

Title put and passed.

Bill reported, with an amendment.

USED CAR DEALERS BILL

Second Reading

Debate resumed, from the 8th October, on the following motion by Mr. Craig (Minister for Police):—

> That the Bill be now read a second time.

MR. BRADY (Swan) [7.48 p.m.]: I have looked through the Bill since it was introduced by the Minister on Thursday evening. I consider it to be an important one which will have wide repercussions on the used-car industry. It has been received in the trade with mixed feelings. Some people welcome the idea of used-car dealers having a license for each premises. Some welcome the idea of each used-car premises being licensed, but some are not sure how the legislation will affect the industry.

The Minister mentioned that the main objective of the Bill is, firstly, to license the premises, and then to license the dealers. He explained that vehicles would be inspected in certain cases, and that car wreckers would come within the provisions of the Bill.

Regarding the licensing of premises, anyone who has moved around the city—and in some country areas—will agree that it is desirable there should be some control over the industry. While some dealers delight in bringing their premises up to a decent standard, there are others who could not care less.

There is one place only half a mile from Parliament House. I passed it the other evening, and I was amazed at the number of vehicles stacked in all directions. They looked like used cars, wrecked cars, and parked cars, all assembled on the front

lawn of a residence. It does not create a favourable impression of the used-car industry.

Car wreckers have taken land throughout the metropolitan area, and unfortunately some of their places appear to be a shambles and anything but an asset to the local government body in whose area they operate. On the other hand, there are men who operate a wrecking business and they have everything under reasonable control and do not let things get out of hand. However, those premises which are open to inspection are not all that could be desired. It appears, therefore, that there is some necessity for licensing these premises. Another reason for doing this is to ensure that those people who are charged with certain responsibilities in this direction know exactly where they are.

There is a provision in the Bill by which dealers will have to be licensed. There will have to be a dealer's license for each of the premises, rather than one dealer operating three, four, or five premises on the one license. There is another provision which alters the definition of dealer. In the past a dealer was a man who handled more than 15 cars a year. As a result of the new provision a lot more people could come within the category of dealer.

Many members realise that dealers should be licensed in order that a check can be maintained on their activities. Most members have had their attention drawn over the last 20 years—and probably more often in recent years—to the fact that people have been caught, and caught properly, with secondhand cars. A lot of those people are women, many of whom choose a car by its looks rather than by its mechanical condition.

Mr. Bickerton: It is just as well they don't do the same with husbands.

Mr. BRADY: I think some of them do choose a husband for his good looks rather than for his mechanical condition.

Mr. Court: That's telling you!

Mr. BRADY: I recollect a mission man coming down from Cundeelee Mission about eight years ago. He came to Fremantle and purchased a vehicle which was to go about 50 or 100 miles the other side of Kalgoorlie. It was essential that this man should have a roadworthy vehicle which could travel over difficult parts of the State. But lo and behold, the man did not get further than Greenmount, just outside Midland Junction, when the car broke down! This man told me he had bought it in Fremantle.

Such people buy a car only occasionally; and when they do, it is essential that the vehicle they purchase should be in decent condition. There are dozens of businessmen who buy secondhand cars because a new car is beyond their means. Those men are often caught. One could continue to relate cases of doubtful dealing in secondhand cars.

There are many approaches to the problem of protecting people against themselves, and that sort of thing. It has been a stock phrase for many years that we cannot protect a fool against himself. But that is just a get-out for anyone who is adopting unsavoury practices. I do not think the average person, by and large, is a fool; and when he purchases a secondhand car he relies a good deal on the judgment of the person who is selling that car; and the public are entitled to protection. I do not think the reliable agent will have any qualms over having legislation on our Statute book to protect unsuspecting purchasers.

Probably the most important part of the Bill is the provision giving members of the Police Department the right to enter dealers' premises and inspect vehicles. I should like to refer to the particular clause more fully, as it will give members an idea of the great responsibility that the Police Department will assume if this Bill is passed. There might be much more still to be said and done to help the Police Department in this connection. The clause reads as follows:—

> Where, in the opinion of any member of the Police Force examining or testing a used motor vehicle, under the provisions of section twenty-two, the vehicle requires any repair, adjustment or re-conditioning, or the supply, fitting or removal of any equipment or any other attention, in order to make it comply with any law relating to the equipment, serviceability or roadworthiness of motor vehicles, he may attach to the vehicle a notice, in the prescribed form, prohibiting the sale of that vehicle, except for the purpose of being broken up, until—
>
> (a) the repair, adjustment or reconditioning, or the supply, fitting or removal of the equipment or the other attention has been effected, made or given; and
>
> (b) the vehicle has again been inspected, and the notice has, subsequent to that inspection, been removed, by a member of the Police Force.
>
> (2) A person who wilfully removes, damages or obliterates a notice affixed to a vehicle, pursuant to the provisions of subsection (1) of this section, or who permits or suffers any of those things to be done, commits an offence.

That is the crux of the Bill so far as a person purchasing a vehicle is concerned. That could be the part of the Bill that is most obnoxious to those people who object to its being brought down. The fact remains that there is some semblance of protection for the general public. I would

hate to think that the introduction of this Bill is a reflection on the used-car dealers' profession, but it is obvious that legislation of this nature has to be brought down in order to protect the general public who, it could be said, are not well versed in motor vehicles and the mechanics of motor vehicles.

Some of us might think we know; but even the experts employed in the various garages, in the R.A.C., and in the Police Force, are frequently in doubt about the roadworthiness of a vehicle. Therefore, how much easier is it for people who are not versed in mechanics to be taken in! And that is one of the important aspects of this Bill.

It would seem that the Police Force in the future will, to some extent, be responsible for seeing that a vehicle which comes from a dealer's premises is roadworthy. I think that is desirable and necessary for half a dozen reasons on which I do not intend to elaborate; but it indicates that the Police Force in Western Australia will have to be provided with some up-to-date machinery and plant which, at the moment, I do not think it possesses; because it could be that many disputations will arise about the roadworthiness of vehicles. What might be an unroadworthy vehicle to one man could be a roadworthy vehicle to another: it would vary according to their knowledge of vehicles generally, where they are being driven, and under what circumstances.

So I think it is essential for honourable members to realise that if this measure is passed they will be virtually saying to members of the Police Force, "There is in Western Australia £100,000,000-worth of vehicles and in future you people will have to assume a tremendous responsibility in regard to them."

About two years ago the Australian Labor Party was most anxious to see a Bill of this description introduced. The proposition was put to the Minister, but he wrote to the Australian Labor Party in reply and said he thought it would be asking the department to accept too big a responsibility. If I may be permitted I would like to quote one or two paragraphs from his reply. This is the letter the Minister addressed to the General Secretary of the Australian Labor Party on the 20th May, 1963, which is approximately 18 months ago—

> The suggestion is fraught with pitfalls, because unless each vehicle was more or less dismantled, reassembled and tested, it would be dangerous for the Police Department to issue a certificate guaranteeing its future efficiency. Fatigue and crystallisation of king pins, axles and steering assembly, and like vital parts could take place and result in breakdown and possible accident, even after the most expert examination. The police traffic vehicle checking section makes checks to locate the more or less obvious faults, and the staff could not be held responsible for not observing the unexpected, as the proposal implies. Close thought would also need to be given to country vehicles, of which there are 101,000 as compared with 146,000 in the metropolitan area.

That is where I got the figure of approximately 250,000 vehicles in the State; and if we average their cost at about £400 each, it puts the figure at somewhere in the vicinity of £100,000,000. So this is a major step which the Police Department is taking, and no doubt it is essential that on the one hand it should take into consideration the unsuspecting person being caught out deliberately in certain sales; and, on the other hand, the unfortunate person buying a vehicle which is unroadworthy, culminating in his having a serious accident.

During my discussions with one man well versed in the motor industry I was informed he was amazed that certain insurance companies allowed cars which have been in major accidents to have the steering assembly heated and straightened and used again. This could be a very dangerous practice if it were allowed to continue. I understand the insurance companies in this State permit that sort of thing to go on, but another man assured me that that would not be the position and that the insurance companies do not encourage that practice.

However, I was further informed that, on occasions, people who repair cars adopt that procedure and use secondhand parts—parts which have been heat-treated and straightened—instead of new parts for which they have quoted in their estimate for repairing a vehicle after an accident. These people quote for new parts but use secondhand parts and naturally benefit from the difference in price.

Therefore I think honourable members have to realise that the department, in accepting this proposition, is assuming a very important responsibility and we may well be confronted in the future with the position of the Police Traffic Branch requiring more up-to-date equipment than it has at the moment. In view of the fact that one in three or one in four adults is running a car, it would seem it is absolutely essential that there should be some central organisation responsible for this matter.

While I know there are some people in the community who would say we should pass the responsibility on to the trade, and the tradespeople should be made to undertake the inspections and make the necessary recommendations, I think it is better to have an independent authority,

like the Police Traffic Branch, handling the matter so that an independent opinion can be obtained.

The provisions in the Bill, if passed, will mean the automatic repeal of part IIIA of the Traffic Act, which includes sections 22AA to 22AF covering used-car dealers. Those sections were included in the Traffic Act in 1957, 1958, and 1960. They will go overboard and the control of used-car dealers will come under the Used Car Dealers Act, as it will be called.

There is one part of the measure which may not altogether meet with the approval of honourable members, and I think I should draw attention to it. I refer to the definition of "dealer", which reads as follows:—

> "dealer" means a person who carries on (whether or not as part of, or in connection with, any other business) the business of—
>
> (a) acquiring used motor vehicles for sale;
>
> (b) acquiring and breaking up used motor vehicles for sale, piecemeal; or
>
> (c) selling used motor vehicles, whether as integral units, or piecemeal;
>
> and the verb "to deal" and inflexions and derivatives of the verb have a corresponding meaning; but a person is not a dealer by reason only of carrying on the business of acquiring used motor vehicles from dealers and disposing of them to hirers, in the course of financing their purchase, under hire purchase agreements made in accordance with the Hire Purchase Act, 1959, or by reason only of disposing of used motor vehicles, repossessed in the course of that business, to dealers;

As I read that clause it seems that if a credit firm, such as I.A.C., Custom Credit, General Credits, or one of the other 14 or 15 credit firms, finances a vehicle it is not a dealer. But what I want to know is: What is the position when these firms repossess them? I understand that these credit firms repossess many vehicles and then sell them to private individuals and not to dealers. In fact, I have heard it said that many dealers are gravely concerned about the inroads the credit firms are making into their business.

In this evening's issue of the *Daily News* there is a heading "Finance Cos. Worry: Sharp Rise in Snagged Car Deals", and the article reads—

> A sharp rise in the number of motor vehicle repossessions is worrying some big Perth finance companies.
>
> They say repossessions have jumped by up to 30 per cent. in the past six months.
>
> Low deposits obtainable until six months ago—when new vehicles could be bought on 10 per cent. or even less —are blamed.
>
> A repossessed £1,000 car can cost a company as much as £200.
>
> Said one finance company official: "In 99 cases out of 100 a repossessed vehicle results in a loss to the company.
>
> "In extreme cases, a repossessed car in bad condition can cost us £500— and some repossessed vehicles are in an unbelievably knocked about state.
>
> "The increase is causing concern, but the level here is still satisfactory compared with that in the Eastern States.

I read the article so that honourable members could see that when they are dealing with this Bill they are dealing with a measure that will have a lot of repercussions in and around the State of Western Australia in the near future, and probably in the distant future. It is just as well for honourable members to know what the Bill contains. I know it is desired—and I would like to see this happen if it were at all possible—that a board be set up to handle all the transactions associated with dealings in secondhand cars. While I personally desire to see something of that kind, I cannot visualise at the moment how such a board would function.

It has been suggested that boards have been set up to handle similar transactions. I am afraid I cannot recall what boards those were. But it does appear that, unless the handling of used cars throughout the State improves in so far as it relates to dealers and those that have been causing anxiety to purchasers, sooner or later it may be necessary to again amend the Act in order that such people can be brought under the control of a board, which may have to be appointed to control all transactions in used cars.

It could be said perhaps that it would be impossible to do this, but I recall that during the war many boards were set up to handle all sorts of merchandise. Indeed, one board was established to handle new cars; not secondhand cars. That board worked very effectively for four or five years. If that could be done in wartime it can be done in peacetime. I hope the necessity will not arise in this industry where something more drastic has to be done. It may be that the Police Department, through the Traffic Branch, could administer this legislation and educate the public in what to look for when they purchase secondhand vehicles. This would ensure that people do not get caught. If the department is to function effectively in dealing with this legislation it will have to do just that.

I could continue in this strain for quite a long time, but I do not propose to do so. I only wish to draw the attention of honourable members to a further amendment,

which seeks to bring wreckers under the jurisdiction of the Traffic Branch, particularly with reference to used cars. It appears that in the handling of used cars certain people have bought cars ostensibly for wrecking purposes, but have subsequently repaired them and sold them. This presents quite a problem, and it would seem that the only way to cover the position is to bring wreckers under the jurisdiction of this Bill. This would help to protect the general public.

I thought it was well for honourable members to know that wreckers will be brought under the control of this Bill; and in future, if they buy cars for wrecking purposes, they will no doubt have to carry out the original purpose of wrecking. This might also help tighten up a lot of other cases where cars have been bought ostensibly for wrecking purposes by private individuals who have subsequently repaired them and sold them to an unsuspecting public.

I have heard a number of stories about the purchase of wrecked vehicles, both in the police traffic yards and by the insurance companies. Some of these stories would make one's hair stand on end. I do not propose to relate them, however, because there are a number of sensitive people in the community who might think I was having a shot at them. I feel the Bill should receive the support of the House in its present form. If somebody thinks a board would be more effective in handling such a matter, I for one would not oppose such an amendment.

This measure is a step in the right direction. There may be weaknesses in the Bill, and I can see a number of what appear to be weaknesses; but the strength of the Bill far outweighs its weaknesses. I feel it is better to have a Bill such as this, even in its existing form, than to have the present undesirable position continue.

We are dealing with £100,000,000 in this industry. There have been between 7,000 and 8,000 secondhand vehicles sold and bought every month; so honourable members will realise the importance of the Bill with which we are dealing. I feel sure it will also be appreciated that the Traffic Branch of the Police Department will have a major responsibility placed on its shoulders in the carrying out of this legislation, which sets out to control the dealers in secondhand vehicles. I think this is a step in the right direction and I support the Bill. I hope it will ultimately be passed even in an amended form.

MR. CROMMELIN (Claremont) [8.23 p.m.]: I do not propose to have much to say on this measure. I merely want to touch on one or two aspects. The first point I wish to raise is that, from what one hears, most of the used-car dealers who are breaking the law are those people who have a used-car yard situated in an area where there is a residence in the yard. It is perfectly obvious that that is the type of man who has a chance of breaking the law by dealing in secondhand cars over the back fence at the wrong time. If there is to be a used-car dealer's yard there should not be a residence on the land on which he is selling the cars.

The second point I wish to mention deals with clause 21 of the Bill, which states that if a dealer trades in a car from this particular State he must notify the authorities of the transaction. But if he trades in a car from another State the Bill says that he shall forthwith deliver the number plates, if any, attached to the vehicle to the nearest licensing or registering authority.

I take it that if I have come over from Sydney with a car registered for 12 months, and I have only used it for two months of that time, and I desire to trade it in to a dealer here, that dealer must hand in the plates to the New South Wales Government. It does not seem reasonable to me that he cannot sell the vehicle and have the benefit of 10 months' registration fee; because if I came here and stayed for 10 months, and my car was registered in the Eastern States, I would have the privilege of using it here for that period.

Clause 23 states that a dealer shall not sell a vehicle needing repairs if a member of the Police Force has examined it and found that repairs are necessary. It cannot be sold until such repairs are carried out. I could drive down Stirling Highway, where there are a number of used-car lots, and I feel certain that I could point out quite a number of them which have few facilities for putting a car in order for sale. How does a man get the car repaired? Has he the permission of the Police Department to get it towed away by a breakdown truck, and have it put on the road in a fit state?

This Bill covers only used-car dealers. Every Saturday morning we see pages of advertisements advertising cars for sale both from dealers and from private individuals. I suppose a private individual can sell a car in a highly dangerous state and suffer no penalty. That is one point that occurs to me. Although we are making provision for the dealers, we are making no provision for the private individual.

I feel the time is rapidly approaching when it will be necessary for every vehicle in the State to be examined periodically. In that respect I would like to refer to a report that has been sent to me by a gentleman named H. S. Gray, who is a superintendent from Vancouver. He advises that by the 6th March, 1964, the station to which he refers will complete its 25th year of operation, and that during that time over 5,250,000 vehicles have been inspected. It is quite obvious how very far behind we are here as compared with Vancouver.

This state of affairs was brought about by a by-law made by the local council. I do not suggest for one moment that any local council, or even the Government, should undertake the control and inspection of vehicles; that should be let out to a contractor. Some of the by-laws are well worth hearing. One states that every motor vehicle shall be inspected twice a year between the 1st March and the last day of August, and again between the 1st September and the last day of February in the following year.

The fee for examining and testing these vehicles is one dollar 25 cents in American money, which I am advised by a bank is today worth 10s. 6d. In other words, every owner of a vehicle will pay a sum of £1 1s. to have his car tested each year. I venture to say one could not take one's car into a garage and have it tested for that amount. When I quote the figures of the number of cars that are tested it will be seen that this is a question of bulk handling of cars. The cars are taken for inspection, and if they do not pass the inspection a certificate is attached to the windscreen saying that the car has not passed the test. The owners are given so many days to have the necessary repairs carried out and have the car resubmitted for inspection.

A car that does not pass the first test gets a second test free of cost; but if it is rejected again, and comes up for the third test an amount of 25 cents—approximately 2s. 9d.—is charged for further tests. It is also obligatory on every motor vehicle owner involved in an accident to forthwith take the vehicle to a testing station to be tested. It cannot be used after the accident until it has passed the test.

Mr. Davies: Who runs the testing station?

Mr. CROMMELIN: It is run by the council—they call it City Hall over there. These tests can be done over and over again until such time as the vehicle is considered to be satisfactory.

If anyone is stupid enough to drive the car with a sticker attached to it stating it is not safe to drive, he faces a fine not exceeding 100 dollars which is, I think, about £40. This has been in operation for 25 years; and it must be a very compact and modern installation, because I am adadvised that the building, which is a plain concrete one, has four lanes; and each lane has only a wheel alignment machine, a machine to test headlights, an hydraulic platform drive-on-type brake machine, hydraulic (accumulator-type) front end inspection lifts, and two bank accounting machine-type cash registers. A fee of $1.25 covers all operating costs.

They have a staff of 27 full-time vehicle inspectors working three rotating shifts of nine men each. Eighteen are required to fully man the four lanes during one shift. During the evening hours, 10 part-time inspectors are also employed. Each group of nine full-time men comprises one supervisor, one motor vehicle inspector 11, and seven motor vehicle inspectors 1.

In his very short report to the mayor and members of council, City Hall, Vancouver, Mr. Gray states that the total number of vehicles inspected for the six-month period was 178,405, which represents an average handling of 1,537 per working day. In other words, 1,500 vehicles can be tested every day in the week on these few machines with that number of men. Consequently the cost of one guinea each year to every owner who has his vehicle tested is, in my opinion, cheap. It is so cheap that surely to goodness the Government should give very serious consideration to establishing such a set-up as this! I would not have any idea as to the cost of the machines but do not think it would be very great. There are only four lanes with four big machines in each one. The staff, of course, is a consideration; but these are cash transactions. They must run them through pretty fast to handle 1,500 a day, because they only work from 8 a.m. to 9.30 p.m.

Surely the main aim of this Bill is to ensure that young people and others do not buy cars which are not fit to be driven! If that is the function of the Bill—and it certainly appears to me to be its function —surely it is time that this State installed such a service as is provided in Vancouver!

It is interesting to notice the statistics as to the cars inspected and those passed. Out of 126,515 vehicles inspected in one six-month period, 85,721 passed the first time; but 30.7 per cent. were rejected. In other words nearly one in every three was rejected on the first inspection. On a second inspection 52,648 were passed. The figure was finally reduced to one on the eighth inspection. However, to know that 30.7 per cent. would not pass the inspection the first time surely gives an indication of the dreadful amount of risk that must be taken by those who drive these vehicles and, indeed, by all others who use the roads at the same time.

Of the number of vehicles inspected, 5,588 suffered from faulty steering mechanism and 8,000 suffered from faulty brakes. Good steering and brakes, I should say, would be the two items most essential in a car to ensure reasonably safe driving.

I do not want to delay the House to any extent on this Bill, but I repeat that if such an inspection station can be established in Vancouver at a charge of one guinea a year, we should give serious consideration to establishing one here. I support the measure.

MR. ROWBERRY (Warren) [8.35 p.m.]: I welcome a Bill of this description because it will ensure safer driving for the general public. It will also ensure that vehicles on the road are roadworthy, because secondhand vehicles will have to be inspected. However, I have two misgivings

about the Bill and I hope the Minister will clear the points up eventually. One has been touched on by the honourable member for Swan and deals with the definition of when a dealer is not a dealer.

I remember that once, in performing my duties as a traffic inspector, I was following up unlicensed vehicles. I went to a dealer in the town to check on why he had not handed in some plates. During my conversation with him I said, "The vehicle is now in your possession because this secondhand vehicle has been traded in on the new one". He said, "Oh no; it is not. I merely accept the custody of the vehicle and the trade-in-price will be the price which I will eventually get when the vehicle is sold. But I accept no responsibility for the vehicle pending sale." I hope the Minister is listening to this.

I was desirous of finding something in the Bill which would prevent this sort of thing, but it appears the gate is still open. It would seem that this chap was taking advantage of this exact situation. He had acquired the vehicle from the person for the purpose of passing it on to someone else, but he did not accept any responsibility for relicensing the vehicle or handing in the plates because, he said, the vehicle was in essence still the property of the person who had traded it in. I would like this matter to be resolved if possible.

Another misgiving I have is the fact that this Bill presupposes that the only car dealers and secondhand-car dealers in the State are those situated in the city under the administration of the Commissioner of Police. What provision has been made in the Bill for secondhand dealers in the country where the traffic inspectors are appointed by the local governing bodies? These inspectors carry out the duty of policing the Traffic Act. I know it says in the Bill that the commissioner may delegate to a member of the Police Force such powers as he deems necessary for the administration of the Act. I wonder what that means.

Does it mean that the commissioner can delegate authority to members of his Police Force in the country to carry out inspection of motor vehcles on the premises of secondhand dealers? If that is so, I can see there will be an overlapping in the authority of the police and the traffic inspectors appointed by the local governing authorities in the country. I wonder how the Minister is going to take care of this one.

The Bill says that every license-holder —and that means the holder of a secondhand dealer's license—shall permit a member of the Police Force to enter his premises in respect of which the license is issued. By the way, I do not think there is authority under the Traffic Act for anyone to enter premises for inspection, so this will open up an avenue which rightfully belongs—if we are to allow the traffic administration to be continued at present as it is in the country—to the local governing authorities and the traffic inspectors appointed by them.

I think there should be some provision in the Bill to enable this to be done, and I hope the Minister will clear that up. I hope he has not overlooked it entirely, because I know that as a Minister he is very sensitive to any suggestion that the control of traffic in the country should be taken away from the local governing authorities. I therefore await with interest his explanation of what the situation will be in future in connection with the entering of premises of secondhand dealers.

MR. FLETCHER (Fremantle) [8.42 p.m.]: I have a few words to say on this Bill. Provision is made to ensure that vehicles fit only for wrecking are kept off the road unless certain repairs are undertaken to the satisfaction of the Police. I want to ensure that a vehicle sold by a person off his front lawn will come within the ambit of this Bill. In *The West Australian* of the 9th October, after the Minister's introductory speech, was the following:—

> It was expected that the backyard unlicensed dealer would largely be eliminated by the proposed legislation.

I am not alluding to the person who is licensed to sell old vehicles off his front lawn and makes a habit of it selling, say 20 or 30 a year, but the person who does not wish to avail himself of the services of the car sale yard and merely puts his one vehicle out on the front lawn to obtain the best price possible for it. Since that car does not enter the yard of a dealer, it is never inspected and it could be unroadworthy. It does not come under this Bill and I cannot see any provision in the Bill to take care of this contingency. This abuse is repeated throughout the suburbs. We frequently see a vehicle with a price hung upon it on the front lawn of a suburban home. I cannot see any way in which I can amend this Bill to meet the situation.

Vehicles outside the ambit of the Bill can change owners; and, if licensed, they are not subject to a police inspection. If a license has lapsed, the vehicle coming into the hands of a new owner has to be taken to the police for licensing and inspection. The main features are then inspected, such as lights, including brake lights; tyre wear, which is very important; transmission; link gear; king pins; steering; and other vital points. These are all inspected by the police if a license has lapsed.

In view of the road safety campaign and the desire to keep unroadworthy vehicles off the road it is desirable that

there should be in the Bill a provision of the type I have mentioned. I cannot see such a provision, but I hope the Minister has been listening to my few remarks.

Mr. Craig: Yes.

Mr. FLETCHER: I know that a car sales yard will not take a model if it can see that it will be up for something in the vicinity of £100 to make it an attractive sales proposition. The dealer will sell a more roadworthy car to the customer and will possibly arrange a sale outside of the car sales yard; or, alternatively, the person having the old car will arrange a sale in the manner I have said, by showing it for sale on his front lawn. So these old vehicles, unroadworthy and not inspected by the police, are in circulation in consequence of what I have outlined.

If the Minister could in some way ensure that the Bill will cover the position I have mentioned, it would be more desirable, and I would support it with greater enthusiasm than otherwise. However, even in its present form, I support the Bill.

MR. O'CONNOR (Mt. Lawley) [8.47 p.m.]: I support the Bill and also some of the remarks of the members of the Opposition who have spoken. The measure has been brought forward primarily to deal with used-car dealers and also with extraneous matters that should be omitted from the Traffic Act.

The used-car industry is of such a nature that a Bill of this sort is warranted; and I think this measure, in the form in which it has been introduced by the Minister, will assist considerably in encouraging people to trade with reputable dealers. It will also protect in some degree members of the public when purchasing from used-car dealers.

A number of the clauses are not new to the dealers in this State. The licensing of dealers was first introduced some six years ago, and I think that since that time the standard of the dealers has improved considerably; and that, generally speaking, they are handling better cars and giving a better deal than previously.

The four points brought forward by the Minister are four of the most important in the Bill; namely, the licensing of premises; the licensing of dealers; the inspection of vehicles; and the inclusion of wreckers as dealers.

As far as used-car yards are concerned, I do feel that we are starting to achieve a better standard already. As we know, the police have a certain amount of control over the yards. They contact the dealers and try to keep them up to scratch as far as possible. In the past, we have had a number of used-car premises springing up in front of houses—some of the houses not being too good; and a number of the dealers have left their wreckage around the houses and around the backs of the yards.

I do not think such practices do anything to assist the trade or to assist the particular yards in which the dealers are concerned. I am pleased to see the provision in the Bill whereby the police will have the authority not only to issue licenses but also to see that the yards are up to standard. This provision will, I think, be received quite warmly by most of the people concerned with the trade.

As far as the licensing of dealers is concerned, I pointed out previously that this is nothing new; it has applied in the State for the last six years. There does, however, appear to have been a certain amount of dummying, whereby a person of an unsavoury character gets someone else to take out a license on his behalf, and he actually controls the yard in the name of the person who holds the license. Because of the way the Bill is set out, and because of the information required to be given, it will, I think, to a great extent, straighten out this point and lessen to a certain extent the dummying that has occurred in the past.

The Minister also pointed out that the measure would, to some degree, dispose of the backyard dealer. In the past the backyard dealer has been known to the trade as a person who is permitted to sell up to 15 cars a year without having to go through the necessity of obtaining a dealer's license or adhering to some of the requirements that other members of the trade have to adhere to. However, I think the Minister will confirm what I say: that in the past a number of people have abused this particular loophole in the law.

Some people have sold 15 cars, and then their wives have sold 15 cars, and then their son or their aunty or someone else has sold some cars, so that they have sold 50 or 60 cars in a year. Some of these people have even got to the stage of purchasing a car from a certain person and selling it to another and having the transfer made out directly from one to the other, thus avoiding both a transfer fee and a tax in connection with the sale. The provision in the Bill will dispose of this loophole in the law and bring those people into line. If they want to deal in cars they will have the opportunity to do so by setting up a proper yard and operating in a proper and fit manner.

As far as inspection of vehicles is concerned, I took the opportunity of contacting several dealers this morning and discussing this particular clause with them. Those dealers were not concerned about it; and I think that in most cases the genuine dealer will not be concerned but will be quite happy to abide by this regulation.

During my Address-in-Reply speech I said that I would like to see the stage reached where every vehicle has to go through an inspection at least once every two years. I said that, not because I wanted people to pay extra money, but

because I felt it would to some extent ensure their safety. The honourable member for Claremont has indicated, or explained, tonight that in another country such an inspection is carried out once every six months. I think that in the early stages that would probably be too frequent here, but the fact of an inspection being started in a number of these car yards might be the forerunner to later inspections of all vehicles, and I would like to see the position arise whereby every vehicle in the State has to go through an inspection at least once every two years to prove its roadworthiness and its suitability to be sent into traffic, and to prove that it is safe enough so far as faults are concerned.

Wreckers obviously have not come within the orbit of this trade, but I have noticed in the past a number of wreckers going around the various yards. When a dealer has three or four vehicles which he considers are not very fit for the road, he will ring a wrecker and say, "Come out and give me a price for these vehicles." The wrecker will probably say, "I will give you £100 for the four cars"; or whatever it might be. In many cases the vehicles are taken away with the plates still on them. The next thing is that the police are around chasing up the plates. The plates are left lying around in the yards, and quite often they disappear; and sometimes they get into the hands of unsavory people who use them to the disadvantage of others. I think the point of handing the plates back quickly is quite a good one; and it could slow down the practice of those people taking plates and using them to do something they should not do.

The Bill also states that dealers shall keep a register. This is in clause 20, which provides—

> Every licensed holder shall keep a register, in the prescribed form, at the premises in respect of which the license is issued; and shall record in that register the prescribed particulars of every transaction entered into, in the course of dealing there.

This also is nothing new. For the past six years the dealers operating in this State have been required to keep sets of records. The keeping of these records has taken up quite a deal of time, and there is a fair amount of work in supplying to the Police Department the information it requires.

However, I can see the need for the keeping of records, because it gives the police the opportunity of checking on any vehicle that is creating a nuisance or that has been involved in some incident they want to check on. I know of instances where the police have rung dealers as late as two o'clock and three o'clock in the morning to find out from a dealer who bought a car from him the day before; and the dealers have been able to assist in this way.

The dealers are required to keep a number of books for the Police Department. They have one form for the acquisition of vehicles, and one for disposal, and those forms are forwarded on the day on which vehicles are acquired or disposed of. The dealers have another set of records which are forwarded once a week to the department; and they keep a register of every vehicle that passes through their yard from the time of the commencement of the register.

One other point I want to make is in connection with a matter brought forward by the member for Warren. This concerns clause 3 wherein it is stated—

> but a person is not a dealer by reason only of carrying on the business of acquiring used motor vehicles from dealers and disposing of them to hirers, in the course of financing their purchase, under hire purchase agreements made in accordance with the Hire Purchase Act, 1959, or by reason only of disposing of used motor vehicles, repossessed in the course of that business, to dealers.

I presume this clause is included to cover instances where hire-purchase companies take over the hiring of vehicles from the dealers. Most dealers put the greater proportion of their work through a particular finance company. In some cases the finance company might not be completely satisfied with the deal, and the dealer has to take what is called "recourse." In other words, if the vehicle comes back to the finance company, the dealer must take it back at the figure owing on it; or, if it is worth more than that figure, he must take it back and pay back the excess to the hirer.

I think it is quite fair that in such a case the finance company should not have to take out a dealer's license, because virtually it is not dealing in vehicles but is only carrying paper on them; and in cases where recourse is adhered to and the vehicle goes back to the dealer, he is just being paid for it.

I do not think that is dealing in motor vehicles; but if a finance company does dispose of motor vehicles to the public it should be subject to the same regulations as other dealers and should be made to set up a proper yard and carry out dealing in a proper and fit manner. I support the Bill.

MR. CRAIG (Toodyay—Minister for Police) [8.59 p.m.]: I thank honourable members for their support of the Bill; and I, like them, feel that it is a necessary measure to bring some stability and protection to the industry of dealing in used cars. Of

course, honourable members realise there are certain features associated with this particular business already covered by the Traffic Act, but the coverage does not go far enough. Therefore the necessary provisions have been incorporated in the new measure—some existing provisions have been amended, and some new ones have been added.

I think all honourable members agree that the licensing of used-car dealers is necessary. At present the Act provides that if a person deals in at least 15 cars he must hold a license; but, under the Bill, that provision would no longer exist. The reason for following that line of thought was outlined by the honourable member for Mt. Lawley, and there was an instance reported in the Press only about a fortnight ago when two people dealing as a firm and without a license sold between them no fewer than 154 vehicles. Therefore the necessity for the removal of that principle from the licensing requirements can be appreciated.

There may be some confusion in the minds of honourable members on the inspection of used-car yards. Actually the police will not be compelled to carry out an inspection of every vehicle handled by a used-car dealer; but under the Bill they will have the right—as they do now, for that matter—to enter any used-car yard for the purpose of inspecting any vehicle which they consider should be inspected.

Mr. Davies: There is no change in the existing provision?

Mr. CRAIG: Actually, no. I consider that a wise provision, because the reputable used-car dealer is anxious to deal only in cars which are considered, by him, to be in a roadworthy condition. The Bill possibly could go a step further by incorporating the English system where the responsibility for the roadworthiness of the vehicle is placed on the used-car dealer; and if he sells a vehicle which is proved to be unroadworthy he is liable to a penalty. However, I think the repercussions following the incorporation of such a provision in this Bill at present would be rather great.

This brings me to the point raised by the honourable member for Claremont; namely, the question of vehicle inspection. Honourable members will recall that a question was raised on the system of vehicle inspection—an investigation is in train at the moment—having in mind whether the system should be on a voluntary or compulsory basis. The Vancouver system—the one referred to by the honourable member for Claremont—is being intensely studied by the authorities in this State, and I am hoping that in the not too distant future I will be in possession of recommendations from those authorities in regard to this matter.

Mr. Davies: Does the Police Department propose to increase the staff of the vehicle inspection branch?

Mr. CRAIG: Not at the moment. This is only a Bill at this stage; but when it becomes an Act and its provisions are enforced, an assessment of the additional inspection work required can be made, and I suppose the Police Department would appoint more staff to cope with any increased work involved.

The honourable member for Fremantle raised the question of residences being used virtually as a used-car dealer's showroom, and that there is no reference in the Bill to the case of a person who might handle only one used car. Actually, there is no need for any such reference to be made in the Bill. If it could be proved to the satisfaction of the police that a person was dealing in one, two, or three used cars within a period of 12 months and that the sale of such cars was the sole source of his income, he would be declared to be a dealer. The attitude adopted by the Police Department would be the same as that adopted by the Taxation Department at present. If the honourable member for Fremantle bought a house today, sold it tomorrow, and made a profit of £1,000, such amount would not be taxable; but if he bought more than one house in any one year the Taxation Department would possibly view such income in a different light. The same applies to a person who deals in one or more used cars.

The intention of the relevant provision is to wipe out the backyard dealer: that is, the person who acquires a few odd cars with the object of boosting his income and, at, the same time, avoiding the responsibility of obtaining a license as a used-car dealer.

The honourable member for Claremont also referred to used-car dealers acquiring private homes to conduct their business, and the honourable member for Swan instanced such a dealer within a quarter of a mile from this building. I admit it must be annoying to some owners of property when they let a house to someone for residential purposes and then find that the tenant has turned the front lawn into a used-car yard.

However, in the Bill there is provision for the owner to give permission for his property to be used for such a purpose, provided, of course, the police approve of the premises for the sale of used cars.

Mr. Davies: There is no standard set in the Bill.

Mr. CRAIG: No; it is only a matter of judgment as to what is considered to be a suitable establishment. I do not think there is any need for me to elaborate on the Bill further because of the apparent support of the measure by honourable members. I would refer, however, to the fact that the honourable member for Warren mentioned the work of local

authorities. I take this opportunity of giving credit to them because there are many instances of local authorities in the country which have already instituted their own form of vehicle inspection. I do not think there would be any doubt on the part of the Police Department in regard to delegating power to a local authority to conduct vehicle inspections because of the work that has already been done in this field by local authorities.

Mr. Rowberry: Don't you think there should be a specific provision in the Bill?

Mr. CRAIG: I think it should be interpreted in that manner. There is a clause in the Bill delegating such authority; but if the honourable member, after making a close study of the clause, cares to suggest an amendment, it can be discussed with a view to its acceptance. I thank honourable members for their support of the Bill, which also has the support of everyone engaged in the industry. In using the word "everyone" I am omitting one or two odd individuals who consider they will be subject to closer scrutiny by police to ascertain the quality of the vehicles they are selling. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Craig (Minister for Police) in charge of the Bill.

Clauses 1 to 21 put and passed.

Clause 22: Inspection of used motor vehicles—

Mr. DAVIES: I had intended to speak on this clause at length, but as various points have been covered by other speakers there is no need to waste the time of the Committee in doing so. Nevertheless, there is one point that was not covered. I refer to the words "at all reasonable hours" in line 30 on page 12. I think the hours of business of secondhand-car dealers are defined under the Factories and Shops Act, but no doubt they are observed more in the breach than in the letter. However, the fact remains that they are defined, and to leave the words "at all reasonable hours" in this clause makes the position far too wide. I will not move an amendment at this stage because I believe the honourable member for Warren wishes to move an amendment along similar lines, so I will leave the matter in his hands.

Mr. ROWBERRY: As I have already indicated during the second reading, there should be some provision to permit a local authority—which is also the traffic authority—to have some power in regard to the examination of vehicles, and the entering of premises occupied by used-car dealers. In subclause (2) of clause 20 on page 12 reference is made to a traffic inspector, and I am wondering if the Minister will agree to the insertion of the words, "or by a traffic inspector" in line 30 on page 12 after the word "Force", and also after the word "Force" in line 35. We are not yet dealing with clause 23 but the same amendment could be made in that clause after the word "Force" in line 2 on page 13.

Mr. CRAIG: I am quite agreeable to the suggestion of the honourable member, because in the Traffic Act provision is made for action to be taken by any member of the Police Force or by a traffic inspector. The traffic inspector is referred to in certain clauses of the Bill, but I would suggest to the honourable member for Warren that arrangements be made to have the relevant clause amended in another place because he has already referred to a previous clause that we have dealt with; and, further, I understand that another place is anxious for this Bill to go forward.

Mr. Rowberry: I am quite agreeable to that suggestion.

Mr. DAVIES: There was confusion, apparently, between the honourable member for Warren and myself. I am concerned about the words "at all reasonable hours" in line 30 on page 12. As I have said, I am certain that the hours of business of secondhand-car dealers are controlled by the Factories and Shops Department, and therefore I think "reasonable hours" are the normal hours of business.

If it is intended that the reasonable hours be the legal hours of business, there is no reason why they should not be inserted in the Bill. They should be the hours prescribed under the Factories and Shops Act. I am interested in eliminating control as much as possible, and this is one instance where that can be done.

Mr. CRAIG: There could be two interpretations of the clause. The first portion will allow a member of the Police Force at all reasonable hours to enter premises in respect of which a license has been issued, the purpose being not necessarily for the examination of a vehicle for roadworthiness. If that were the only purpose I would agree with the honourable member; but there are occasions when the police find it necessary to enter premises to inspect vehicles, as—for instance—when it is suspected they are stolen; or have been involved in accidents; or for similar reasons. It is only reasonable to give members of the Police Force the right to enter used-car yards at all reasonable hours.

Mr. DAVIES: I suppose I will have to accept the intention outlined by the Minister. This provision will enable members of the Police Force to examine any used motor vehicle; and where it is necessary to road-test any such vehicle, the license holder shall permit them, or such persons delegated by them, to remove the vehicle and drive it. All this is related entirely

to the inspection of vehicles for roadworthiness. For that reason it is unreasonable that police officers should have the right to enter these premises at all hours. I am sure that if the police wanted to inspect vehicles to determine whether they were stolen, the dealers would be only too ready to co-operate. It is evident from the wording that the entry into these premises will be for the purpose of inspecting the vehicles.

Mr. O'CONNOR: I agree with the remarks of the Minister. This provision covers the inspection of vehicles not only for roadworthiness, but also for other purposes. Used-car dealers are accustomed to members of the Police Force calling them up in the middle of the night, asking for information on certain vehicles, because they were suspected of being involved in hit-run accidents. In such cases the dealers assist the police readily by opening their yards to determine whether or not there were marks on the vehicles.

Mr. Graham: Those vehicles would still be there in the morning.

Mr. O'CONNOR: It might be an emergency, and the person involved might be intending to leave on an aircraft. If this provision related only to the checking of vehicles for roadworthiness I would agree with the comments of the honourable member for Victoria Park, but it also covers inspection for other purposes.

Mr. Davies: What are reasonable hours?

Mr. O'CONNOR: Up to 10 p.m. or midnight, depending on the circumstances.

Clause put and passed.

Clause 23: Vehicles may be declared unfit for sale—

Mr. ROWBERRY: Do I understand that wherever the term "Police Force" appears the words "or by a traffic inspector" will be added?

Mr. CRAIG: That is so. If there is any doubt at all in any clause, I shall inform the honourable member.

Clause put and passed.

Clauses 24 to 30 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

WILLS (FORMAL VALIDITY) BILL

Second Reading

Debate resumed, from the 6th October, on the following motion by Mr. Court (Minister for Industrial Development):—

That the Bill be now read a second time.

MR. EVANS (Kalgoorlie) [9.23 p.m.]: This proposed legislation is not of the type that is likely to arouse great enthusiasm among newspaper editors who are ever alert for sensationalism, rather than for substance, in matters available for reporting. It is not the type of legislation that is likely to hit the headlines; but that does not mean it is unimportant.

I consider this piece of legislation to be most important, and it is also very interesting. As a matter of fact, I consider it to be one of the most interesting pieces of legislation to come before the House during this session.

The passing of this Bill will enable wills or other testamentary documents, executed in other countries or places, which are formally valid by the internal law of the country of their execution, to be accepted as valid in Western Australia. I understand that the acceptance as a valid document in Western Australia is valid in respect of the formal requirements of validity in this State, and not necessarily so according to the terms of essential validity.

The title of the proposed Act dealing with the formal validity of wills highlights the pivot around which the proposed Act will function; that is, before a will or testamentary disposition, executed in any country or place, can be accepted as valid in Western Australia, the will or disposition must be valid according to the law of the country or place where it is executed in respect of the requirements of that law as to formal validity.

This Bill is most interesting, and the legislation it seeks to enact is certainly desirable, especially when we consider that Western Australia, together with the other States of Australia, has since the post-war years become the adopted home of very many people from overseas countries who, it is reasonable to assume, have in many cases executed wills in their own country. They have since come to live in Western Australia; and many of them have either neglected, or considered it unnecessary, to execute a new will in Western Australia, where it can be shown that they have acquired a new domicile—a domicile of choice.

Perhaps the Bill does not go quite far enough. I regret very much the fact that the Minister in charge of the Bill in this House is not the Minister responsible for its presentation to Parliament, because he only represents the Minister for Justice here; therefore I do not expect him to reply to my comments off the cuff on this point. It does seem to me that the Bill does not go quite far enough, when I speak about wills which may—even though formally valid under the law of the country of their execution—totally fail, or partly fail

in Western Australia, because of the requirements of the law of this State as to some aspect of essential validity, in contrast to formal validity of the instrument in the country of its execution.

I refer to circumstances which give rise to the doctrine of lapse. The old common law doctrine of lapse is where a testator gave property—whether it be real or personal—to a named beneficiary in his will; and when the testator died and the will came into operation it was found that the beneficiary had died prior to the testator, and that gift immediately lapsed. In respect of that gift, the testator died intestate.

The common law evolved stringent rules to guard against the position where the will, after the death of the testator, could be interpreted as containing a meaning therein that lapse was not to take place at all in the event of the beneficiary predeceasing the testator. That common law rule in respect of a father who names his son or some other issue has been qualified by Statute law in Western Australia; but the complete doctrine of lapse, apart from those situations, still exists.

I can see where some wills which are now to be given the effect of formal validity in Western Australia will still be likely to fail under the doctrine of lapse—a doctrine which might be completely unknown in the country where the will was executed and the formal validity of which is recognised in Western Australia.

I wish to refer to another point—and in doing so I follow the pattern which has been set by the Minister; that is, to make a brief reference to the proposal that next year a Bill will be introduced to consolidate all laws in Western Australia relative to wills and testamentary dispositions, and to codify them into one Act.

I feel that is a great step forward and one that is to be commended. As it is not likely we can expect another Bill this year dealing with wills, whether of formal or essential validity, I would appreciate it if the Minister would draw the attention of his colleague in another place to the point I have raised. I feel it has some merit: and to put it in a nutshell I would say: Even with this Bill becoming law, many testamentary dispositions or wills being recognised as of formal validity in Western Australia are still likely to be invalid because of the doctrine of lapse, which may be unknown in the foreign country where the will was executed. It is possible this Bill has not gone quite far enough in that regard to furnish this aspect of essential validity to such a will.

I prefaced my opening remarks by saying the Bill is important and interesting. Now, it only leaves me to indicate that I support it.

MR. COURT (Nedlands—Minister for Industrial Development) [9.31 p.m.]: I thank the honourable member for Kalgoorlie for his comments and support of this measure. He has referred to the fact that in some respects the Bill might not have gone as far as it could have done. Whilst we are facing up to this question of wills, I want to make this explanation: In matters of this nature it has been the desire of the Government to move with caution, because when one is introducing quite a far-reaching law in respect of these matters, one has to make sure one does not achieve an objective quite foreign to what one set out to do.

I think the honourable member would acknowledge that, in the last two or three years, some very important legal reforms have been introduced—some of them quite revolutionary in Australia—and whilst this is done only after consultation with those with a lot of experience in the judiciary, in the Crown Law Department, and in private practice, nevertheless we feel it is better to make haste slowly in the words of that well-known hymn, "One step enough for me."

I think it is very desirable we should follow those words when we are introducing this type of legislation. However, I will invite the attention of the Minister concerned to this question in order to try to go a little further when the next attempt is made to amend this type of legislation. The point that is made by the honourable member is acknowledged as being a real one and one that will have to be faced up to in due course; but I think it might be faced up to with more confidence once we have made this step to see its effect in practice.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

COUNTRY AREAS WATER SUPPLY ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 17th September, on the following motion by Mr. Wild (Minister for Water Supplies):—

That the Bill be now read a second time.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [9.36 p.m.]: For a very considerable time the people of this State have been prepared by statements from Ministers that consideration was being given to the establishment of a very different water supply rating system, and that this was a matter of study by a special committee of the Country Party. Subsequently, it was announced that the committee had completed its deliberations

and had submitted a report which the Government was studying; and, in due course, it was expected there would be some developments.

I have been under the impression for a long time that the main purpose of this inquiry by the Country Party was to try to bring the charges in the country much closer to the charges in the city; or, as the Premier once put it, to narrow the gap. I was therefore very surprised to read in the paper last week—it might have been the week before, but it was certainly within the last month—that that was not the primary purpose of this inquiry at all. It was not the primary purpose of the Government's scheme; the primary purpose of the Government's scheme was uniformity. If I came to the wrong conclusion, I think there is a very good explanation for it.

On the 29th May there appeared in *The West Australian* this statement from the Minister for Water Supplies—

> Wild Gives Forecast on Water Rates
>
> Water Supplies Minister Wild said yesterday that the Government hoped to announce a completely new water-rating system within the next six weeks.
>
> It would narrow the gap between country and metropolitan prices for domestic water.

That seemed to me to be the main purpose of this new scheme. On the 5th May, there appeared in *The West Australian* this statement—

> Premier Hints at Review for Rural Water Rates
>
> Premier Brand said yesterday that the Government was investigating the possibility of narrowing the gap between country and city prices for domestic water.

That is the heading! Would you not, Mr. Speaker, from the statement of the Premier and the statement of the Minister for Water Supplies come to the conclusion that the main purpose of this new scheme was to narrow the gap between country and city prices? Apparently that was not the reason; and I quote from *The West Australian* of Thursday, the 8th October. In the column written by the Premier in the political notes, there appears this—

> WATER
>
> In last week's political notes, the Deputy Opposition Leader discussed the Government scheme to make country water rates and prices uniform.
>
> He said it was achieved "by increasing charges for water in many districts."

I did say that and it is true. This article goes on—

> In fact, it was achieved by reducing a majority of the people's water charges and increasing some.

I very much dispute that; and I shall endeavour to show why as I proceed. The article goes on—

> He criticised the Government for failing to "narrow the gap" and suggests that this was supposed to be the prime intention of the new scheme.
>
> In fact, its prime intention was to achieve uniform charges.

All right; if that is it, that is it. So we have been under the wrong impression all along. The purpose actuating the Country Party committee, and the purpose actuating the Government was not to narrow the gap between country and city prices; it was to achieve uniformity.

Mr. Hawke: In the country areas.

Mr. TONKIN: What particular virtue is there in achieving uniformity? It would not satisfy me very much if I were a consumer in Shark Bay to be told that the new scheme achieved uniformity and I was to pay the same for salt water, or very little better than salt water, as they were paying for potable water in other parts of the State. There have been very good reasons for disparity in charges in various places. A lot of these disparities are with regard to towns in the far north of Western Australia where living conditions are difficult and where, because of high temperatures, water consumption is necessarily high. Surely under these circumstances it is desirable that some concessions be granted compared with the more congenial living conditions in the south-west of the State for example. So why should we be after uniformity, regardless of other considerations?

The Prime Minister is not so enamoured of uniformity as the Premier. I was reading an article recently where Sir Robert Menzies was speaking at the annual conference of the New South Wales Federation of Parents and Citizens' Associations. On the 14th August, 1964, he made this very forthright statement—

> I want to tell you at once that I am a great believer in variety; I am a great distruster of uniformity.

And so am I.

Mr. Brand: What has that to do with water in this State?

Mr. TONKIN: And so am I, because there are other factors which require to be taken into consideration. Have we not been advocating that with regard to the north of this State the Commonwealth should alter the taxation laws in order to provide tax-free inducements for people to go and live there? Surely that is a departure from uniformity! Otherwise we would not entertain the idea for one moment! We would say that we are satisfied with Western Australia, wherever we are, on a certain rate of income, and we shall pay a certain rate of taxation. But

we do not advocate that, because we appreciate there would be very sound reasons for variety; and so there are with regard to water supplies in various parts of the State.

The Premier made a statement with which I violently disagree. He said—and I quote from *The West Australian* of the 21st August—as follows:—

> At least 90 per cent. of the 35,780 domestic consumers are expected to save under the new system. Only the heaviest consumers with the highest property valuations are likely to pay more.

We have an excellent example of how much reliance may be placed upon forecasts of this kind with regard to water. The Premier made several very forthright statements with regard to the new rating system that was introduced in 1961-62 for the metropolitan area. I am going to show that the statements he made with regard to that new scheme were all wrong.

I ask your permission, Mr. Speaker, to have these tables distributed to honourable members in order that they may follow the explanation which I propose to give. These are set out to show the rates for country districts and for the metropolitan area—the metropolitan area under the old scheme, and the present scheme which is in operation; and the country districts under the present scheme and the proposed new scheme.

Mr. Fletcher: Give them to country members in particular.

Mr. TONKIN: I would say that before anyone sets out to make an attempt to bring country and city prices closer together—and surely somewhere in the scheme of things that must have been an objective, even if it was not, as the Premier declared, the main objective—the person concerned must be prepared to decide how much he is prepared to spend in order to achieve the objective. If he is going to forgo only a very small amount of revenue, then very little could be achieved. On the other hand, if he proposes to forgo a very substantial quantity, then quite a lot could be achieved in bringing prices closer together; because, obviously, unless charges are to be increased in the metropolitan area, in order to make funds available for reductions elsewhere, then any attempt to bring country prices closer to city prices can only result from a decision to lose revenue.

The scheme which we are considering is one where the Government expects to increase its losses by £31,000 a year. To me that is a very niggardly sum for the purposes for which it was intended. I asked the Premier recently what the cost was on the Treasury because of the sale of the State Building Supplies—the annual cost in loss of interest unrecovered from the company—and the sum is between £60,000 and £70,000 a year. So every year, for many years to come, the State will have to lose between £60,000 or £70,000 because the Government decided to sell the State Building Supplies to Hawker Siddeley.

If the Government is prepared to lose that amount of money for that purpose—which was a question of policy—surely it ought to be prepared to lose at least that amount for a policy of bringing the charges for country water supplies closer to those in the city!

When the Premier was speaking with regard to the metropolitan water supply system, he made the following statement—and I quote from *The West Australian* of the 27th March, 1962—

> The average ratepayer under the present system is better off.

All that members need do is look at that table I have sent around and see whether he is better off or not. The Premier continued—

> A survey in Subiaco has shown that 49 per cent. of the people will not pay for excess water. We have fostered water saving.

I shall show you how, Mr. Speaker, in a minute. The Premier said—

> We have fostered water saving. Despite the hot summer we have used 320,000 gallons less water than last year.

I have here the annual report of the metropolitan water supply for the year 1961-62, which was the year to which the Premier was referring. Before I get on to this I want to read what the Minister for Water Supplies had to say on the 28th March—and again I quote from *The West Australian*—

> Labour Astray on Water, says Wild.

Mr. Hawke: Reckless!

Mr. TONKIN: The article reads as follows:—

> Labor Party members had made some wild and woolly statements about water rates, Water Supply Minister Wild said in an election speech in Forrest Place yesterday. Up to date meter readings in 19 districts, including Subiaco, showed that each district would pay less in rates and excess water this year than it did last. Subiaco would return £6,500 less. The Government had undertaken to lighten the water paying of the low income group and had fulfilled its promise. In spite of the longest, hottest, and driest summer on record, no water restrictions had been imposed, and 325,000,000 more gallons of water had been used.

Now, Mr. Speaker, listen to this from the Minister's annual report—and I quote from page 13. This is the pay-as-you-use system which was going to foster water saving. That is what we are told this new country system is going to do. I quote as follows:—

> Water consumption during the year ended the 30th June, 1962, totalled 18,492 million gallons or 478 million gallons more than for the preceding year. This is the highest consumption recorded to date for any financial year.

That from a system that was going to save water! The ratepayers were going to pay less, we were told. For the year ended 1961 the revenue from water—that is, water rates, excess water, and water sales —was £1,730,433. In 1962, when the new system was introduced—this one which was going to lighten the load on the water consumer; this one which was going to reduce water consumption—we get this result.

I interpolate that no increase in valuations took place in this particular year, because the Government was arranging for the transition to its triennial valuation to be done by the Taxation Department; and the department's own valuers went over to the Taxation Department and were in course of this initial valuation, which did not take effect until the following year; so that the revenue is entirely comparable with the revenue from the previous year. The only additional factor which needs to be taken into consideration is the 4,313 additional services which were connected compared with the previous year.

There are 137,960 services, of which 116,610 were metred. From these services, with unchanged valuations, the revenue rose to £1,803,303, which was an increase over the previous year of £72,870—on a scheme which the Premier and the Minister for Water Supplies assured the people that the burden would be less; that this pay-as-you-use system would result in a saving in water and a saving of cost to the consumer—and it did neither. Western Australia had the highest consumption of water of any year on record, and the increased revenue from the ratepayers was £72,000.

It could not be ascribed to any increases in valuations. I ask you, Mr. Acting Speaker (Mr. Crommelin): How can any more reliance be placed upon the Government's statements regarding the proposed new scheme for the country than could have been placed on its statements with regard to the new scheme for the metropolitan area? Neither of its statements concerning the reduction in the consumption of water, or a reduction in the impost upon consumers, was correct; and if the Government can err so much with regard to the metropolitan scheme, how can we, with any confidence, accept its assurances with regard to the proposed country scheme?

I say very deliberately, and I challenge any successful contradiction on this, that all of these towns will fare very badly under the new scheme—Carnarvon, Darlington, Derby, Katanning, Mundaring, Northam, Roebourne, Wagin, Wittenoom, and Collie. Every one of those towns will come out very badly under the new scheme as compared with the existing scheme. I will say this, too: An increase of only £10 on the annual rental value on the goldfields will completely wipe out any benefit which consumers there will derive under the new rating proposals.

Here is the reason why I say this: Under the existing rating scheme, for every £10 of annual rental value, a person, at 3s. in the pound, will pay an additional 30s. in rates, but that 30s. additional rates will immediately entitle him to an extra 7,500 gallons of water, for which he makes no further payment. Therefore the department, under the existing scheme, does not benefit to the full extent of the 30s. in additional rates, but would benefit only to a proportion of that, less the cost of the 7,500 gallons of water; and rebate water is 4s. per thousand gallons.

Suppose we take it at the new price of excess water; namely, 2s. per thousand gallons. That 7,500 gallons of water is worth, under the new scheme, 15s. to the consumer; because my experience is that most consumers require more than the quantity of rebate water—that is, the majority of them run into excess. Few people are able to manage with the supply of water given to them for the rates they pay, unless they are business people on a high rental value and with a small water consumption. It is a rarity for the average domestic consumer to get enough rebate water to satisfy his requirements, and in most cases he is obliged to run into excess.

Under the new rating scheme, if the annual rental value goes up £10 the ratepayer will pay 15s. and get no water for that payment. So the department has only to put up the annual rental value by £10 and it means another 15s. per consumer to the department with no extra cost. Under the existing scheme, put his annual rental value up £10 and he will pay 30s. extra, but he will get 22s. 6d. worth of water. So he is only 7s. 6d. out of pocket as compared with the 15s. he will be out of pocket under the new scheme.

Mr. Lewis: Do you consider he might be tempted not to use the full value of the increase?

Mr. TONKIN: Experience in the metropolitan area has been that the consumption has been maintained. I do not know whether the Minister was here when I quoted some figures for the first year after

the new scheme was introduced in the metropolitan area. The figures show that that was the year of the highest recorded consumption in this State.

Mr. Wild: Per head of population.

Mr. TONKIN: No, the highest total.

Mr. Wild: No.

Mr. TONKIN: Let me read the Minister's own report.

Mr. Brand: Would there not have been many more people?

Mr. TONKIN: Only about 4,400 extra services.

Mr. Wild: What about the extra industries?

Mr. TONKIN: I think there were 4,313 extra services. I will read again from the Minister's own report—

> Water consumption during the year ended 30th June, 1962, totalled 18,492 million gallons or 478 million gallons more than for the preceding year. This is the highest consumption recorded to date for any financial year.

That says nothing about the highest average consumption, but I would assume it was probably the highest average consumption as well, although it refers only to the total consumption for the period and gives the actual figures.

What happens is this—and surely it is a logical result: Under the existing rating system, where a certain amount of rebate water is given to the person there is a strong inducement to live within the amount of the rebate water; because excess water is dearer than it will be, and in the metropolitan area is under the new scheme. So if the consumer knows that immediately he has used his rebate water he is going to run into excess, and he is going to pay 3s. per thousand gallons for it, he is more likely to be careful than he is under a scheme that sells him water at 2s. per thousand gallons for the first 60,000, and 2s. 6d. per thousand gallons, for the next 40,000.

If it becomes a question of determining whether a person will have more water at 3s. per thousand gallons or more water at 2s. per thousand gallons, I cannot see where the new scheme will be any deterrent to consumption; because a ratepayer will overlook the fact that six months before, when he paid his rates for water, he was not allowed any water; and he will be saying, "For all the water I have to buy I will only be paying 2s. per thousand gallons up to 60,000."

I have endeavoured to work out a number of instances of water consumption upon what I regard as a reasonable consumption. The table which I have circulated is based on an average consumption of 75,000 gallons of water per family in the country districts. I would remind honourable members that when the comprehensive water scheme was devised it was done on the basis of providing for a consumer in the country an amount of water which would give an annual consumption of 75,000 gallons for a family of four units in a period of 12 months. So that is not an unreasonable figure to accept.

If honourable members will refer to the table on the particular consumption, for each level of valuation, they will see the proposed scheme is at a disadvantage with the existing scheme. Should the consumer's consumption of water go beyond the amount of rebate water which he now receives under the existing scheme he will, under the new scheme, benefit to the extent of 1s. per thousand gallons up to a consumption of 60,000 gallons of excess water, and 6d. per thousand gallons additional benefit for an extra 40,000 gallons of water, after which he gets no benefit at all compared with the existing rating system.

I have had a number of instances shown to me where consumers in the northern part of the State in most cases have a consumption of water greatly in excess—very greatly in excess—of 100,000 gallons; and they can expect no benefit whatever.

Early this year the Minister for Water Supplies had a deputation from the people of Darlington, and their request was that they should be allowed to be rated on a similar basis to the people of the metropolitan area. I think the honourable member for Darling Range introduced the deputation, and the request was that the people there should be treated the same as the people of Kalamunda. The Minister told them that the request could not be agreed to, but that the Government had under consideration a scheme for water rating for the country under which they could expect considerably to benefit.

I took particular care to run out a table for Darlington to see exactly how they would fare; and it goes without saying that instead of getting a reduction they will have an increase. So that this will appear in *Hansard* for further reference, I propose to read the figures, even at the risk of wearying some members.

The present rate in Darlington is 3s. in the pound, and the price of rebate water is 3s. 6d. per thousand gallons. For those who do not understand the operation of this I will explain that rebate water is the water which a ratepayer receives in lieu of the rates that he pays, and the prices vary in different districts. At the present time the price of rebate water in Darlington is 3s. 6d. per thousand gallons; that is to say, for every 3s. 6d. paid in rates the consumer in Darlington is allowed 1,000 gallons of water. If he has used all his rebate water he can then buy excess water at 2s. per thousand gallons, up to 10,000 gallons.

Working on that basis I will run out a table. On an annual rental value of £20 a man would at present pay £3 in rates, which would entitle him to 17,000 gallons of rebate water. Under the new scheme he will pay £1 10s. in rates which will entitle him to no water at all, and if he wants to buy such a small quantity of water as 17,000 gallons it will cost him a further £1 14s. which means he will pay £3 4s. under the new scheme as against the £3 he is paying at present.

If his annual rental value is £30 he is paying at present £4 10s. in rates, which entitles him to 26,000 gallons of rebate water; but under the new scheme he will pay £2 5s. in rates and get no water at all; and if he wants to buy 26,000 gallons of water it will cost him a further £2 12s., which means he will be paying £4 17s. as against the £4 10s. he is paying at the moment.

If the annual rental value is £40 he will be paying £6 in rates—and I might say here that £40 is a very low value for the metropolitan area—and this entitles him to 34,000 gallons of rebate water. Under the new scheme he will pay £3 in rates, for which he will get no water, and for 34,000 gallons of water he will pay a further £3 8s. which means he will be paying £6 8s. as against £6 he is paying at the moment. If his annual rental value is £50 he will be paying £7 10s. in rates, which allows him 43,000 gallons of rebate water. Under the new scheme he will pay £3 15s. in rates for which he gets no water, and if he wishes to buy 43,000 gallons of water it will cost him £4 6s., which means he will be paying £8 1s. as against £7 10s. previously.

On an annual rental value of £60 his rates will be £9, for which he will be allowed 51,000 gallons of rebate water. Under the new scheme he will pay £4 10s. in rates, get no water at all, and will have to pay £5 2s. for the 51,000 gallons of water. This means he will be paying £9 12s. as against £9 previously. On an annual rental value of £70 he will pay £10 10s. in rates and will get 60,000 gallons of rebate water. Under the new scheme he will pay £5 5s. in rates and a further £6 for the 60,000 gallons of water, which means he will pay £11 5s. against the £10 10s. he is paying at the moment.

On an annual rental value of £80 he will pay £12 in rates and get 68,000 gallons of rebate water. But under the new scheme he will pay £6 in rates, get no water, and pay £7 for that 68,000 gallons of water, which means he will be paying £13 as against £12. On an annual rental value of £90 his rates are £13 10s., and his rebate water is 77,000 gallons. Under the new scheme he will pay £6 15s. in rates and to buy 77,000 gallons of water it will cost him £8 2s. 6d., which is a total of £14 17s. 6d. against £13 10s. previously. On an annual rental value of £100 he will pay £15 in rates and get 85,000 gallons of rebate water. Under the new scheme his rates are £7 10s. and 85,000 gallons of water will cost him £9 2s. 6d., which is a total of £16 12s. 6d. as against £15 previously.

On an annual rental value of £110 his rates are £16 10s. for which he gets 94,000 gallons of rebate water. Under the new scheme his rates are £8 5s., for which he gets no water; and if he wants to buy 94,000 gallons of water it will cost him £10 5s., making a total of £18 10s. as against £16 10s. previously. On an annual rental value of £120 his rates are £18 and his rebate water 103,000 gallons. Under the new scheme his rates are £9, and for 103,000 gallons of water he will have to pay £11 9s., making a total of £20 9s. against £18 previously.

When his annual rental value is £130 his rates are £19 10s. and the rebate water he gets is 111,000 gallons. But under the new scheme his rates are £9 15s., and if he wants to buy 111,000 gallons of water it will cost him £12 13s., making a total of £22 8s. as against £19 10s. previously. On an annual rental value of £140 his rates are £21 and his rebate water 120,000 gallons. Under the new scheme his rates are £10 10s., and to purchase 120,000 gallons of water will cost him £14, making a total of £24 10s. as against £21 previously.

If his annual rental value is £150 his rates are £22 10s. and his rebate water 128,000 gallons. Under the new scheme his rates are £11 5s., and to purchase 128,000 gallons of water it will cost him £15 4s., which is a total of £26 9s. as against £22 10s. previously.

On an annual rental value of £160 his rates are £24 and his rebate water 137,000 gallons. But under the new scheme his rates are £12 for no water at all, and to purchase 137,000 gallons will cost him £16 11s., making a total of £28 11s., as against £24 previously.

There is another factor that must be taken into consideration, and this to the detriment of the new scheme. Under the taxation law a consumer is entitled to claim from his taxation the full amount he pays in rates. So if we take this last figure here we find that on a valuation of £160, where the rate is £24, the taxpayer can claim a deduction from his income of £24. That comes off the top layer of his income, and the chances are that he is paying 3s., 4s., 5s. or 6s. at that top layer.

Under the new scheme he pays £12 in rates, and that is the full amount of his deduction. So he loses from his taxation return the highest rate of tax on £12 or half the amount he claimed before. That has to be added to the cost of the water. So what a wonderful scheme this is in achieving uniformity! The Government comes along to a fellow who has lost his taxation deduction and who is paying more for the water he has bought and says, "Do

not worry old chap; we have achieved uniformity and you must pay something for that! If you live in the country you must expect to pay something for uniformity, so do not complain to us because you are paying £3, £4, or £5 more than it cost you last year. You must not complain, because the Government has achieved uniformity." I think the Minister for Works said the other States were going to copy this system.

Mr. Jamieson: Why?

Mr. TONKIN: I notice that on the 30th January, 1964, the *Albany Advertiser* went to town properly over the then increase in the water rate from 2s. 6d. to 2s. 9d. The heading is, "Town Angry over Water Rate Jump." The article states—

> A wave of angry indigation has swept the town following the Public Works Department's decision to increase Albany's water rates. The rates have been increased from 2s. 6d. to 2s. 9d. in the pound on annual valuations.

When they wake up to what this new system will mean to them I should think they will be more angry than ever; because if there was ever a case of the mountain having laboured and brought forth a mouse this is it. For a committee to spend two years and to end up with a system like this is surely the worst possible result from any effort that has ever been expended. One would imagine that we are the only country that is losing any money on country water supplies. I have had a look at what takes place in the other States, and the figures are very illuminating with regard to different departments. The figures for which I was looking particularly were those for Victoria, but it looks as though they have been removed from my desk. But the loss in Victoria for 1962-63 was £5,000,000 on country water supplies.

Mr. Wild: There are a lot more people there, are there not?

Mr. TONKIN: But they do not all live in the country.

Mr. Wild: The same proportion would.

Mr. TONKIN: In most cases the charge for water in Victoria is 2s. a thousand gallons in the country districts. I have found the report, and it is here for all to see. It is the report of the Auditor-General, but unfortunately the section of the page I had marked has been turned over and I cannot find it now, so I will not hold the House up. The figure indicates, however, that the loss in that State was in the vicinity of £5,000,000 for the financial year.

We have all noticed that the Premier proposes to place increased charges on fares and freights, and to make provision for an income tax; but there was no suggestion that in order to improve his budgetary position he would increase the charges for country water supplies. The Grants Commission recognises that we must be prepared to lose money on country water supplies if we wish people to remain in the country. Surely if we are going to give no more than lip service to decentralisation on this basic commodity we ought to be prepared to go to the limit of loss in order to provide this amenity at the cheapest possible price!

We hear about the trials and the struggles of the goldmining industry; and this legislation will not help, because it places an extra charge on the goldmines for the water they are using—and this, of course, is in the interests of uniformity. That is going to be pretty hard to justify. The Government will go to the people in Derby, or in Wittenoom, or in Marble Bar and say to them, "Don't you worry about this increased cost of water, because you are paying it in the interests of uniformity!"

The Government has forgotten this objective of narrowing the gap, which was supposed to be the prime objective in the first place. What it is mainly concerned with now is uniformity; and if that is desired, people must be prepared to pay for it.

Mr. Lewis: Are you sure you know what the aim of the exercise was?

Mr. TONKIN: I thought it was to narrow the gap.

Mr. Lewis: I know you thought all sorts of things.

Mr. TONKIN: Was it not the aim?

Mr. Lewis: No; it was not.

Mr. Norton: We are getting the truth now!

Mr. TONKIN: I am sorry I was misled.

Mr. Lewis: So am I!

Mr. TONKIN: I thought from the statements made from time to time that the purpose of this exercise, as the Minister calls it—I regard it as more than an exercise—was to try to bring the charges as between the metropolitan area and the country districts closer together. If I was wrong, I am sorry.

Mr. Lewis: Then you are sorry.

Mr. TONKIN: If that was not the purpose, I am sorry about it—

Mr. Heal: Ask him what it was. He would not know.

Mr. TONKIN: —because I judged from the statements made by the Treasurer and the Minister for Water Supplies that the idea was to narrow the gap.

Mr. Cornell: It means that you now have one bath instead of four as previously!

Mr. TONKIN: If it was not to do anything of the sort, I am sure there are a lot of people in the country besides myself who have the wrong impression, and I

join with Sir Robert Menzies on this. I see no particular virtue in uniformity as such—

Mr. Bickerton: It doesn't apply to electricity charges, I know.

Mr. TONKIN: —unless other factors are taken into consideration at the same time. As the Government does not hesitate to spend money out of the revenue in order to put other parts of its policy into operation, why should it hesitate with this?

The Treasurer did not like my reference to a charge of £1,700 a year against country water supplies, which had resulted from the action of a previous coalition Government in charging a capital sum against the raising of the wall of Mundaring Weir. I came to the conclusion that the Treasurer did not understand what I was talking about, so I propose to explain what took place.

It was a period of acute cement shortage in Western Australia. We were importing quite a lot of cement in bags and there was a rationing system in operation under which those people who required cement were given a certain quantity of bulk cement from the Swan Portland Cement Works, and they had to augment their requirements by paying a higher price for imported cement in bags.

Now, the Government at the time was engaged on raising the wall of Mundaring Weir, for which it required bulk cement and for which it was using bulk cement. What did it do? It used bulk cement, but charged against the job the price of bagged cement and it allowed certain industrial users—

Mr. Bovell: We have heard this before somewhere!

Mr. TONKIN: —to take bagged cement at the price of local cement. If that is Government policy, all right; but the extra cost to the State should have been borne by general revenue; by the Treasurer. But what did the Government do? It charged this extra cost to the goldfields water supply scheme with the result that there is now being charged into the annual cost £1,700 for interest which should never have been there. The Auditor-General refused to pass the item, and it has never been approved to this day. It was a straightout subsidy to industrial users of cement in the city for which the country water supply scheme has paid. I mention that illustration to show that the fullest consideration has not been given to a sincere desire to reduce the cost of the country water supplies.

There is another angle to this. When I have been in certain country districts having a look at the water supply, I have been told by officers that in a number of cases the reticulation system is obsolete. It has grown up in sections, with the result that water is being pumped around bends with a resultant increase in pumping costs, whereas if the mains were relaid and renewed the costs of operation could be substantially reduced.

I would suggest that the line of inquiry with regard to this exercise to which the Minister for Education referred a few moments ago, should have been (a) how much money should the Government be prepared to spend in order to bring the cost of water in the country closer to the cost of water in the city, having regard to what it spends on other portions of policy; and (b) how much can be saved in operating costs by improving the reticulation system and reducing the cost of pumping.

I would suggest that if a couple of expert officers were put to the task of going through the systems in the various country towns and taking suggestions from the men operating these systems and the workmen engaged in the renewal of pipes and the repairs of damage occurring from time to time, the resultant saving would surprise the Government. If we could reduce the cost of operation in that way, the benefit could be passed on to the consumer.

My colleague has found for me the Victorian figures to which I referred earlier, and I propose to read them. They are on page 72 as follows:—

Year	Cash Deficit
	£
1958-59	4,317,534
1959-60	4,823,499
1960-61	5,214,715
1961-62	5,439,143
1962-63	5,784,957

The comment of the Minister for Works on that is that there are a lot of people in Victoria.

Mr. Wild: You're telling me! There are four and a half times as many.

Mr. TONKIN: I suggest that we ought to defeat this Bill because it does not do what it ought to do. It permits this new rating system under which people pay rates, get no water for the rates they pay, and lose a valuable taxation deduction. If we reject the Bill the Government can have another look at it and decide that this is worth more than £31,000, which I do not think the Government will lose anyhow. I say it would make a profit out of this scheme if it were put into operation.

The Government should go into it again and be prepared to lose a substantial sum in order to provide this amenity at the cheapest possible price for people in the country districts. This idea of making people pay half what they pay now in rates and get no water in the belief that their consumption of water will be reduced, in my opinion is fallacious because it has not worked out that way in the metropolitan area; nor do I think it will work out that way in the country.

There are a few people who waste water because of carelessness, but the majority do not consume more water than they really need, and it is my opinion that they cannot get by on the amount of rebate water which is now provided for the rates they pay, but that they will run into excess. If they ran into excess when paying 3s. a thousand gallons for their excess water, they will still run into excess if they can get it for 2s. and 2s. 6d. up to 100,000 gallons.

I remind honourable members again that an increase of a mere £10 in the annual rental valuation will completely wipe out the benefits which people in some districts will get on certain levels of consumption. On the figures given to the honourable member for Mt. Marshall in answer to questions of his in recent days, it is pretty obvious that substantial increases in valuations have already taken place and may be anticipated, with the inevitable result that as no additional water, or no water at all, is made available for the extra rates they will pay, in most cases they will be worse off than before; so what is the good of it?

The other amendments in the Bill are not vital at all at this stage, and their deferment would not make any difference. However, if we reject this Bill we register a protest against this scheme, which will be of no general benefit at all. It will be to the disadvantage of a large number of consumers in various parts of the State, and it will be to the certain disadvantage of all those people in the towns which I enumerated.

What a thing to do to the people of Darlington, for example! Tell them, "Oh, no! We will not bring you into the metropolitan system but will bring you into a scheme which will give you cheaper water," and then give them a system which gives them dearer water!

Mr. Graham: They are not drinking water at Lesmurdie!

Mr. TONKIN: I suggest that all honourable members have an obligation to examine the proposals and their probable effect on the consumers in their own electorates. They should get some typical accounts and work out what the people are paying at present and what they will pay on a likely consumption under the new scheme, having regard to all the factors, because we cannot disregard, in the cost of water, the taxation benefit. It has got to be taken into consideration when one is trying to evaluate the relevant advantage of the new scheme as compared with the old.

A little thought will show that in a large number of cases—and my own view is that it would be the majority of cases, but I cannot prove that until time shows whether I am right or not—the majority of people, generally speaking, will be up for a greater cost under this scheme, precisely as they are in the metropolitan area. I quoted figures to prove that contention—not my own calculation, but the actual departmental results on the consumption of water and the revenue to the department.

The conclusion is obvious and the figures are as follows:—For the year ended the 30th June, 1961, the revenue was, for water sales—not sewerage or drainage; I am ignoring those—water sales and rates, £1,730,433; and the consumption was 18,014,000,000 gallons. which was 5,680,000,000 gallons above the consumption for 1960. Services installed were 133,647, of which 103,969 were metered.

In 1962, with no increase in valuations and an increase in services of 4,313, there were 137,960 services, of which 116,610 were metered. The revenue was £1,803,303, which was an increase in revenue over the previous year of £72,870. The consumption was 18,492,000,000 gallons.

For 1963—that is, the year ended the 30th June, 1963—there were 142,246 services, of which 123,364 were metered, and the revenue was £1,852,414. The consumption of water for this particular year dropped to 17,214,000,000 gallons. There was special reference to it in the departmental report, pointing out that because of the particularly cool summer compared with the two previous hot summers, the consumption of water had fallen.

I worked out the actual additional consumption of water, having regard to the 4,313 extra services in 1961-62, and the figure was 119,500 gallons average consumption for those extra services, which is a pretty substantial consumption and therefore accounts for the extra quantity of water consumed in that year and confirms the opinion I have already expressed. That opinion was that this so-called pay-as-you-use system, where people pay half the amount they paid before in rates and get no water for the money, does not achieve the objective which it was supposed to achieve. In fact, it is a disadvantage because it deprives the ratepayer of his taxation deduction which he could get if he paid a certain amount in rates, and his entitlement to a certain amount of rebate water for having done so.

Whilst I quite readily admit that a proportion of consumers who pay a substantial amount in rates get a large quantity of rebate water, and are therefore encouraged to use more water than they otherwise would use, on the other hand I think a far greater number of consumers run into excess water because the amount of rebate water is inadequate.

I do not know of anybody living in my area who does not require excess water, and my own experience is that I use many thousands of gallons of excess water over and above the rebate quantity. Under the new system for the country, no water will be allowed at all. To show the thing in proper relief let me give this illustration in conclusion:

Suppose the actual rental value of a property is £100. At present the owner in the country will pay 3s. on the £100—that is, in a standard town—or £15 in rates, for which he will get water at the rebate cost of 4s. 6d. on the goldfields and 4s. in the standard towns. In the metropolitan area the same person, if he pays £15 in rates, will get an allowance of 150,000 gallons of water. In the country, under the new scheme, he will pay £7 10s. in rates and get no water; and then, if he wants 150,000 gallons, he buys it at 2s. per thousand gallons for the first 60,000 gallons. So to compare the two, £7 10s. in the country entitles one to no water, but in the metropolitan area one pays £15 and gets 150,000 gallons of water.

Of course, if the objective is not to narrow the gap I cannot argue the point, but I think it was intended to reduce the gap. I will say this: that if the objective was not to narrow the gap, it should have been.

Debate adjourned, on motion by Mr. Cornell.

RIGHTS IN WATER AND IRRIGATION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 24th September, on the following motion by Mr. Wild (Minister for Water Supplies):—

> That the Bill be now read a second time.

MR. I. W. MANNING (Wellington) [10.53 p.m.]: I would like to take this opportunity to make a few comments on this measure. I suppose the application of this Bill will have more effect in my electorate than in any other. The measure proposes to make one amendment of importance; and although the Minister did not make a long speech when introducing the Bill, this one amendment is of considerable importance to the irrigation farmers.

The amendment is really linked with another measure which was introduced at approximately the same time by the Minister and which was entitled "A Bill for an Act to amend the Water Boards Act, 1904-1954." The simple amendment, as quoted in the Bill, states "of the land rated." However, if this amendment is read in conjunction with section 41 of the parent Act, it will read as follows:—

> Every ratepayer shall, subject as hereinafter provided, and to the payment of the rate, be entitled to receive from the Board a supply of water for irrigation of the land rated at such times, in such quantities, and on such conditions, as may be prescribed by the By-laws of the Board.

This measure deals largely with the transferring of water from one rated area to another, and the amendment seeks to give the department authority to decline to agree to the transfer of water from one property to another or from one rated area to another. I cannot feel very enthusiastic about this amendment, although I can see the purpose of it. During the last several irrigation seasons—not last year but previously—we had two years where irrigation water was quite severely rationed, and it was in the interests of the irrigation farmers that they had the opportunity of moving the water about so as to get the best use of what was available to them.

The transferring of water from one area to another is also extensively practised where a farmer is taking the opportunity to start early germination by taking water from the irrigated land and flooding his dry land. This is done early in the season to get what we term early germination. Early feed is obtained in that way.

One of the main concerns with which this Bill deals is the growth of the practice of transferring water from one property to another and in that way having a tendency to overload the channel system. I can understand that the department would feel concerned. The channels provide a supply of water to sections of a district and are designed in such a way that they cater for the needs of all the rated land in the area. If one farmer, who had a property elsewhere in the district, chose to transfer water from the one property to the other, he could overload the channel system in one particular area. He could upset the general efficiency of the irrigation system in the area and possibly create some hardship to neighbouring farmers who would be held up for their water for perhaps three or four days at a vital time of the irrigation season.

So the Bill has a good deal to commend it because of that point. I suppose that a big percentage of the irrigation farmers today are, in some way, transferring water from one rated area to another, or from a rated area to a non-rated area. The new system of paying for water in quantity rather than an irrigation rate of wetted acres, is also allowing the farmer to channel the water about on his own property. The old system of charging an irrigation rate, giving two waterings free in return for the rates, has been changed so that the farmer now buys the water by

quantity. In that way he is able to move the water about more freely on his property.

The use of water by that means should be encouraged because it tends towards more efficient farming and more efficient use of the water available. The growth of irrigation in recent times has tended to the more efficient use of water, and I do not think departmental officers who would have to administer this legislation—including the proposed amendments—would desire in any way to restrict the efficiency with which the water is being used.

I think it is all-important that there should be as much freedom as possible allowed to the farmer in the use of water once it reaches his property. The important part of the proposed amendment lies not in the movement of the water on the one property, but in the shifting of the irrigation water from one property to another in a different part of the district. In that way it conflicts with the efficiency of the channel system and the ability of the department to supply the water to each farmer in his turn.

This Bill must be read in conjunction with the other piece of legislation; namely, the Bill to amend the Water Boards Act, which is tied up with this question. The amendment to the Water Boards Act deals with the situation of a property in a different locality. It also seeks to grant to the department the right to rate each area separately. As the Minister explained when he introduced the Bill, the farmer with properties in more than one irrigation district can have his rates grouped under the one assessment. It also follows that when the grouping occurs the water allowed is governed by the amount of rates paid. So it is logical that, if there is a division of the rated areas and a different assessment for each property, it can be expected that that will give the department the right to control the use of the water on the different properties.

I believe the measure arises from the fact that there are one or two farmers who have taken the opportunity to transfer the water in such quantities as to interfere with the efficiency of the operation of the irrigation system. I think it is regrettable that there is a need for this legislation, because in the minds of irrigation farmers there springs the thought that there is going to be some restriction placed on the freedom they now enjoy in the handling of the water.

If I thought there would be a restriction placed on the use of water by all farmers I would not be happy about supporting the legislation, but I believe the departmental officers who will be responsible for administering this measure will exercise discretion and will only decline to supply water to a farmer where it is considered impossible for the channel system to provide it, or where, in transferring the water to advantage one farmer it will disadvantage another. Those are the only conditions under which the department would decline to agree to the transfer of water to any property.

I think it is all-important that efficiency in the use of water should be encouraged and, in recent times, the trend has been to encourage farmers to exercise more efficiency. In changing over from rating on wetted acres to rating according to acre feet of water efficiency is encouraged, and it also provides an opportunity to the farmer to move the water from one section of his property to another, thereby increasing efficiency within the property itself.

I do not think there is any other comment I can make on the Bill other than to repeat that I hope the Minister will be able to give us an assurance that discretion will be exercised in the administering of the legislation as it will now read, and that there will not be a complete refusal by the department to agree to the transfer of water within a farmer's property or to another property which may be his homestead property. Many of the provisions in the Bill have been influenced, of course, by the policy of the Milk Board in issuing to a farmer a license for a 50-gallon quota, which is a reasonably small one. Most farmers aim at a quota of 100 gallons a day and, in trying to achieve this, often buy another property. In acquiring an additional property in an irrigation district the farmer then has two properties with water rights and he usually transfers one quota to link it with another, and he is attempting to do the same with water.

So in this measure we see the Public Works Department attempting to counteract that movement, and I think it is a trend of which we are going to see a great deal; because the farmer, in attempting to build up his assets by increasing his milk quota, is buying other properties with quotas attached and, at the same time, gaining additional water rights. I am prepared to support the second reading of the Bill.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [11.8 p.m.]: I understand the desire of the Government to take some action over the trouble connected with split watering which has developed in the districts of Harvey, Collie, and Waroona. I am not so much concerned about the possible loss of revenue which would result, because that would not be substantial, and I feel the producers are making good use of the irrigation water they are taking in this way. It is the most economic way for them to do it and, in the long term, may possibly result in greater benefit to the State than would otherwise be the case.

Nevertheless, I can fully appreciate the difficulty that may arise from overtaxing the channels through which the water is supplied; because when these schemes are designed by the engineers—as I explained previously with the comprehensive water supply scheme—a certain basis of water consumption is taken for the purpose of calculation, and mains or channels are constructed in order to enable this calculation to be taken.

So it could be that if producers, because of advantages which appear to them likely to accrue, take all the water to which their rates entitle them for the purpose of using it on one area of land—and there are a number of people in that district doing the same thing—the situation could easily arise where the channel constructed will be incapable of carrying the water, which means that difficulties are then created not only for the department but also for the consumers.

I suppose the better course to follow, if it were practicable, would be to enlarge the channels. After all, people have to pay for the water they are using. They are allowed a certain number of waterings for the rates they pay each year; and if they are going to use the water they are going to produce; and that is supposed to be the very fundamental requirement in the improvement of our standard of living—I refer to more production.

So we should not be doing anything that will deter production. If it could be done it would be desirable to increase the size of the channels in order that the water required by the producers could be supplied to them through the channels. But if that is not practicable, then I can appreciate that the Government must take some steps to ensure that a greater quantity of water than the channels are capable of carrying is not required; and this measure appears to achieve that objective. For that reason we on this side of the House are prepared to support it.

MR. WILD (Dale—Minister for Water Supplies) [11.12 p.m.]: I thank the two honourable members who have spoken to this measure. I understand this has been brought about, as the honourable member for Wellington said, because there have been two or three rather greedy people who were determined to use all their water on one particular block, instead of spreading it over the other three or four blocks they own.

This has caused the board at Harvey a considerable amount of worry, because it is definitely overtaxing the channels. I want to assure the honourable member for Wellington that the situation will be watched very carefully. As he knows, under the Act these boards comprise one nominee of the Governor, and other people who are nominated by the growers of the district. The membership of the board is six, three of whom are local growers, and three are Government officials, with Mr. Bryden as chairman of the board.

I would add that all the minutes of the meetings of the board must come before the Minister of the day. They come to me month by month, or whenever meetings are held; and anything it is felt I should take notice of is underlined, after which I place my signature of approval at the bottom of the page. So the honourable member can be certain that this matter will be before the Minister from time to time, and he will see what is going on.

I can only repeat that the purpose of the Bill was to overcome difficulties that have arisen as a result of the action of two or three growers. But the position will be watched. The necessary power will be used under the by-laws and the whole question will be subject to the Minister.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

WATER BOARDS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 24th September, on the following motion by Mr. Wild (Minister for Water Supplies):—

That the Bill be now read a second time.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [11.17 p.m.]: This legislation is complementary to that with which we have already dealt. Having agreed to the one it is very necessary to agree to the other; and, accordingly, I have no objection to raise.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

House adjourned at 11.20 p.m.