

Report

Bill reported, without amendment, and the report adopted.

Third Reading

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [10.50 p.m.]: I move—

That the Bill be now read a third time.

The point made by the Leader of the Opposition when speaking to clause 2 has been noted as has the sense of co-operation on the part of the Opposition which is obviously intended to enable the Government to complete its business programme this week. Whilst I cannot thank the Opposition for its support of the measure I thank it for the co-operation extended in connection with this Bill and, indeed, to the Government today.

Sir David Brand: We are always co-operative.

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

Ayes—23

Mr. Bateman	Mr. Hartrey
Mr. Bertram	Mr. Jamieson
Mr. Bickerton	Mr. Jones
Mr. Brady	Mr. Lapham
Mr. Brown	Mr. McIver
Mr. Bryce	Mr. Moller
Mr. Burke	Mr. Sewell
Mr. Cook	Mr. Taylor
Mr. Davies	Mr. A. R. Tonkin
Mr. H. D. Evans	Mr. J. T. Tonkin
Mr. T. D. Evans	Mr. Harman
Mr. Fletcher	

*(Teller)**Noes—22*

Mr. Blaikie	Mr. Nalder
Sir David Brand	Mr. O'Neill
Sir Charles Court	Mr. Ridge
Mr. Coyne	Mr. Runciman
Dr. Dadour	Mr. Rushton
Mr. Gayfer	Mr. Stephens
Mr. Graham	Mr. Thompson
Mr. Hutchinson	Mr. Williams
Mr. W. A. Manning	Mr. R. L. Young
Mr. McPharlin	Mr. W. G. Young
Mr. Mensaros	Mr. I. W. Manning

*(Teller)**Paired*

<i>Ayes</i>	<i>Noes</i>
Mr. Graham	Mr. Lewis
Mr. May	Mr. O'Connor

Question thus passed.

Bill read a third time and transmitted to the Council.

NOISE ABATEMENT BILL*Returned*

Bill returned from the Council with amendments.

**ADJOURNMENT OF THE HOUSE:
SPECIAL**

MR. J. T. TONKIN (Melville—Premier) [10.54 p.m.]: I move—

That the House at its rising adjourn until 11.00 a.m. tomorrow (Wednesday).

Question put and passed.

House adjourned at 10.55 p.m.

Legislative Council

Wednesday, the 22nd November, 1972

The **PRESIDENT** (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS (15): ON NOTICE**1. ESPERANCE HOSPITAL***Extensions*

The Hon. D. J. WORDSWORTH, to the Leader of the House:

In view of—

(a) Esperance having the largest population growth in Western Australia outside Rockingham, Kwinana and Mandurah in the South, and Port Hedland, Dampier and Exmouth in the North;

(b) the gross overcrowding and inability to handle emergencies such as occurred at the last Agricultural Show;

(c) the delays and postponements since this Government took office—

when will extensions of the Esperance Hospital be—

(i) tendered;

(ii) completed?

The Hon. W. F. WILLESEE replied:

I propose not to comment on the preamble of the Hon. Member's question.

Planning is based on contract documents being prepared and tenders called in 1973, subject to the availability of Loan Funds. Work is expected to take 12 months after letting the contract.

2.**DROUGHT***Lower North Province*

The Hon. G. W. BERRY, to the Leader of the House:

(1) Has the report of the Committee formed to inquire into the drought situation in the affected areas of the Lower North Province been considered by the Government?

(2) If so, when is it likely a decision will be made known?

The Hon. W. F. WILLESEE replied:

(1) and (2) The report is under consideration by Cabinet.

3. MINISTERS OF THE CROWN*Official Visits to Electorates*

The Hon. CLIVE GRIFFITHS, to the Leader of the House:

(1) As previous Governments adopted the policy whereby prior to visiting a district or an electorate for the

purpose of performing some official duty, Ministers notified the local Members of the Legislative Council and the Legislative Assembly of their intention, has the present Government continued this practice?

- (2) Since this Government assumed office, would the Minister advise—
- (a) the dates;
 - (b) the purpose; and
 - (c) the Ministers concerned;
- who have officially visited the South East Metropolitan Province for the purpose stated above?

The Hon. W. F. WILLESEE replied:

- (1) On occasions, when time has permitted, efforts have been made to maintain this procedure. However, a substantial number of Ministerial visits take place at short notice. In these circumstances, adequate notice as to such visits is not always possible.
- In general terms, I am in agreement with the policy as outlined.
- (2) This information will take a few days to compile, and it will be forwarded to the Hon. Member, when completed.

4. WOOROLOO FARM

Purchase by Government

The Hon. A. F. GRIFFITH, to the Leader of the House:

- (1) Has the Government re-purchased the area of land at Wooroloo previously known as the Wooroloo Farm?
- (2) If so, what was the purchase price?

The Hon. W. F. WILLESEE replied:

- (1) No, but an offer of purchase has been made.
- (2) Answered by (1).

5. FORESTS

Ti-tree Reserves

The Hon. G. C. MacKINNON, to the Leader of the House:

In regard to the forest produce known as Ti-tree or Spearwood, could the Minister advise—

- (a) what quantity is taken annually for—
 - (i) cray pot construction;
 - (ii) bean sticks and props for other vegetables;
- (b) what acreage of reserve stocks exists under the control of the Forests Department;
- (c) what acreage under private ownership is being exploited on a continuing basis for the above purposes?

The Hon. W. F. WILLESEE replied:

- (a) Number of Ti-tree sticks cut under license—

1969-70 — 15,300

1970-71 — 17,050

1971-72 — 11,785

No records kept of specific use.

- (b) Limited areas of Ti-tree are scattered throughout the State but acreage is not known.
- (c) Not known.

LAND

Industrial Sites: Roebourne

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) Will the Minister describe how settlers in the North can borrow money to develop leasehold industrial sites when private banks consider the present system of land release does not allow them to secure a charge over the land in areas such as Roebourne?
- (2) What equity, expressed as a percentage, is required by a new settler if a bank does lend money for development?
- (3) Will the Minister state the facts of any case as evidence without quoting the settler's name?
- (4) If satisfactory evidence cannot be found, will the Minister consider releasing industrial land on conditional purchase or provide an avenue of finance for development?

The Hon. W. F. WILLESEE replied:

- (1) It is possible to obtain a freehold title to industrial land released by Lands Department for normal industrial purposes in developing North West towns upon completion of the required improvements and fencing.

In cases where an applicant desires to borrow money, the Lands Department is prepared to furnish the lender with a letter of undertaking that a freehold title will be granted on completion of improvements and fencing and payment of the necessary services premium and charges. In most cases banks have been prepared to accept this assurance and take security over the leasehold.

- (2) Banks do not generally prescribe a minimum equity. This is a factor taken into account in considering individual applications.
- (3) Answered in (1).
- (4) It is considered that the present system does not inhibit the development of industrial land. The normal avenues for assistance to and finance for development are available.

No matter what tenure is offered, Crown Grants cannot issue until development conditions are fulfilled.

7. WATER SUPPLIES

Jerramungup

The Hon. D. J. WORDSWORTH, to the Leader of the House:

- (1) If there are 250 people normally residing in Jerramungup, and the total capacity of the water supply dam is 3½ million gallons, what is the allowance per head per year after evaporation is taken into account, in—
 - (a) a normal year;
 - (b) a drought year?
- (2) What are the—
 - (a) total water charges;
 - (b) average water charges; per annum per head in Jerramungup?
- (3) For people living in the metropolitan area, what is the—
 - (a) average water use per annum per head;
 - (b) average water charges per annum per head?

The Hon. W. F. WILLESEE replied:

- (1) (a) Normal consumption averages 14,000 gallons per head per annum as in 1971-72 when no restrictions were applied.
- (b) Drought year consumptions range as low as 6,600 gallons per head per annum depending on the duration and severity of the restrictions imposed.
- (2) (a) \$3,231.68 in 1971-72.
- (b) \$12.92, based on estimated total of 250 residents.
- (3) (a) 48,000 gallons—based on total usage in the metropolitan area.
- (b) \$13.45.

8. LAND

Ord River Scheme

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) (a) Are there any plans for allocating more small farmlets within the Ord River Scheme;
- (b) if so, what are the plans for future allotments?
- (2) When was the last farmlet allocated?
- (3) How many applications have been received?
- (4) For what period of time have the applications been on file?
- (5) When will the land be made available to the applicants?

The Hon. W. F. WILLESEE replied:

- (1) (a) The matter of further releases is being examined.
- (b) Any resulting releases will be advertised.
- (2) The last farmlets 4.0469 hectares (10 acres) were allotted in May, 1972.
- (3) and (4) Eleven applicants were unsuccessful in May, 1972. Nine other inquiries are recorded in the Department.
- (5) Answered by (1).

9. YANCHEP NATIONAL PARK

Free Passes

The Hon. J. HEITMAN, to the Leader of the House:

- (1) Is the Minister aware that—
 - (a) several residents near the Yanchep Park have been summoned to the Court of Petty Sessions, Perth, on the 29th November, 1972, for refusing to pay 20 cents entry fee to the National Parks Board at Yanchep;
 - (b) these residents have—
 - (i) lived in the district for 30 years;
 - (ii) been driving vehicles for 21 years;
 - (iii) always had free entry to the Park;
 - (iv) always helped when needed for any emergency, and have reported many fires that have broken out in the Yanchep area;
 - (c) a group of fifty local people waited on the National Parks Board in March of this year pointing out that the closure of the roads, and having to pay 20 cents to enter Yanchep Park, was causing inconvenience to local people who used Yanchep Park Post Office, stores, and the hotel, as their township;
 - (d) these people are not tourists, but are local residents who are asked to pay 20c per car every time they post a letter, use the telephone, buy some stores, or have a drink at the hotel?
- (2) Will the Minister arrange for these people to be given a free pass to Yanchep Park to conduct their ordinary business?
- (3) Will the Minister withdraw the summonses referred to in (1) (a) above?

The Hon. W. F. WILLESEE replied:

- (1) (a) Yes.
- (b) No.

- (c) No. The group of fifty people did not wait on the National Parks Board but on the Yanchep Park Superintendent.
- (d) No. In order to meet this type of Park usage, the Board instituted as from 1st July, 1972 an Annual Fee of \$5.00 for any vehicle repeatedly using the Park.

(2) No.

(3) No.

10. WATER SUPPLIES

Carnarvon

The Hon. G. W. BERRY, to the Leader of the House:

- (1) Have plans been prepared by the Government to stabilise the water supply for both the town and the irrigated areas of Carnarvon?

- (2) If so, what are the plans?

The Hon. W. F. WILLESEE replied:

- (1) Yes.

- (2) Full development of the underground water aquifers both in and adjacent to the river bed for a distance of 42 miles upstream from the river mouth.

Reticulation of water pumped from these aquifers through pipelines to the irrigation area and the town of Carnarvon.

11. ELECTRICITY SUPPLIES

Roebourne Industrial Area

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) Will the Minister advise the expected date of State Electricity Commission power supply to the Roebourne light industrial area?

- (2) What will be the connecting fee?

- (3) What will be the rate per unit and the service charge?

The Hon. W. F. WILLESEE replied:

- (1) Tenders are about to be called for the construction of the power lines needed to supply the first section of the Roebourne light industrial area. Tenders will close on 15th December, 1972, and assuming a suitable contractor is available, it is expected the work will be complete early in the New Year.

- (2) A contribution of \$262 per consumer has been paid for electricity supply for the first section of the light industrial area.

- (3) The rates charged will be in accordance with Table "A" of the following Tariff Schedule No. 5 for Roebourne.

TARIFF SCHEDULE No. 5.

Electricity—Roebourne (from 1st December, 1969).

INDUSTRIAL COMMERCIAL AND GENERAL

Table "A"—

	per month		cents per unit
First	50	....	7.00
Next	950	....	6.50
Next	4,000	....	5.50
Next	45,000	....	4.50
All over	50,000	....	3.50

Minimum Charge—

At the rate of \$5.00 per quarter.

DOMESTIC

Lighting and power for purely domestic use in permanent private residences and flats. Not available for hotels, boarding houses, residential institutions, caravan parks, sleeping quarters and the like, or residences used partly for business.

Table "B"—

A fixed charge at the rate of \$5.00 per quarter.

Plus all metered units at 4.00 cents per unit.

Note.—For multiple residential buildings supplied through one metered supply point the fixed charge is as follows:—

For the first residential unit \$5.00 per quarter.

For each additional residential unit \$2.50 per quarter.

SUB METERS

Subsidiary meters are available on application without charge to meter the supply to subsidiary consumers.

12. *This question was postponed.*

13. CARAVAN SITES

North-West

The Hon. W. R. WITHERS, to the Minister for Local Government:

- (1) Are caravans belonging to Government departments permitted to remain on Government sites when private caravans are not permitted on private sites?

- (2) If the answer to (1) is "Yes", why are private caravans prevented from being on private sites?

- (3) If the answer to (1) is "No", why are Public Works Department caravans retained on Lot 1070 in the light industrial area at Karratha?

The Hon. R. H. C. STUBBS replied:

- (1) Yes. The by-laws are believed not to apply to Government Departments.

- (2) The By-laws of the Council are applicable.
 (3) Answered by (1).

14. **POLICE**
Meekatharra

The Hon. G. W. BERRY, to the Minister for Police:

- (1) Is it intended to reduce the police force at Meekatharra?
 (2) Have police patrols through pastoral stations in the area been discontinued?
 (3) If the answer to (2) is "Yes", for what reasons?

The Hon. J. DOLAN replied:

- (1) No.
 (2) No.
 (3) Answered by (2).

15. **RABBITS**
Destruction

The Hon. D. J. WORDSWORTH, to the Leader of the House:

- (1) Where have rabbit fleas been released in Western Australia?
 (2) What has been the effect on myxomatosis in these areas?
 (3) Has it been found that the continual presence of the flea has given rise to a quicker immunity to myxomatosis than occurred when only the mosquito spread this virus seasonally?
 (4) Is it now considered that the value of myxomatosis has not improved as expected, and that the use of poison will have to be increased?

The Hon. W. F. WILLESEE replied:

- (1) Agriculture Protection Board has released fleas at four locations between Cape Naturaliste and Margaret River and at one location near Mullewa.
 (2) In the Cape Naturaliste-Margaret River area an effective spread of myxomatosis, killing approximately 80% of the rabbit population coincided with the spread of the fleas.
 At Mullewa, fleas failed to become established.
 (3) The long term effect of the presence of the rabbit flea is currently being studied. Information at present available is insufficient to provide a precise answer to this question.
 (4) No.

TEACHER EDUCATION BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 3, 4, 5 and 6 made by the Council and had disagreed to Nos. 1 and 2 now considered.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. W. F. Willesee (Leader of the House) in charge of the Bill.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): Amendments Nos. 1 and 2 made by the Council, to which amendments the Assembly has disagreed, are as follows:—

No. 1.

Clause 10, page 7, lines 31 to 33—To delete paragraph (c) and substitute the following paragraph—

(c) the Principals;

Clause 10, page 8, lines 11 to 13—To delete paragraph (g) and substitute the following paragraph—

(g) one person from the academic staff of each college, each one elected, in the prescribed manner, by the academic staff of the college to which he belongs;

The Assembly's reason for disagreeing to the Council's amendment No. 1 is as follows:—

Amendment No. 1.

1. The Tertiary Education Commission and its Teacher Education Sub-Committee advised that membership of the Council should be representative rather than that all persons or bodies concerned should be members of the Council.
2. Thus the Tertiary Education Commission recommended that there should be a limited number of people representing various employing authorities, various teacher organizations, the general community, the Principals of the Teachers Colleges and the Staff of the Teachers Colleges.
3. Working on this principle of representation the Tertiary Education Commission recommended that there should be two Principals and two Teachers College staff members of the Council.
4. Because the Government recognised that the five existing Colleges came into three categories—the old and new Primary Colleges and the Secondary Teachers College—it decided to include three Principals and three staff members on the Council.
5. Had the number been increased to four only, one Principal would not have been on the Council. This would have created an intolerable situation.
6. If all Principals were included in the Council this would

result in an increasing proportion of the Council being drawn from the Teachers College Communities and an ever-increasing size of the Council. Thus with one more College the Council could grow to 32 with twelve members from the Colleges and with two more Colleges to 34 with fourteen members.

7. If all Principals were to be members of the Council, with the establishment of new Colleges the Government of the day would almost certainly have to introduce amending legislation which could have a most undesirable effect.
8. The Legislative Assembly considers that the Principals of the Colleges are all highly intelligent, well educated, sensible men and has no doubt that they will see that they are properly represented by their three representatives. The Assembly also believes, at least in the first Council, that the three types of Colleges mentioned will be represented because of the good sense and sense of justice of the Principals.

Amendment No. 2.

The same reasons as advanced in the rejection of Amendment No. 1 also apply.

The Hon. W. F. WILLESEE: In view of the wording of amendment No. 1 may I move that amendments Nos. 1 and 2 be not insisted on?

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): That would be in order.

The Hon. W. F. WILLESEE: I move—

That amendments Nos. 1 and 2 made by the Council be not insisted on.

Following consultation with the Minister in charge of the Bill, it has been decided that the proposed alternative amendments are satisfactory to the Government. If my motion is agreed to, we will restore the Bill to a given position, and I am sure the amendments will subsequently be received without any difficulty.

The Hon. A. F. Griffith: We will do that by a further message to the Legislative Assembly?

The Hon. W. F. WILLESEE: Yes. The suggested alternative amendments have been placed on the notice paper and we have had time to look at them. This seems to be the most efficacious way to deal with the matter.

Question put and passed; the Council's amendments not insisted on.

The Hon. R. J. L. WILLIAMS: As the vote has been taken, I assume I am not in order in speaking?

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): Yes, you are.

The Hon. R. J. L. WILLIAMS: The Minister has been good enough to acknowledge the amendments foreshadowed on the notice paper. As we in this Chamber are masters of our own fate, I am wondering why the Chief Secretary would not accept this principle when the message concerning the Fire Brigades Act Amendment Bill was dealt with last night. It would have saved us a lot of trouble.

The Hon. R. F. Claughton: We are amending the Bill here.

The Hon. R. J. L. WILLIAMS: On the assurance given by the Minister, I ask the Chamber to support the motion that we do not insist on the amendments.

The DEPUTY CHAIRMAN (The Hon. F. D. Willmott): I have put that motion and the Chamber has agreed to it. The honourable member is now free to move his alternative amendments.

The Hon. R. J. L. WILLIAMS: I misunderstood the position. Although I cannot agree with all the reasons given by the Legislative Assembly, my reason for moving the alternative amendments is that they overcome the objection I had that, the way the Bill was framed, even with three principals and three staff members, it would have been possible for one or two of them to be excluded from voting.

If the council is to be given autonomy, it should have autonomy. I believe in time the council will disappear altogether. South Australia has not instructed a council to do this job but has given autonomy directly to the colleges, and this is a very bold and adventurous move. It remains to be seen whether it pays off.

With reference to reason No. 8, if we gave autonomy to the colleges now it would work. The reason states that the principals and the three representatives of the colleges are highly intelligent men. As such, they will make the scheme work. I have proposed the alternative amendments in regard to the formation of the first council, and the first council only, in order that it may get under way. They cover all the colleges.

We have taken the secondary teachers' college as one entity because it has well over 50 per cent. of all the students. The other four colleges are concerned with primary education, and they have been split into two groups; the old colleges, Graylands and Claremont, form one group, and the Mt. Lawley and Churchlands colleges form the other group. Each pair is regarded as one entity. The council is to comprise the senior principal of the Claremont and Graylands colleges and the senior principal of the Mt. Lawley and Churchlands colleges prior to the date of the commencement of the council. That brings us back to the situation under the original Bill, with three principals.

The staff members shall be one from the secondary teachers' college and one from each of the other colleges when the principal of the college is not already on the council. In this way we will have representation from both the principals and the staff of all colleges.

The Hon. A. F. GRIFFITH: What will happen at the expiration of the term of the first council? Can you ensure that the method employed in your amendments will follow in the next year?

The Hon. R. J. L. WILLIAMS: After four years it would revert to the situation under the original Bill. The representatives are appointed for a term of four years but it is hoped that the council will become the master of its own fate, so that if it considers the system is unworkable and requires amending it will report to the Minister and ask him to present an amending Bill. The council would obviously give cogent reasons for doing so. The whole object of the transition clause is to get the council off the ground as quickly as possible and in a manner which is considered to be fair to all parties concerned. I move—

That the following amendments be considered as alternative to amendments Nos. 1 and 2.

Clause 84, page 39, line 2—Add after the clause designation "84." the subclause designation "(1)".

Page 39, after line 12—Add the following:—

(2) Notwithstanding the provisions of section 10 for the purpose of constituting the first Council—

(a) the three persons referred to in paragraph (c) of that section shall be—

(i) the Principal of the Western Australian Secondary Teachers College;

(ii) the Principal of either Claremont Teachers College or Graylands Teachers College, whichever Principal was, immediately before the commencement date, the senior of the two; and

(iii) the Principal of either Churchlands Teachers College or Mount Lawley Teachers College, whichever Principal was, immediately before the commencement date, the senior of the two;

and no election shall be necessary; and

(b) the three persons referred to in paragraph (g) of that section shall comprise—

(i) one person from the academic staff of the Western Australian Secondary Teachers College; and

(ii) one person from the academic staff of each of the two colleges whose Principals are not members of the Council,

each person elected, in the prescribed manner, by the academic staff of the college to which he belongs.

The Hon. R. F. CLAUGHTON: I am pleased Mr. Williams has moved this amendment, because it seems the logical way to appoint the first group of three principals and staff to the Council, apart from which it restores something of the balance to which I referred when I originally spoke to the Bill.

It is odd that we should argue on different bases while dealing with different Bills. On the noise abatement legislation members argued that we need less academics and more practical men, whereas on the Bill before us we seem to have gone the other way—that is in the original amendment moved—by seeking to appoint more academics and less practical men.

In education I believe it is important that we should involve the community as much as possible. I think the amendment moved by Mr. Williams restores a better balance between academics and the members of the general community.

The Hon. A. F. GRIFFITH: I take it that what Mr. Cloughton has said has been said on behalf of the Leader of the House.

The Hon. W. F. WILLESEE: Let us say that I agree with him.

The Hon. A. F. GRIFFITH: That will certainly shorten the debate.

The Hon. W. F. WILLESEE: Will you sit down because it is dangerous when you start talking?

The Hon. A. F. GRIFFITH: It will be dangerous if the Leader of the House does not permit me to continue. First I would like to say that by way of interjection Mr. Williams indicated his hope that this section of the council will be chosen on the same principle outlined in the amendment.

I know we cannot commit anybody to that in the future, but it is Mr. Williams's wish and the Committee's understanding that this should be so.

I think we should place it on record that the reason for our agreeing to the motion moved by the Leader of the House was that the amendment moved by Mr. Williams was to follow and thus finally a conference would be avoided.

This is the spirit in which the amendments were moved, and obviously a conference would have been unnecessary because the Leader of the House and the mover of the amendments are in agreement. I merely place on record that this is the reason for following the procedure we have.

The Hon. W. F. WILLESEE: Anything said on a Bill of this nature at this stage will be treated very seriously by the Minister in charge of the measure. The point raised by Mr. Williams will be watched; it will be given attention should a future problem arise.

For the time being what the Leader of the Opposition has said is correct. If we had forced a Committee of Managers we would have ultimately come up with the same result.

Alternative amendments put and passed.

Report

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

APPLE AND PEAR INDUSTRY BILL

Second Reading

Debate resumed from the 21st November.

THE HON. F. D. WILLMOTT (South-West) [3.08 p.m.]: I think what is occurring at the moment is fairly general of the pattern that has been followed over the last couple of weeks. Accordingly, I hope members will forgive me if I take a moment or two to pick up my train of thought, because it is a little difficult to jump straight out of the Chair into a debate on a matter of this nature. I stress, however, that this is the situation in which we are asked to consider legislation which deals with problems which have been thoroughly investigated over a period of some 12 months, and which have finally resulted in the publication of two reports, copies of which I was not able to obtain before the end of last week.

I obtained a copy of the main report and of the other report only a couple of days ago. Accordingly, very little opportunity has been afforded to members to consider these reports. I would venture to suggest that the investigation leading up to the publication of the main report is probably one of the most comprehensive investigations that has been carried out.

The Hon. V. J. FERRY: The report to which you refer is known as the Knox report, is it not?

The Hon. F. D. WILLMOTT: Yes, and as I have said, it is probably one of the most comprehensive reports published in this State in regard to the agricultural industry.

It is very difficult for members of this Parliament to even attempt to absorb the contents of a report such as this. I have not had time to read through all of it, but I have read parts of it. I am not a magician. For me to be able to absorb all that is contained in those two reports I would require three or four days of intensive study without having anything else to interrupt me, but unfortunately that is not the situation in which we find ourselves at the moment. As all members appreciate, we are battling for time as it is.

Many different views have been expressed on this legislation. One that has often been expressed by growers in the industry is that they, too, have not had an opportunity to study the Knox report and the P.A. Management Consultants' report and so consider them in relation to the legislation that has been introduced to control their industry. Although I will not attempt to make a speech full of quotations, I wish to make one quotation from the Knox report which appears on pages 1/4 and 1/5. It is as follows:—

The Chairman of the Committee desires to draw attention to the status of the P.A. Report—

That is the report of P.A. Management Consultants in England. Continuing—

—at the time the Committee concluded its work. Because the work of P.A. was carried out by U.K. based consultants for a Western Australian based Committee, client and consultant have not had the customary opportunity, in the time available, to review the report together in detail, correcting such matters of fact or opinion that they may agree are in error. Because this process has not been carried out some errors in matters of fact are contained in the P.A. Report. Amongst its recommendations the Committee includes one, 11.25.0 to the effect that P.A.'s work should be carefully reviewed in conjunction with the authors.

In itself, that clearly conveys to my mind that the P.A. Consultants' report is not complete. So it is a little difficult to ask growers or members of Parliament to give full consideration to the Knox report and the P.A. Management Consultants' report and use them in some way to pass judgment on this legislation. This is asking quite a deal of members of Parliament and of the growers.

It also indicates to me that there seems to be what can only be called indecent haste in trying to deal with legislation at this time of the session when no member has had time to read the relevant reports, especially when they are made available only a few days before the introduction of this legislation. For this reason, I do not think members of Parliament or the growers would have a full understanding of the effect of the proposed legislation, because it is not possible for us to study the reports carefully and absorb their contents. As a result we will probably be lacking in knowledge to make sound judgment at least on some aspects of this measure.

Much has been said about the serious position in which the industry now finds itself. I will not try to deny this. However I do not believe that hasty legislation will necessarily cure the ills in the industry. In fact, if considerable care is not used, when this legislation is eventually passed, hasty action on the part of the board could aggravate to a large degree some of the ills which the industry has already experienced. By rushing in with undue haste the board could easily upset the delicate and complex commercial operation relating to the export sales of apples within this industry, because I repeat, it is a complex operation.

The marketing situation in the United Kingdom over the past few years has definitely changed. Only a few years ago Australia could depend on a certain period—certainly only a short period of a few weeks—during which there would be little or no competition in that market from other countries. During that time the market was almost completely available to the Australian producers. However that situation has gradually changed, due in part to further supplies of the product being imported from New Zealand and South Africa. Another factor has affected the diminution of this marketing period; this is the improved methods of storage.

I do not think Australia or Western Australia can look forward in the future to that period being left open to the marketing of their fruit without a great deal of competition. The period is definitely diminishing and, in fact, I think it has practically disappeared. As far as this State is concerned we now depend on the slight advantage—that is all I believe it is—of our slightly better quality Granny Smith apple. There is no doubt we produce a slightly better quality Granny Smith apple. However, because the market is now extremely competitive this advantage is only slight, because when there is keen competition at the time growers are trying to sell their product—although it may be of a slightly better quality than other products being sold on the same market—no doubt many buyers would purchase a product that is slightly inferior to that pro-

duced by the Australian growers if it can be purchased at a lower price. I think that is only reasonable in any industry.

To illustrate what I have just said, I will make a further quote and this one, together with the one I have already made, will be the only two I intend to make from either of the reports I have before me. From page 6 of the P.A. Management Consultants' report I quote this statement—

While the need for some control can be argued, too formal and rigid a system would lose for Western Australia a number of advantages they have earned over the years. A marketing board, similar to those that exist,—

I interpolate here to point out that the reference is not to a marketing board such as that operating in New Zealand and South Africa, but to existing marketing boards in Australia. Continuing—

—would not be able to improve the market price by any independent action and it is extremely unlikely that the boards would work together to control the market.

I must say that I agree with that statement wholeheartedly. A further statement I wish to quote is as follows:—

The present system as far as the marketing is concerned works quite well. Its main advantage is that in the highly competitive situation where even the moving of fruit is difficult, the importer who has invested his money in W.A. fruit will always try to sell that fruit at best rather than push Board fruit on which he only gets a commission and has no financial involvement. Once the financial involvement is removed and fruit is only obtainable from official boards, then the incentive to sell fruit from any one source is removed, and importers are open to pressure from the most powerful to sell their fruit.

That should be well and truly borne in mind when legislation such as this is being considered. I repeat what I said earlier: Great danger could exist with a board like this if it rushed in without a great deal of consideration about the action it would take in regard to markets, particularly the United Kingdom markets, because we have a very slippery hold there at the moment. In my opinion it is not likely to improve, but is more likely to further deteriorate unless great care and skill are exercised.

Because great skill and care are required, the industry, for the next few years, must draw very heavily on the expertise and knowledge obtained by the various ship-

pers over the years. If anyone considers he can operate those markets without expertise, he will come a great big buster. There is no doubt about that in my humble opinion.

I would like to mention another point. I feel that perhaps the industry has not looked carefully enough at the advantages which could accrue to Western Australia under the Commonwealth stabilisation fund. This definitely would advantage Western Australia to some degree because of the high quality of our Granny Smith apples. As I said, perhaps not enough consideration has been given to the advantages which could accrue from that scheme which has been in operation for, I think, only two years.

Many and diverse views have been expressed on this subject. Some sections of the industry are very keen for the legislation to be passed. In fact, some are so keen that even before they knew what the legislation contained they went to extraordinary lengths to get in touch with members of Parliament to tell them, "For God's sake, pass this legislation. Do not amend it, or do anything with it; just pass it." Those approaches were made in desperation because of the situation in which the growers are unfortunately placed. No-one denies they are experiencing difficulties.

I have here a letter from the Manjimup Branch of the Fruit Growers' Association in which I am advised of a motion that was carried. It was to the effect that a letter be written to all political party leaders of this State expressing the association's support of the proposed apple board and seeking their support.

The Hon J. Dolan: What was the date of that?

The Hon. F. D. WILLMOTT: It was the 12th November. The date of the meeting was the 8th November, and I would like to point out that the legislation was not introduced in another place until after tea on the 8th November. In fact, the Minister did not conclude his introductory remarks until 8.00 p.m. that day. Very obviously, therefore, these growers did not know the contents of the legislation, and this was the case with growers in many other areas, as I will demonstrate as I proceed.

I have received communications containing exactly the opposite views. I do not think that any useful purpose could be served by my quoting a whole host of such communications. As I have said, they give the other side of the picture to perhaps an even greater degree. In fact, I have in front of me one such communication. I have others including any number of telegrams and goodness knows what from all over the place, but I have one of the lems created by the over-enthusiasm of en-

view. It was a telephone message to my leader in the House (The Hon. A. F. Griffith). It was received at Parliament House at 11.00 p.m. on the 21st of this month, so someone other than members of Parliament was burning the midnight oil in giving thought to this subject. The message reads that the central Darling Range fruit growers' meeting that night carried without opposition a motion asking that the Bill on the apple and pear board, at present before Parliament, be deferred and time given for a study of the Knox committee report to be made and a written referendum to be held. That is exactly the opposite view.

Representations have been sent from many sources to members of Parliament. Some growers want the legislation passed without amendment; they desired that even before the legislation was amended in another place. Others desire the legislation to be deferred while they study the various reports and consider the matter. Others again want the legislation passed in an amended form after which they want it submitted to a referendum.

I am one of those members who represent the bulk of the fruit-growing areas of the State, but we must all weigh up what we consider to be the best action in the interests of the industry as a whole. I say "industry as a whole" because the industry does not comprise only apple growers. It is absurd for a grower to think that he knows all about the complexities of marketing his product, just as it would be absurd for a shipper to think he could take over and run an orchard. Neither would have a clue about the other's problems. Each would make a completely dismal failure of the other's operations unless he took considerable time out for study. Years would be necessary in which to learn to grow fruit. It cannot be learned in five minutes. I have grown fruit for 30 years, so I know what I am talking about. It is certainly not possible to learn all there is to know about the marketing of fruit in only five minutes; and this should be borne in mind. Taking this a little further, I have before me a resolution carried at a meeting held recently in Donnybrook.

The Hon. R. F. Cloughton: Is not one of the problems facing the industry a lack of shipping?

The Hon. F. D. WILLMOTT: Oh yes. I will come to that in a moment.

The Hon. G. C. MacKinnon: There always has been.

The Hon. F. D. WILLMOTT: There is no need for the honourable member to try to help me. I can make my speech without any help from him. The less he

encourages me to get off the track and have a piece of him, the sooner I will be finished and someone else can take over.

I want to make the point that I personally attended the Donnybrook meeting. I was present during the whole of the proceedings, not just part of them. Since that meeting statements have been made that those who attended have since changed their minds, but I assure members that this is not so. Some individuals may have done so, but certainly the thinking of the Donnybrook people as a whole has not changed, and they have gone to considerable lengths to make that very clear to me.

Any member who states that there has been a change in thinking is right off the track, because since that time I have been handed a photostat copy of a petition presented subsequent to that meeting. Although I have not counted the names, they certainly run over several pages and the people who have signed the petition state quite categorically that they have not changed their views. I will not go to the extent of quoting this petition.

The Hon. F. R. White: What are their views?

The Hon. F. D. WILLMOTT: I will come to these in a moment. They are the same views as the growers held at the Donnybrook meeting. Perhaps I should deal with this now.

I want to make it clear that I have been reliably informed—not only by this petition but through the very many telephone calls I have received; in fact my phone has run hot and has nearly burnt off my ear—that the growers have not changed their views to any extent. I thank Mr. White for his encouragement, but I think I should continue with my speech.

Before proceeding any further, I should explain that, in the main, the legislation will affect growers in the Donnybrook, Bridgetown, Manjimup, great southern, and hills areas. I have the honour to represent the Donnybrook, Bridgetown, and Manjimup areas. I have certainly had no contact with the great southern area and, in any event, growers in this locality do not loom large in the matter of fruit growing today. I have not had contact with growers in the hills areas nor has any approach whatsoever been made to me by any grower in this locality.

The Hon. A. F. Griffith: I have.

The Hon. F. D. WILLMOTT: I know Mr. Arthur Griffith has been contacted as have other members, but I personally have not been approached nor have I had contact with the growers in those areas. Nevertheless I know their thinking in respect of this matter, because this has been made all too clear.

The Hon. C. R. Abbey: You will know their interest in a referendum.

The Hon. F. D. WILLMOTT: I personally have not had any contact with growers in the hills areas, but many people in my own electorate have contacted me on this question.

The Hon. A. F. Griffith: The South Suburban Fruit Growers' Association has written to me under the name of the secretary, Mr. Blackburn.

The Hon. F. D. WILLMOTT: I know this to be the position.

The Hon. J. Dolan: Who is making the speech?

The Hon. A. F. Griffith: Like the Minister for Police, I interject now and again.

The Hon. F. D. WILLMOTT: I have not brought along all of the information supplied to me, because I do not see the need to quote it. While the argument continues between the Leader of the Opposition and the Minister for Police I will continue with my speech.

I attended the meeting of growers held at Donnybrook and, although it has been said that 100 growers were present, I counted somewhat more than that. I have with me the various motions which were carried at that meeting. I intend to deal with these one by one. Although, in the main, I agree with the principles I do not agree entirely with the motions. For the sake of the people concerned I will tell them why I do not agree with the motions. The first motion carried reads, in part—

This meeting requests the Government to redraft the Apple and Pear Board Bill so that part 2 is amended to alter the composition of the proposed board so as to give greater grower representation . . .

The motion does not make clear the way in which the growers want the legislation to be amended. Basically I think the idea is that there should be another grower representative on the board. I do not agree with this for the reason that it would cause a preponderance of growers on the board.

Grower-controlled boards are a mess if people face up to the facts. We are all human and it is a human failing to look after No. 1. I do not blame people for this. It is natural for people to look after their own interests. However, to set up a board, the control of which is entirely in the hands of growers would not, in my opinion, operate satisfactorily. Even if the grower did not realise he was doing it, he would be inclined to look at his side of the question only and this could be extremely dangerous on a board such as this. I do not agree with the idea of putting an extra member on the board. A glance at the notice paper will show an amendment, under my name, whereby I propose that

this should be handled in a different way. In the interests of saving time, I will leave further discussion on this until the Bill reaches the Committee stage. It would result in tedious repetition if I were to deal with the matter now and again in Committee.

The second part of the motion carried reads as follows:—

... and to delete part III of the Bill entirely.

Part III dealt with the control of cool storage, but as members are aware, this part was deleted in another place. There is no need for me to deal with it further at this point because the request has already been met. The next part of the motion carried reads as follows:—

That part IV of the Bill be amended to include in the penalty for planting fruit trees without authority the destruction of the fruit trees so planted.

The Bill proposes a penalty of \$100 should be imposed upon a grower if he plants trees without having received the authority of the board. It was pointed out at Donnybrook—and I thoroughly agree with the point of view expressed—that this penalty would be of no consequence whatsoever. Any grower who wanted to plant large areas would plant them regardless and pay the penalty of \$100. When many trees are involved, the cost may well be as little as 5c a tree. What does this mean when a couple of thousand apple trees are planted? I suggest it means nothing whatsoever. A grower would pay the fine and go merrily on his way.

Certainly this was the thinking of those who attended the meeting of the Donnybrook branch. For this reason they requested that a provision concerned with the removal of the trees should be written into the legislation. When I gave this request consideration I decided to try to deal with it in a different way. I may be wrong—and this will be debated in Committee—but I think considerable legal difficulties could be encountered by the board if it had the authority physically to remove the trees. I am sure litigation would ensue. Someone would receive an injunction restraining the removal of the trees. There would be extended legal arguments.

In consultation with my colleague, Mr. Ferry, last evening when we discussed this matter, I decided to try to handle this in a different way. I think we should leave the penalty of \$100 but include a stiff monthly penalty for each month the tree remains. In this way we would put the onus onto the grower himself to remove the trees.

I believe this would be a better way to handle the situation. Again I will not take the argument any further, as we will go into more detail in the Committee stage.

The fourth resolution to come from the Donnybrook meeting is as follows:—

This meeting further wishes the activities of the proposed board restricted to export fruit only.

To a great extent this resolution has been complied with in another place. However, it is quite impossible and impracticable to implement the suggestion entirely. At some future time the board will have delivered to it fruit in excess of what it is able to export. Any realist must see this. The only outlet for such fruit will be the local market, or, as the legislation now reads, the Commonwealth market which includes the State market. The fruit may be sold anywhere within the Commonwealth.

The fruit growers wanted this provision amended. I have considered the matter and members will notice I have placed amendments on the notice paper. I will discuss these in more detail during the Committee stage, but briefly the amendments provide for consultation and agreement between the board and the Apple Sales Advisory Committee in regard to the control of apple sales within the State. It is only reasonable that this body should be consulted. If the board has a surplus of apples and decides to sell them on the local market without consulting the Apple Sales Advisory Committee, we may as well do away with the committee because its whole operation will be upset. Without such consultation, the orderly marketing of apples will be much more difficult. This matter will also be discussed more fully in the Committee stage, but I wish to give sufficient detail to draw the attention of members to the amendments on the notice paper. By this means they will be better able to debate them.

The Hon. R. F. Claughton: I would like you to clear up one point for me. The apples will be in the hands of the board, but where will they be held?

The Hon. F. D. WILLMOTT: Apples will be delivered to the board for export, and occasionally the situation will arise where the board has more apples than it can possibly ship. Sometimes it is not known from day to day what shipping space will be available as the position changes very quickly.

The Hon. R. F. Claughton: Are the apples held in the growers' cool rooms, or the co-operative's cool rooms?

The Hon. F. D. WILLMOTT: They will be in the hands of the board. Do not ask me a lot of questions—I am talking about the operation of the board. I do not know the answers to the honourable member's questions. I could pose quite a few questions myself which I do not think the honourable member, the Minister, or the Department of Agriculture could answer.

The Hon. A. F. Griffith: Do me a favour and don't do that.

The Hon. F. D. WILLMOTT: I wish now to refer to the last resolution carried at the Donnybrook meeting. I would like to add, from my recollection—I see it is included in the message—the meeting consisted of over 100 growers and only five growers dissented from the resolution. I make this point because it is very relevant to our attitude to the measure.

The fifth resolution is a very important one, and it is the one which got me, personally, into hot water with some of my own constituents. However, I will make it clear right here and now where I stand on this matter. The resolution reads as follows:—

This meeting further requests that the Bill include a clause providing for a ballot of growers, as defined in the Federal Apple and Pear Board legislation, to approve the Bill as passed by Parliament prior to promulgation.

Sitting suspended from 3.45 to 4.04 p.m.

The Hon. F. D. WILLMOTT: Prior to the afternoon tea suspension I was dealing with the last resolution carried at the meeting of growers at Donnybrook, which was as follows:—

This meeting further requests that the Bill include a clause providing for a ballot of growers, as defined in the Federal Apple and Pear Board legislation, to approve the Bill as passed by Parliament prior to promulgation.

The Hon. F. R. White: What was the date of that meeting, please?

The Hon. F. D. WILLMOTT: It was held on the 13th November. Regarding the matter of a referendum, I want to make it clear—because a lot of pressure was placed on me last weekend when I was in Bridgetown, and since then I have received many phone calls from people telling me not to do anything about a referendum—that I have every intention of proceeding with the amendment I have on the notice paper which provides for a referendum. I tried to make that point clear to the people when I spoke to them. I clearly told them the reason I will insist upon the amendment. It is in their interests as well as those of other people.

Any member in this Chamber who tries to forecast the vote of this House is indeed very game and his prediction is likely to come unstuck. Nevertheless, it was my assessment, and it still is, that if the referendum amendment was not placed on the notice paper it was very doubtful whether the Bill would pass even the second reading stage.

The Hon. A. F. Griffith: That might be a good idea.

The Hon. F. D. WILLMOTT: It might be, but I am not prepared to argue that at the moment. That is my opinion; therefore, I believe I should place the amendment on the notice paper if for no other

purpose than to get the Bill to the Committee stage to enable us to discuss it in much greater detail than we can in the second reading debate. I want those who are so annoyed because I insisted on placing the amendment on the notice paper to remember that point. I ask the members to give the Bill a second reading so that it may be discussed in detail in Committee and thus enable the air to be cleared.

The Hon. R. F. Claughton: What is the purpose of the referendum?

The Hon. F. D. WILLMOTT: If the honourable member will contain his impatience I will come to that point.

The Hon. R. F. Claughton: I thought I must have missed it.

The Hon. F. D. WILLMOTT: The honourable member may take it from me that I will get to it.

The Hon. A. F. Griffith: He wants to be able to tell the Government about the Bill.

The Hon. F. D. WILLMOTT: I know some people have played politics with regard to the Bill; but I am not doing so because the matter is of great concern in my electorate.

The Hon. R. Thompson: There is too much politics being played on this.

The Hon. F. D. WILLMOTT: The honourable member is absolutely right; but do not let him accuse me of playing politics.

The Hon. R. Thompson: No, I didn't accuse you.

The Hon. F. D. WILLMOTT: Yes, I accept that. To return to the question of a referendum, I will deal with the subject in my own sequence if members will allow me to. In the first place I do not agree entirely with the motion carried at Donnybrook, because, in part, it states—

... as defined in the Federal Apple and Pear Board legislation ...

This refers to what constitutes a grower so far as a poll is concerned. All of the growers to whom I have spoken say they agree with that. Everyone to whom I spoke thought the definition contained in the Federal Act of 1938 is the same as that in the present Act; but this is not so.

The amendment I have on the notice paper does not conform exactly with either of those definitions; however, it is more closely tied to the 1938 definition—the one which most growers think is the current definition, but which is not. The 1938 Act states that the definition of "grower" in relation to a poll of growers taken for the purpose of the Act means the occupier of an orchard from which at least 250 bushels of apples or pears were exported in at least two of the three years preceding the taking of the poll.

When I discussed the matter with growers who should have known better, they said, "That is right; but it is not 250

bushels now, it is 500 bushels." However, that is not right; the provision was never amended. The definition in the present Federal Act may have been all right for the purposes of the meeting at Donnybrook if the growers wanted it that way, for the simple reason that the Bill then included the local market. However, now the measure is in the main, but not completely, confined to the export market. That is why the present definition in the Commonwealth Act is unsuitable.

In fact, I am sure I would hear a scream from the gallery if exporters were not included. The definition contained in the present Federal Act states that in relation to a poll of growers taken for the purposes of the Act, "grower" means a person who carries on the business of growing apples or pears, or apples and pears, and for that purpose utilises an area comprising not less than five acres. That does not confine the situation to exporters.

I think it is only reasonable if we are to provide that the provisions of the Bill shall apply only to export fruit that growers who are engaged in growing fruit for export should be able to vote on the matter. I think that is ordinary fair play, and the amendment I have on the notice paper has been framed accordingly.

The question of a referendum has been a contentious issue. It has been amply demonstrated already that anybody who thinks the growers' executive can make decisions and expect the growers to accept the decisions has another think coming. Members know what happened to the Dairy Industry Bill. Exactly the same situation occurred. The executive of that industry made decisions which were ostensibly agreed to by the industry. However, when the Bill was produced such a howl ensued that the measure is now being held over in the Legislative Assembly. That is ample demonstration that growers are not prepared to allow others to make decisions on their behalf. The same situation has occurred in connection with the Bill before us.

The Hon. R. F. Claughton: Does this indicate that the growers do not take much interest and do not attend meetings?

The Hon. F. D. WILLMOTT: No. If the honourable member knew a little more he would not make such a silly interjection.

The Hon. A. F. Griffith: I don't know about that.

The Hon. R. F. Claughton: I am merely asking a question.

The Hon. F. D. WILLMOTT: That is not the case at all. Even if the growers did attend every meeting, they still did not see the legislation until it was produced. Let me demonstrate it to the honourable member in this way: At the

Donnybrook meeting the very men on the executive who handled the legislation with the Minister said without hesitation they did not know what was in the legislation until they saw it, and they did not know that it would include the local market. Those were the words they used. When members of the executive of the industry say they did not know what was included in the Bill, how does Mr. Claughton expect the ordinary grower to accept the legislation until he has seen it?

Let me continue to deal with the holding of a referendum. Many growers contend that a referendum should have been held before the legislation was introduced. With this contention I personally disagree. What is the question that will be put to the growers in a referendum? Will they be asked, "Are you in favour of a single authority to handle your products?" If that were so probably the result would be a "Yes" vote. In such an event the Government would have to bring in legislation similar to that before us, but the growers would not accept it. For that reason the holding of a referendum before the legislation was introduced would have been a complete waste of time. I do not see any sense in the holding of a referendum before drawing up legislation, because it is on the legislation itself that an expression of opinion from the growers will be obtained through the holding of a referendum.

Primary producers are very much individualists, more so than other people. That is why, in the main, they are primary producers.

The Hon. R. F. Claughton: That is the problem with all referendums.

The Hon. F. D. WILLMOTT: I will continue with my speech. My hearing is not very good, and as time goes on because of the interjections of the honourable member my hearing is likely to get worse! I believe that if this Bill is passed by Parliament—and if it is, I hope it is amended—and submitted to a referendum of growers before it is proclaimed, the provisions contained in it could be set forth fairly simply without the need to distribute copies of the Bill among the growers. The provisions of the Bill could be put in a simple form without any evasion. Then the growers will know for what they are voting. At such a referendum we would obtain a sane expression of opinion from the growers, and once that has been obtained it would remain. If a referendum were held without that being done we would not achieve anything. I agree that it would have been a mistake to hold a referendum earlier.

The Hon. A. F. Griffith: We should not be tied to a Bill introduced now, before a referendum is held. We should be able to amend in Parliament the principles contained in the Bill.

The Hon. F. D. WILLMOTT: That would happen if the growers rejected the legislation. It is foolish to forecast what will be the result of a referendum, though my personal opinion is that the Bill will be carried in an amended form eventually, but not in the way it is now drawn up. If it is suitably amended, then probably a large majority of the growers will agree to it, provided it remains tied to exports only.

I represent the Donnybrook, Bridgetown, and Manjimup areas. In the main, two of these areas are in favour of the legislation, because I have had approaches from growers there, just as approaches have been received by other members from growers in other areas.

The Hon. R. Thompson: What would be the breakdown of growers in favour as compared with those against?

The Hon. F. D. WILLMOTT: I do not know, because I did not keep a record of that. I have not as much contact with those areas as I have with the Donnybrook area, because there have not been large gatherings of growers. Donnybrook is my electorate, and as a member of Parliament I have to look at the situation as it affects the growers there and also those elsewhere. If we look at the areas in which fruit is grown and from where fruit is exported, we can understand why the Donnybrook growers have met as a body.

I have before me certain statistics relating to the production of apples and pears for the 1971 season. I should point out that the 1971 season was an "on" year. We have both "on" and "off" years and an "on" season is a season with a big crop, but an "off" season is one with a light crop. That is the pattern of apple growing.

The 1971 season was an "on" year, and "on" year statistics will give a better break-up than the figures for an "off" season. I shall not quote the figures in relation to bushels of apples, but I shall refer to the percentage of production of each area so as to present a picture which will be easier for members to follow.

In 1971 the total production of apples was 3,162,000 bushels. The hills district was responsible for 21 per cent. of that total, the Donnybrook area for 37.6 per cent., the Bridgetown area for 15 per cent., the Manjimup area for 19.9 per cent., and the great southern for 6.5 per cent.

If we add the percentage production from the hills area with that from the Donnybrook area, which is by far the largest production area and from where the main objection is coming, we find that together they produced 58.6 per cent. of the total production in 1971. The other three areas together produced 41.4 per cent. of the total production of apples.

The Hon. J. Dolan: If you take the production of Bridgetown and add that to the production of Donnybrook you will find

that their combined percentage of production is over 50 per cent. It does not matter which area you add to the Donnybrook area.

The Hon. F. D. WILLMOTT: That would be right, with the exception of Mt. Barker where the production is very insignificant, as it amounts to only 6.5 per cent.

I will now deal with the production of pears, and give the percentage of the total production grown in each of the areas. The hills area produced 62.6 per cent., the Donnybrook area 23.4 per cent., and the Bridgetown area 14 per cent. There was nothing much in the other areas.

The Hon. J. Dolan: That makes 100 per cent., so there cannot be any in the other areas.

The Hon. F. D. WILLMOTT: If there was any slight production in the other areas it was not taken into consideration in the 1971 statistics.

Regarding the export figures, I shall now give the percentage of the total exports of apples from the various areas. In the case of the hills area the percentage was 16 per cent., Donnybrook 43.6 per cent., Bridgetown 14.8 per cent., Manjimup 21.3 per cent., and the great southern 4.3 per cent. If we were to add up the percentage of production in the two areas that are objecting, we would find that their combined export percentage was 59.6 per cent., while the other districts made up the remaining 40.4 per cent.

I think I am assessing the position in my electorate correctly. I have to take some notice of the views of the growers in the Donnybrook area. Certainly as a member of this Parliament I also have to take some notice of the views of the producers in the other areas, although they are not in my electorate.

To continue with the statistics, I shall give the export figures for pears. The production from the hills area represented 81.5 per cent. of the total exports, Donnybrook represented 3.7 per cent., Bridgetown represented 14.8 per cent., and there was nothing from the other areas.

An examination of those figures convinces me that I must have regard for all areas, and of the views of the growers in those areas. I do not think I can be accused of taking a false stand. However, I do take a firm stand in relation to the holding of a referendum. I think that unless the amendment appearing on the notice paper is agreed to the Bill will not reach the Committee stage. I take that view and I stick by it. I have to use my own judgment on this matter, because it will be too late to do anything after the vote has been taken.

The Hon. Clive Griffiths: Do you think the Bill will reach the Committee stage?

The Hon. F. D. WILLMOTT: There seems to be a great deal of confusion as to when it is intended that the board will operate. Grower after grower from the lower portion of my electorate has told me that they must have the legislation operating for the 1973 crop. The Minister has stated quite categorically that it is not intended to do this.

The Hon. J. Dolan: You are referring to the Minister in another place.

The Hon. F. D. WILLMOTT: Yes, I was referring to the Minister in another place who is responsible for the Bill. He made that statement outside, and I also think inside, the House. The members of the Liberal Party had a meeting on this matter recently—and I think on the same day the members of the Country Party had a similar meeting—with the executive of the fruit growers' organisation. Unfortunately the time was very limited, but I understood that at this meeting it was said quite categorically that it was not intended the board should operate for the 1973 crop.

I thought I might have got the wrong impression, but I checked on this with other members who attended the meeting and found they got exactly the same impression. It appears that somewhere along the line something must have gone wrong.

The reason that has been often advanced as to why this board must be in operation for the 1973 season is that the growers consider they must have control of the allocation of export quotas. They are adamant about this. However, the functions of the board will go a great deal further than that.

To make the position clear, the growers pointed out that during the last export season the Knox committee was in operation. They claimed this had some effect on the allocation of quotas, but whether or not it did I do not know. If there has been a lack of liaison between the shippers and the growers in relation to the allocation of quotas, then in my opinion this matter could be attended to in the 1973 season without the board being in operation. What is wrong with having a committee with grower representation to deal with this question?

I see no reason why that could not be so. I do not accept as being completely valid the statement that this board must be in operation for the 1973 season; I think it goes a great deal further than that.

The handling and marketing of fruit is a very complex problem and no matter what happens, and whether or not a board comes into existence, I repeat it will have to rely heavily on the expertise gained by the present shippers and operators in the trade. Anybody who considers that the

board will be able to take over and run the industry immediately will be due for a disappointment.

Furthermore, I do not believe that a great number of the growers feel that the setting up of the board will result in very big savings to the growers. The history of boards shows that this is not usually the position. Boards are expensive to run. However, if the growers desire to have a board then as far as I am concerned they shall have it.

That is my attitude to the whole matter but I am not convinced that the board will achieve all the wonderful things that are hoped for. It will have to proceed very slowly in taking over the operations of the industry. If the board attempts to rush in all sorts of questions will arise, as I have pointed out to Mr. Cloughton.

Many of my questions remain unanswered. If I had had time to study all the reports and the information given to me I may have found the answers to my questions. However, we have not been given sufficient time and we shall certainly not be able to obtain our answers during the current session.

I wonder what will happen by way of compensation payments if the present shipping operators are put out of business? What will happen to the stocks of materials they hold if the industry is to be operated by a board?

It becomes more and more obvious that if a board does come into operation it will have to be over an extended period. If this legislation is finally agreed to by Parliament and by the growers the board would be well advised not to operate at all during the 1973 season, but to merely observe what takes place. The holding over of this legislation while a referendum is conducted would not, in my opinion, affect the operations of the board. That is about as far as it would be able to go in 1973.

I am sorry I have taken up so much time with my speech. When I started to prepare my material this morning I realised that if I was to say all I wanted to I would be here until the tea suspension and, perhaps, for some time afterwards. I have dealt with the matter as concisely as possible. I will leave other facets of the legislation to those members who have made a study of the industry. I support the second reading of the Bill and I hope that other members will do the same.

THE HON. V. J. FERRY (South-West) (4.35 p.m.): I can recall words which I heard some 50 years ago when I was a very young boy. Those words were "Fruit growing is a very difficult business. There does not seem to be any long-term future for the fruit industry." Of course, I am not sure that they were the exact words I heard

nearly half a century ago, but they were uttered by my father who, among other things, was a fruit grower.

Those words have been repeated many times in past years, and for very good reasons. The fruit industry has had its share of trouble ever since it has been in operation in this country, and I do not think we have come to the end of that trouble yet.

The property which was farmed by my father was not at all suitable for fruit growing. It was situated in the great southern area of this State, north of Mt. Barker in a mixed farming area. In those days—particularly the 1920s—everyone tried to earn a shilling; not a pound or \$100. My family indulged in the growing of a variety of fruits—as did many other people—which included apples, pears, nectarines, cherries, peaches, apricots, and any other fruit one likes to mention.

The Hon. R. Thompson: That is not in the Bill.

The Hon. V. J. FERRY: The Bill deals with fruit and I am giving the background of what I am about to say. As a sideline, we grew almonds which were rather profitable.

The Hon. F. D. Willmott: I think the honourable member opposite probably knows more about eating them than growing them.

The Hon. V. J. FERRY: Following the 1920s there were the years during the period of the depression in the 1930s. These were difficult years for those associated with primary production. I know from my own personal experience what my family had to do to try to exist. It was not a case of living, but of existing. We were involved in dairying, grain-growing of oats, rearing of sheep for wool and meat, the cutting of hay for chaff, and even in the scraping and bagging of salt from the small salt lakes on our property for sale as stock licks.

That is some of the background I have to primary industry and the fruit growing industry. I well recall that being the youngest in my family, and quite small, it fell to my lot to shin up the limbs of the fruit trees to pick the fruit from the higher branches. I can also recall many a painful abrasion and scratch which I received. I suppose as a result of that experience I can claim to have started from scratch in the industry. I will not elaborate on that point, and members need not applaud!

As I grew up our property was not capable of sustaining the whole family unit and it was my lot, again, to venture out into some other work. I became associated with the commercial world and for many years I was closely associated with financing people in the rural industry, including those engaged in fruit growing, vegetable growing, sugar cane growing in northern

Queensland, mixed farming in southern Queensland, and wool and wheat growing in this State. I was also associated with the financing and exporting of those products to overseas countries in conjunction with export firms.

I believe I have a background which allows me to understand some of the complexities not only of the fruit industry and other primary products, and their production, but also of the people involved in primary production. I have an understanding of the selling and marketing of produce. Although I do not claim to be an expert I have a limited understanding of the financial arrangements of the fruit industry, and I approach this legislation with that background.

I do not set myself up as judge and jury but my earlier years help me to make an assessment of the situation in which we find ourselves today. We are endeavouring to assist the fruit industry in Western Australia. I know it has experienced troubled times in the past and that those troubles will continue in the future, no matter what is done to set up boards or other marketing venues.

My main concern is that the apple and pear industry should remain a viable industry for Western Australia. The question is how to achieve our objective. We have legislation before us for the orderly marketing of export fruit, and it is suggested that we will have a statutory marketing authority. Many people have the idea that a marketing board relieves their problems. Such a board may relieve some problems but I venture to say that many marketing boards have the habit of creating further problems for the industry concerned.

It has to be acknowledged that a marketing board can only operate smoothly and successfully when it receives the utmost co-operation of everyone associated with the particular industry. In the present situation this would include the growers, the shippers, the retailers, and everyone else concerned in the industry. That is the only way a marketing board can hope to function successfully. I make that broad statement in respect of the various boards which are in existence.

I suggest it is unfortunate that the proposals contained in the measure now before us have been hastily launched without the goodwill of a large number of those engaged in the fruit industry in this State. This is evidenced by the various meetings which have been held in the apple and pear growing areas in recent days. My colleague, Mr. Willmott, has mentioned the actual situation.

The history of events leading up to this legislation is quite interesting. One can refer to the decisions of the Western Australian fruit growers' conferences which have taken place from year to year; one can also refer to the action which has been

taken as a result of those conferences. Many motions have been considered and passed by the executive of the association.

One can also refer to the fruit handling and transport committee report, commonly known now as the Knox report, which contains nearly 150 pages. A further report of which we could take notice—if we could obtain a copy of it—is the P.A. Consultants' report which I have yet to see.

The Hon. J. Dolan: The honourable member can have a look at it now.

The Hon. V. J. FERRY: It is a little late now, during my second reading speech.

The Hon. J. Dolan: The honourable member's colleague had one this morning.

The Hon. V. J. FERRY: This is the sort of report which should be made available to members of Parliament when we are expected to debate a matter such as this. The present situation is just not good enough, and the lack of reports is the crux of the matter. If the Government had shown the industry the courtesy of having these reports made available in ample time for them to be studied, the story may have been different.

But that has not been the case. We are expected to make a decision on this legislation which has been thrust into the House in perhaps the last week of the session for this year. Our decision could affect the whole welfare of the fruit industry of the State. It is nonsense to expect us to make that sort of judgment without having all the relevant facts at our fingertips, and I believe the Government is at fault in the extreme.

In addition to considering the reports, we must also have regard for the role played by the Australian Apple and Pear Board because, as I understand it, that is the board which approves export licenses. It therefore has a vital role to play, but I do not wish to delve into that subject because one could speak on it for a long time.

I wish to refer to the role of boards that are already set up in other countries to handle fruit. I refer particularly to New Zealand and South Africa. Boards are in operation in those countries to handle the fruit to be exported for the benefit of growers. If any member thinks that the setting up of a marketing board under statutory provisions will dramatically improve the profitability of the fruit-growing industry in this State, I suggest he make a very close study of the board system of marketing fruit.

I support my contention by referring to the situation in New Zealand, which is quoted in *A Submission by Tasmanian Licensed Exporters to the Tasmanian Government on the Report of the 1970 Board of Enquiry on Marketing of Tasmanian*

Apples and Pears. I quote from page 18 of the submission. From 1949 to 1958 inclusive, the board in New Zealand—

The Hon. J. Dolan: Would you clarify whether you are talking about a New Zealand board or a Tasmanian board?

The Hon. V. J. FERRY: I am quoting the New Zealand situation.

The Hon. J. Dolan: Your previous comments related to the Tasmanian board.

The Hon. V. J. FERRY: The Tasmanian licensed exporters made a submission to the Tasmanian Government on the 1970 Board of Inquiry on the marketing of Tasmanian apples and pears. Reference is made in the submission to the New Zealand system, and I quote from page 18—

The complete trading results of the New Zealand Board from 1949 are:—
1949 to 1958 Inclusive

2 years trading loss of \$167,292.

8 years trading profit of \$4,101,384

Resultant \$3,934,092 profit.

1959 to 1969 Inclusive

5 years trading loss of \$4,347,544.

6 years trading profit of \$3,921,502

Resultant \$426,492 loss.

In spite of New Zealand's home market advantages, it is clear that the effect of the world market situation is having similar effects in both New Zealand and Tasmania. This points clearly to the need for restructuring existing growers units as a major solution to the Tasmanian industry's problems.

Since the compilation of these figures Mr. D. Waller, Manager of the New Zealand Apple and Pear Marketing Board has announced a major loss on 1970 trading of at least \$1,250,000 showing that the situation is worsening in spite of his Board's actions.

I now quote from page 271 of *The Orchardist* of N.Z. of September, 1972—

Overall, we regret that we have to advise that on present estimates we are heading for a substantial trading loss.

That was in 1972.

The establishment of a marketing authority under statutory provisions will not cure all the ills. We will still be left with many difficulties. I understand the board which controls the South African fruit is experiencing difficulties. I have no information about that board, but I want to refer to overseas markets, and particularly to the Singapore and Malaysian trade.

It is my understanding that the Singapore and Malaysian market for fresh fruit—particularly apples—is handled solely by the exporters on an individual license basis. The board system has not cracked the

Singapore and Malaysian market. Western Australia has been fortunate enough to sell between 300,000 and 400,000 bushels a year on that market. This could be expressed in another way. The market in near-Asia is equivalent to two shiploads of fruit to the European market. That is how valuable it is.

The near-Asian market is being served and serviced by private licensed exporters based in Western Australia. Other States also sell apples on that market but I am speaking of Western Australia. The business is carried out on an individual basis with individual importers in Singapore and Malaysia. It is a very personalised contractual arrangement, and I say very sincerely that this market may be jeopardised if it is handled by a marketing authority in this State. If this market is not handled by the licensed private exporters it will be in real jeopardy because of the nature of the transactions. Exporters in this State have their personal contacts. They get to know them and trust them, and I believe they get the last ounce out of them by way of price advantage.

I do not wish to quote at length from the Knox report but I will draw attention to one of the statistical tables on page 5/21 of the report which refers to the distribution of the proceeds from export sales of Granny Smith apples.

In the 1971 export season the shippers carried quite a financial burden in respect of the export of apples. At one stage they carried a burden of \$368,700 because the growers had received progressive levies from fruit they had delivered to the shippers. The shippers therefore play a part in financing the crop and assisting growers. The same table refers to the gross earnings of the shippers. When I speak of shippers I do not mean the shipping companies which physically transport the fruit to the markets; I mean the fruit shippers and exporters of this State.

It is sometimes said—incorrectly, I believe—that these firms make exorbitant profits, and the figure that is commonly quoted is a profit of 30c a bushel. I do not dispute the tables in the Knox report. They were published in good faith and I take them to be accurate. The report states that the gross earnings of the shippers worked out at 21.8c a bushel. Their expenses come out of that. Therefore, the figure of 30c which is commonly quoted does not reflect the true situation.

I would like to see set up under the Bill we are now discussing some machinery whereby the industry could live under what may be loosely described as a guided democracy; in other words, a controlling board which would serve in a guiding capacity to give direction by way of advice rather than by way of mandatory action. I believe the industry could work very

well along those lines, and if the board is set up I trust it will function in that manner.

In support of this thinking I refer to the grape industry. I understand the grape producers hold a referendum each year as to whether they will conduct a grape pool. I believe a pool has been successfully conducted for the last 10 years, and that the stone fruit pool has operated successfully in a similar manner for the last six years. Those industries do not have a statutory authority. They have a voluntary system which is decided by the growers by referendum.

Reference has been made to packing charges in the fruit industry. Although I have not had the opportunity to study the P.A. Consultants' marketing report, I have it on what I believe to be good authority that the report suggested approximately 20 per cent. of the fruit sent to the United Kingdom would be shipped in bulk bins and the rest of it would be shipped in cartons, containers, and so on. It is not possible to ship the whole crop in bulk bins. There are physical problems at the point of receipt because not every importer of fruit has facilities for handling bulk fruit. Undoubtedly the use of this method can be expanded but it has limitations at the present time.

It has been said that one shipping mark would reduce costs. I do not disagree with the suggestion of having one shipping mark. That is not to be confused with the branding of containers, which is quite different from a shipping mark.

I am concerned at the suggestion that all the apples exported from Western Australia should be marketed under one brand. I understand difficulties have arisen and could arise in the future in respect of the North American trade, which is a difficult area in which to promote a product because it is a very competitive market. I believe in a recent consignment of apples to North America one or two cartons contained some undesirable parasites, as a result of which the whole line was condemned by the American marketing authorities. It seems the practice is to condemn the particular brand concerned. If all our fruit were exported under one brand, a whole consignment could be confiscated.

I believe there is merit in continuing to market fruit under the separate brands of the various export companies. We are trying to meet the needs of countries which have special regulations in relation to disease control.

Another aspect which must be considered is that a great number of fruit exporting companies carry out a considerable degree of financing to assist growers. A great deal of this is done, and although it may have

its drawbacks it also has decided advantages and, in the main, it is a fairly mutual arrangement between the exporters and the fruit growers themselves.

I believe that many fruit growers have been assisted in this way, and very likely quite a number of them would not have succeeded as commercial growers without this financial assistance.

I do ask, however, what will be the situation in the future if we have a marketing authority set up under this legislation in respect of the financing of fruit producers by the exporters themselves? Will this area of finance dry up, and will the growers be forced to tap other financial sources? I realise that quite a number of these growers in the main already use banks and other institutions for their financial requirements. I would be very interested to learn, however, what the result will be.

No mention is made in the Bill in regard to compensation; I refer to compensation by way of rationalisation of the industry if it is found that in some areas there are superfluous packing sheds or similar facilities. I would like to know what compensation will be paid to the owners of these establishments.

No mention is made of the compensation to be paid to the holders of individual export licenses, in the event of the authority holding the sole license for the whole of Western Australia. Surely the firms which already hold such licenses granted under a Commonwealth arrangement, have a case for compensation.

As I have said, no mention has been made of this aspect; indeed there are a number of unanswered questions that must be resolved. What will happen to the home market? It has been said, and mentioned in this legislation, that there is no reference to apples being marketed on the home market, except in a particular clause which states that if the authority has a surplus of fruit which it is unable to market overseas it may arrange for this to be sold within the Commonwealth—not within Western Australia alone, but also within the other States of the Commonwealth.

This will, of course, affect the home market in some way. The position, however, is not nearly as bad as it was when the legislation was first introduced into another place, when its provisions very clearly affected the home market by providing for the registration of cold stores and other things in that line. This is where the legislation really ran into trouble.

I would like to revert for a moment and refer to the origin of this legislation. To me there was a clear understanding from the Fruit Growers' Association—and this was also stated by the Minister for Agri-

culture on another occasion—that there was no intention to interfere with the home market. When the legislation was, in fact, introduced, it did of course interfere with the home market. It is history now that action was taken in another place under great pressure and for jolly good reason, and the provisions in question were deleted from the Bill. The measure comes to us now without those provisions.

All this makes me wonder about the credibility of the Executive of the Fruit Growers' Association. They may have acted in good faith, but my understanding of the position was that the legislation was not to have any effect on the home market, which, of course, it did when the legislation was introduced in another place.

The Minister for Agriculture categorically stated that there would be no trading on the home market and that the matter would be the subject of a referendum. Yet we find that the provisions in the Bill did affect the home market in many respects. As I say, there are so many unanswered angles which must be resolved.

There seems to be a growing cult with respect to the marketing of rural produce which advocates the necessity of having a board for this, or an authority for something else, and because of the undue haste in which this legislation has been introduced and passed in another place it appears to me that the Government has failed to understand the needs of the people engaged in primary production. The Government appears to think that Big Brother knows best and that this is what we will get, and we will enjoy what we will get whether or not we like it.

The Hon. R. F. Cloughton: It was the growers who asked for this legislation.

The Hon. V. J. FERRY: We in this Parliament have been faced with the situation of the dairying legislation having been hastily introduced at the request of the executive of that industry. It was just as hastily dropped, though possibly it could be introduced again at the next session of Parliament.

There have also been other instances where the Government has failed to get on side with those engaged in a particular industry. In this context I could refer to the Mining Bill, because the Government certainly failed to get on side with those engaged in mining in order to ensure that the legislation would work. I understand that this Bill, too, will be dropped.

The Hon. A. F. Griffith: The Government failed to get on side with its own people.

The Hon. V. J. FERRY: The Noise Abatement Bill is another clear case where the Government failed to get on side with those engaged in industry before bringing forward this legislation. The Government

failed to understand or appreciate how the people in industry would react to such legislation. Another piece of legislation which was brought to Parliament without due consideration being shown to the people concerned was that dealing with public and bank holidays. I have here a letter from the Commonwealth Bank Officers Association addressed to the Minister for Labour which says in part—

We are concerned to learn that a Bill to rationalise Public and Bank Holidays has been introduced into Parliament without reference to our Association as an interested party.

I read that extract to support what I have been saying because there are those who could perhaps say I was not right. But I know I am right and here again I believe the Government has got off side with industry, and it is about time it got on side.

The Hon. R. F. Claughton: It seems to be a case of industry being off side with itself.

The Hon. V. J. FERRY: I will ignore that interjection, although I will be interested to hear the honourable member's contribution to the debate.

The Hon. G. C. MacKinnon: Don't encourage him.

The Hon. V. J. FERRY: I would now like to refer to the long-term prospects of the apple and pear industry, and in particular I will refer to what has been laid down in recent years for the U.K. and the European countries and those countries associated with the E.E.C.

I understand that in Europe there has been a great deal of planting of apple trees, and production there is running reasonably high at the moment. However, my information indicates that all is not well by way of increased production and it is possible that it may not be all that long before production from the United Kingdom and continental sources will in fact decline. It may be a diminishing production line right now.

We must not slacken our efforts or allow others to fulfil orders which we should be able to meet. We must take advantage of the situation and project our fruit into the European and the United Kingdom markets. We must do this at every opportunity that presents itself. In fact the Knox report says very clearly that we must take advantage at all times to fulfil the need for the fruit being marketed in the United Kingdom, particularly as this relates to our world-famous high quality Granny Smith apples.

Accordingly, I hope that in the long term the E.E.C. will assist our primary industries.

I believe that in relation to the tree-pulling programme which is carried out in the European countries an incentive is provided by way of compensation for unproductive trees that may have to be pulled. I have not the tree-pull compensation figures with me, but I understand they are quite generous.

If this is the case it should assist our producers in Western Australia to fulfil the need to supply their produce for those markets. At this point I would like to refer to similar legislation which is before the House in relation to tree pulling. I refer particularly to the Fruit-growing Reconstruction Scheme Bill of 1972 which is currently before us.

This scheme allows compensation to be paid to fruit growers in this State for the pulling out of unproductive trees, provided those growers qualify under the conditions entered into between the Commonwealth and the State.

This has a bearing on the Bill before us because in the Apple and Pear Industry Bill there is a provision dealing with the planting of apple and pear trees and the restriction on the number of trees that may be planted by any one person without approval. The corollary to that, of course, is that there needs to be some machinery for people who are obliged to pull out trees to qualify for assistance.

The Fruit-growing Industry Reconstruction Scheme Bill contains provisions such as the Commonwealth grant for tree removal throughout Australia which amounts to \$4,600,000, half of which is for canning peaches and pears and half for apples and fresh pears. In his speech the Minister said—

As apples are the fruit causing surplus problems for Western Australia, we are concerned with sharing the \$2,300,000 with Tasmania which is the other State mainly concerned with apple tree removal.

The Commonwealth-State Tree-Pull Agreement is for all fruit trees which take at least five years to reach full bearing and have a useful life of at least 10 years. Trees which may receive compensation at a particular time, however, have to be producing fruit which is considered to be in surplus supply. At present the trees which can qualify for compensation are those producing fruit for canning peaches and pears, and apples and fresh pears.

The Minister further said—

While growers applying for compensation under the part-pull provisions of this scheme will have to satisfy the

authority on both counts—that is, long-term commercial viability and liquidity problems—

I have been assured that reasonable flexibility will apply. I will conclude my remarks on that aspect by saying that the general compensation rates are to be a maximum of \$350 and an average of \$200 per acre.

This has relevance to the Bill under discussion. The measure contains provisions which limit tree planting and there is also a provision to compensate people who pull out their unproductive trees.

The same conditions apply in Europe where, I understand, high compensation is being offered to help get rid of the non-productive trees. This indicates that we in Western Australia must, in the long term, take advantage of the situation.

I would hesitate to apply quotas, because we have had experience of quotas in other industries. For example, I could quote what happened to the wheat industry when a few years ago it was found necessary to introduce quotas because of an apparent surplus of production. Today, however, the Wheat Board has more orders than it can fulfil from stocks on hand and from the unsatisfactory crops in production this season. As a result, both the producers and the country are suffering because we are not able to produce enough to supply world markets.

I hope we do not work ourselves into a similar corner in regard to the fruit-growing industry; when we cannot take advantage of markets available throughout the world—not only those available in Europe but also those which are available in Singapore, Japan, North America, and similar countries.

The Hon. S. T. J. Thompson: You would need a crystal ball to foresee what the seasons are likely to be.

The Hon. V. J. FERRY: From time immemorial we have all come to expect that seasons do vary. This is the very keynote of primary production. There are variables and cycles. There are weather cycles, market cycles, and so on along the line. It has been proved on many occasions that if the growers remain in the industry and carry out their husbandry in a sound and efficient manner with a view to riding out whatever storm may beset them and with a further view to taking the good when it comes, they will appreciate the benefit which is derived from following such a course. Whether a producer is in the wheat, wool, fruit, or any other industry he has to carry out a certain amount of reorganisation in many ways to survive. This is the way of the world. Consideration has to be given to these matters when restrictions are introduced.

Another point is that it is likely—though it is not certain—that Western Australian growers may, in the future, be able to take advantage of revaluation in world currencies. This is a real probability. Growers have to pay some regard to this probability and build into their industry flexibility of thought, so that if revaluations do occur which are to their advantage and to the disadvantage of growers in other countries, they must be prepared to grasp the initiative where the advantageous fruit markets exist. However, if restrictions and restraints are agreed upon, the growers must be expected to accept whatever market is offering.

I urge a little caution in respect of the activities of the authority that is to be set up under the Bill. There is a distinct possibility that given the correct guidelines under a statutory authority without the hindrance of too many severe restrictions, the fruit-growing industry could prosper but if it is to be unduly restricted without a great deal of imagination being exercised, particularly in regard to taking advantage of commercial marketing—and this is an extremely delicate area which I think most growers realise now, no matter what industry they may be engaged in—they will be unable to make a profit at the end of the production line, which is the all-important consideration.

The all-important consideration to a producer, shipper, or transport operator is to make a dollar; to make his business profitable. There is no doubt that the whole idea of any exercise in the commercial field is to make a profit. If any operator within an industry fails to make a profit he will go to the wall. We must have a real regard for this very important feature. That is why I believe that when the board members are appointed they should be the best possible men available; men who have vision so that they can pay regard to this very delicate area of commercial enterprise—and it is indeed a delicate area when one is operating on international markets.

So I hope these matters will be taken into consideration. This is a subject on which one could talk at great length, but I think I have used up all the time at my disposal. It is an extremely deep and involved subject and there are many safeguards that will have to be observed.

Speaking with all sincerity I consider this legislation has been hastily conceived and thrust into Parliament where we are expected to deal with it in great haste, but it is too serious a matter for us to consider at short notice. Nevertheless we will do what we can with it, I am sure, to make the legislation more acceptable to the majority of the people engaged in the industry. I for one look forward to the Bill being taken into Committee.

The Hon. R. F. Claughton: You know why it has been introduced at this time.

The Hon. V. J. FERRY: What is the honourable member's idea in regard to that?

The Hon. R. F. Claughton: I thought you might have read the Minister's speech.

The Hon. V. J. FERRY: It seems to be the shipping problem that is worrying the honourable member.

The Hon. N. McNeill: He did not say that.

The Hon. V. J. FERRY: No, he did not, and it is not completely clear what he means. However, for his information, the shipping position, as I understand it at present, is no worse this year than it has been on the average in previous seasons in regard to accommodating the Western Australian crop.

There is a restricted amount of shipping space available at present, because shipping space has been booked, but as time goes on, for more reasons than one during the fruit season, additional space often becomes available because of the failure of apple crops in other States. For example, the apple crop in Tasmania is not so heavy this season and some of the space that has been booked by the growers of that State might be made available to Western Australia. This is the pattern that makes its appearance every season, as has been experienced over the years.

So at the moment my understanding of the position is that it is no worse now at this time of the year than it has been in previous years. In fact, the position is probably normal. I will not say that it could not be a great deal better, but on past performances it must improve. In any case the authority that is to be set up under this legislation, if it is passed by Parliament, will not have sufficient time to operate effectively for the 1973 fruit year which commences early in the new year. Arrangements have already been made in this State for the industry to handle the problems of shippers and growers all along the line prior to this legislation being introduced, so there is no real need to have this Bill passed to handle the 1973 apple crop, despite what has been said in another place. I support the second reading.

THE HON. G. C. MacKINNON (Lower West) [5.21 p.m.]: I suppose in a way it indicates the independence of members of this House when I say I have no intention of supporting the second reading of this Bill. I am unequivocally opposed to it, and I hope to tell the House why. The predominant reasons are those that have been outlined by the Minister to justify our support of this measure. I therefore draw attention to the notes used by the Minister when he made his second reading speech.

The prime matter he raised was that there was insufficient shipping space available, and my colleague, Mr. Ferry, has just covered this aspect of the matter. I was born and bred in Bridgetown, but I will not go through my life history.

The Hon. J. Dolan: Hear, hear!

The Hon. G. C. MacKINNON: However, ever since I can remember we have always had this shipping problem.

The Hon. F. D. Willmott: Are you ashamed of your life history?

The Hon. G. C. MacKINNON: No, I am not ashamed of my association with the fruit industry through most of my relatives. This shipping problem has been faced by growers ever since I have been old enough to learn anything about the fruit industry. I defy the Minister or the growers to tell me that this problem in regard to shipping fruit overseas has not been experienced on many occasions in the past. That is the first item in the Minister's notes.

On page 3 he refers to currency revaluation. I think this matter represents a crucial problem. You would be aware of this Mr. President, with your experience of primary production; that is, the problems of the United Kingdom currency which has shown probable loss over the last two years of some 30 per cent., and with the distinct possibility that its currency will, in the foreseeable future, reach a stage where its pound will be worth about one of our dollars. A board can do nothing about that, so there is no use arguing the point. That is a question of international currency in regard to which the establishment of a board would have no effect whatsoever. That is a problem that is, at present, besetting the United Kingdom.

Therefore the reason put forward by the Minister has nothing to do with the situation in this State. On the same page of his notes he mentions the entry of Britain into the European Economic Community, and refers to a 2 per cent. duty on apple imports to the United Kingdom in 1974, and rising to 8 per cent. in 1978. Is this true? I will now quote to the House a letter signed by Mr. W. J. Oldham, the General Manager of the Australian Apple and Pear Board, dated the 16th November, 1972. The heading of the letter is—

Britain's Entry into the E.E.C.—

Effects on Australian Fruit
I will quote only parts of the letter as follows:—

Latest reports, although not official would indicate there is a good chance of southern hemisphere imports being relatively unaffected either by the proposed compensatory levy (to be applied during the 5 year transitional period following Britain's entry) or any new restrictive measures introduced for the whole of the E.E.C.

(such as curbs on imports when a market surplus exists in any E.E.C. country.)

Firstly, as far as the compensatory levy is concerned, the indications are that it will not be applied during the period end March to end July. This levy, it will be recalled is to be applied on a phasing out basis, on all fruit imports into Britain as a protection to British growers during the transitional period. The quantum of the levy in the first year would be the difference between E.E.C. prices and British prices—calculated to be as high as £1.50 (Stg.) per bushel. However the fact has apparently been recognised that there is obviously no justification for this degree of protection during the southern hemisphere season.

The letter continues in the same vein. So that part of the Minister's speech is not borne out by the Australian Apple and Pear Board.

On page 5 of the Minister's notes mention is made of allocation of available fruit shipping space on an equitable basis, freight being only one item in the shipment of fruit to the European market. Again there is no explanation—this is obvious, because no explanation is possible—as to what a board can do about this problem.

The shippers are not the only people who negotiate year after year with the Conference Line to secure space for fruit. The Australian Apple and Pear Board does its utmost in this regard as well. Other countries, of course, are seeking the same requirement. I can recall a colleague of mine—the late George Roberts—being involved in this matter in an effort to obtain more shipping space and a more advantageous freight rate for the growers and the reception he received. Everyone knows what sort of reception such representations receive. Therefore the board can do nothing about this aspect of the industry.

Mention is made in the Minister's notes of finding ways and means to offset the cost factor and to use to the maximum the limited shipping space that is available. Reference is also made on page 6 of the notes I have before me of the increased volume of bulk bins, the improvement in the bin filling operation, and the like. A board is not required to effect any one of these improvements.

Although it is not mentioned in the Minister's notes, it may be argued that money could be saved through the shipping operation, because the shippers operate to make a profit. I always think that no matter which section of the primary industry he is in, once a grower is unable to make a profit out of the commodity he is producing it is time for him to get out. If it is not profitable to produce, handle, or eat the product it is not worth producing.

So in a close and detailed study of this Bill I can find nothing that is completely workable.

Many of the matters that are mentioned in the Minister's notes can be refuted by quotation from another source. The question may be asked: What is there to quote that is opposite? The Minister quoted a recommendation from a report—I am not sure whether it was the report by P.A. Management Consultants or the Knox report—which was to the effect that a statutory authority or board could well deal with an existing emergency. I intend to quote from the report I have before me, and at this stage I express my appreciation to the Minister who is handling the Bill in this House—Mr. Dolan—who, in answer to an interjection, secured for me today the two reports I have in front of me. As members can see, they are much too voluminous to read in detail. One is typed in single spacing on quarto-size paper and has many pages. I do not know how many pages there are in the report, because they are not numbered, but the report is about one inch thick. The report by P.A. Management Consultants is about one-half inch thick; it also being printed on quarto-size paper, and containing a great deal of reading matter.

With reference to the necessity for a board, I quote from the P.A. report. The following is to be found on the top of page 7 under the heading of "Control Organisations":—

If all fruit is controlled, importers will then look elsewhere for fruit outside the boards, so as to permit them some freedom and opportunity for earnings above the 6%. There are alternative sources, particularly the Argentine, and the improved storage means that there will be considerable interest in stored cheap French apples, particularly in the new French plantings of Granny Smiths.

Western Australia at present has the favoured position of the outsider—

It is outside the board. To continue—

—and this should be preserved and capitalised on. Controls imposed should be those concerned with the following aspects of the trade:

- quality control.
- control of costs incurred between grower and market.
- negotiation of freights.
- flexibility of movement between Europe and the U.K.
- selection of sellers in Europe and the U.K.

So even the P.A. report—the report of the Fruit Handling and Transport Committee—claimed we should retain the present system. Therefore how do we justify a Bill such as this?

Reference has been made to a 1971 annual conference at which it was stated that steps should be taken immediately to establish a Western Australian apple and pear board. A statement like that taken out of context can be extremely misleading. My understanding of the conference of that year was that those involved wanted a completely different authority than the one envisaged in the Bill.

Of course, this frequently happens. Mr. McNeill has told us—and I am sure he will not mind my saying this—that there was a complete difference between the motions passed by the conference of dairy farmers in 1970-71 and the contents of the Dairy Industry Bill.

I have every reason to believe that the desires expressed at the fruit growers' 1970 conference are totally different from the contents of the Bill.

I notice in the Minister's speech a reference to the cool stores. The appropriate provisions were deleted in another place, but I do not think it would have mattered one way or the other had they remained. So bad is the concept of the Bill that the provisions deleted would not have worked in any case. It would have been a complete and utter fiasco. However the provisions were deleted and as a result the Bill is probably a little tidier.

What I am trying to demonstrate is that many of the statements in the Minister's speech have very little relevance, because I could quote chapter and verse from either of the two reports to indicate that the concept of the Bill is bad. Of course a few references could be found to indicate that it is good; but that is not the proper way to discuss legislation.

It seems to me we are in a ludicrous situation. We are trying to solve a real problem with an ideological concept rather than by practical economic methods. I believe the solution to the problem is to be found in Bill No. 122 on our files, this being the Fruit-growing Reconstruction Scheme Bill, dealing with the ramification of the Commonwealth fruit subsidy scheme. That legislation holds the real solution to tide the growers over what looks like being a very difficult two years. By that time we would hope that England's entry into the European Common Market will be an established fact and some of its currency problems might be resolved. In that respect, when England is faced with the terrific working capacity of the West German population which will be able to move in and out of England at will, it might be in for another shock. However, other matters might be solved in two years' time.

The next two years will be difficult, but the Fruit-growing Reconstruction Scheme Bill is the Bill which will affect the situation; not the one we are now discussing. I sincerely believe that this Bill will only aggravate the situation, apart from which

I think it is quite unfair because in any form of primary production—I do not care what it is—we must take into consideration the marketing side; that is, the handlers, the marketers, the shippers, and the like. We all depend one upon another in an integrated society and we cannot just drop one section off. However, the section of the industry which seems to have been completely disregarded is the shipping section. I have no special brief for this group, but it is unfair and unjust that without any talk of compensation there is a distinct likelihood that the shippers will be put out of business.

I do not know whether the board intends to build its own packing sheds or whether it will appropriate them or buy them. I do not know from where the money will be found if the board intends to buy them; but something must be done about the situation.

The Hon. N. McNeill: Guess who will pay!

The Hon. Clive Griffiths: The growers! That is the only source from which the money could come!

The Hon. G. C. MacKINNON: So many problems must be faced. No real consideration has been given to the difficulties experienced in growing red apples, whereas on the other hand we grow the best Granny Smiths; no consideration has been given to the fact that France is apparently very successful in its growing of the coloured delicious apple, but is a complete failure, I am given to understand, in the growing of Granny Smiths; nor has consideration been given to any provision to retain the marketing expertise of the people associated with the shipping companies. These aspects are very important and it is absolutely essential they be considered. How can we justify this Bill in the light of the fact that the net return to South African growers is some cents less than is the return to growers in Western Australia when South Africa operates under a board and Western Australia does not? This has not been explained. Has it been explained that it was not the Apple and Pear Board of Australia which put the freight advantage of Western Australia up from 10c a bushel to 48c a bushel between here and Singapore? That is not a bad margin.

It was the shippers here who did that to the advantage of the fruit industry, and not the board or anyone else. Are these advantages to be lost? Above all—and this has been said before in the House—it is necessary to have a license for practically everything nowadays.

The Hon. Clive Griffiths: You can say that again.

The Hon. G. C. MacKINNON: I am saying it again for the honourable member. Mr. Clive Griffiths has waxed lyrical on this aspect on many occasions. In many

sections of the agricultural industry not only is a license required, but quotas and all sorts of other restrictions are imposed. Consequently I can understand certain people, in desperation, believing that this legislation might help.

I have examined the Minister's speech carefully and can see no reasoning in it to indicate that the Bill will help. Perhaps because of my philosophy I find this type of legislation repugnant. I can see it losing for Western Australian growers any advantage in the cycle of the market about which Mr. Ferry spoke and which has probably been illustrated better by the situation with regard to wool over the last few years than by any other product.

We could lose the advantage of flexibility and the like and we would have no possibility of procuring the advantages to be gained by shortages which occur here and there around the world.

For these reasons, but more particularly for reasons based on logical thought and examination of the Minister's speech and of the Bill itself and, because of perhaps, instinct, I find myself unequivocally opposed to the measure.

THE HON. C. R. ABBEY (West) [5.42 p.m.]: I do not intend to deal with the provisions of the Bill in the depth previous speakers have attempted because it would be foolish and repetitious to do so. Unlike the previous speaker, Mr. MacKinnon, I intend to vote for the second reading, but in Committee I will support the amendments proposed by Mr. Willmott. If it is believed that a need exists for the establishment of a marketing scheme, then this Bill could be the vehicle by which a referendum could be conducted on the subject. The Bill indicates clearly how an export industry could be handled under a marketing scheme and I believe it is sufficiently clear to growers—and they are the ones who are undoubtedly involved and should have a say by way of a referendum.

I want to make it quite clear that unless a provision for the holding of a referendum is included in the Bill during the Committee stage, I certainly intend to vote against the third reading.

The Hon. N. E. Baxter: How many growers do you anticipate will vote in a referendum?

The Hon. C. R. ABBEY: The number who vote at such a referendum varies according to the industry involved. Members will recall that a fairly high proportion of those involved voted on the referendum concerning lamb marketing, and as a result a Lamb Marketing Board has been established.

Surely, if this is the case in one section of the rural industry the request that a referendum on this question should be conducted is a reasonable one.

The Hon. N. E. Baxter: How many growers voted on the Commonwealth legislation?

The Hon. C. R. ABBEY: Mr. Baxter has asked: How many growers voted on the Commonwealth legislation? I do not think we need consider this question now. It is all very well to advance this as an objection to holding a referendum in Western Australia. However, I am sure that, generally, growers in this State are keen and are interested in their industry. I am equally sure they would vote if a referendum were held. This is my opinion although other members may hold different views.

Unless this provision is written into the legislation, it will be completely unfair to the producers who will be affected and, in particular, to a section of producers in the hills areas. These producers are represented by the member for Darling Range and the member for Dale in the Legislative Assembly—Mr. Ian Thompson and Mr. Cyril Rushton respectively—and by Mr. White and myself in this House.

I consider this is an extremely important section of the industry. I have with me a letter written to me from the South Suburban Fruit Growers' Association. I realise that other associations exist in the hills areas, but the letter contains a clear indication of what these people think. The letter reads—

To enable growers to study the proposed apple and pear legislation and the Knox Report and for growers to have the democratic right of a say in their industry through a referendum to accept or reject the legislation, the South Suburban Fruit Growers' Association have moved and carried unanimously "that no proclamation be made of the Apple and Pear Industry Act 1972 until the Minister has caused to be conducted a referendum of growers who occupy orchards from which at least 500 bushels of apples or pears were exported in each of at least two of the three years preceding the taking of the poll, asking whether the Act shall be brought into operation and a majority of those growers has voted in favour of bringing the act into operation."

It is signed by Mr. I. K. Blackburn, who is honorary secretary of that association.

This is an indication of what a section of the growers requires, and I will certainly support this request because, in general, I believe the growers in this State want a say in what will happen to their industry. This is only fair and reasonable. I hope that members will generally support a referendum. It is the democratic right of a section of the people of Western Australia.

Mr. Willmott has indicated that, in Committee, he will move to amend the composition of the apple and pear industry board. He proposes to delete the word "five" and substitute the word "four." The purpose, obviously, is to exclude the representative of the Department of Agriculture. I support this suggestion; because, if a board is to be set up, it will need to be a strong commercial board which can adequately handle the industry. I can see no reason whatsoever for including a representative of the Department of Agriculture. Advice is always available, anyhow, from the Department of Agriculture if and when it is required in connection with such matters as packing and growing. This is the role of that department.

I point out to members that the hills areas have, in the main, been developed by family groups. Over a long period of time these family groups have developed very good orchards in the hills. This has been accomplished by sheer hard work in clearing the land, initially; providing the water for irrigation; and learning the technology necessary to grow apples and pears successfully. I have great admiration for these people who, through their own hard work, have established themselves in a successful industry.

These growers keep up with the times. Many of them are providing cool stores and I am reliably informed that 75 to 80 per cent. of all cool stores in Western Australia are located in this area. Surely this is proof positive that the growers are interested in their industry; that they intend to stay in it; and that they are straining every nerve to accomplish just that.

Having put all this hard work into establishing themselves and having spent their lives in what they, and I, consider a worth-while manner—namely, working on the land—they should not be deprived of having a voice in what will happen to their industry. Of course these remarks apply to growers right throughout the State. I have merely put forward the situation of growers in the hills areas to illustrate my point. It is an extremely important point as far as I am concerned, because I represent these growers.

The Hon. N. E. Baxter: How many people would be eligible to vote?

The Hon. C. R. ABBEY: I am not sure of the exact position, but I understand from the statistics quoted by Mr. Willmott, that the hills areas supply a significant proportion of apples and pears for export. Mr. Willmott quoted the figures, but I will repeat them. The total production of apples and pears in the hills areas is 23.2 per cent. of the total production in Western Australia. Further, these growers exported 344,000 bushels, on the 1971 figures. In applying the figure to apples and pears,

this represents 17.8 per cent. I imagine many growers in the hills areas would export 500 bushels or more. At this point I have no way of ascertaining this answer, but doubtless I can find it out and possibly make reference to it at the Committee stage. I do not think the figure of 500 bushels of export apples is an unreasonable one to set in connection with a referendum. Certainly the return from this quantity of fruit would not be sufficient to make up a person's total income.

I make the point once again that, in the letter written to me by the South Suburban Fruit Growers' Association, it is suggested that producers of at least 500 bushels of apples should be allowed to vote. The suggestion is, in fact, that if a referendum is held, it should be amongst the growers who produce 500 bushels or more for export purposes. Perhaps Mr. Baxter will tell the House when he speaks how many people he thinks will be eligible to vote. I think the majority would be eligible. In any event if there should be a number of people who export only 400 bushels of apples, I am certain they will express their opinion to those entitled to vote. In this way we will obtain a true reflection of opinion.

I draw to the attention of members that 81.5 per cent. of pears produced and exported are, in fact, produced in the hills areas. This is an important contribution to the economy of our State. Considerable opposition to the holding of a referendum appears to be developing. This is most unwise and I hope that any member who, at the moment, may oppose the idea of a referendum will have second thoughts.

We know that the lamb marketing referendum was carried by a large majority after due consideration. I wish to make this point quite clearly. For many years, the people who produced lambs were considering whether or not they needed a marketing system. In view of this consideration, finally the main representatives of the lamb marketing industry—namely the Farmers' Union—proposed to the Government that a lamb marketing scheme be set up, but a referendum was advocated. I emphasise that the producers had considered this question for years. They were able to vote and voted overwhelmingly in favour of the lamb marketing scheme.

This situation does not exist with apples. Although concern has been expressed over a number of years, in general the growers have not had the opportunity to consider what they would want if a statutory marketing board were set up. Consequently the request for a referendum is quite reasonable. This is my main point, on the basis of which I will support the second reading of the Bill.

One point will need to be carefully considered by the board if it is set up after a referendum has been held. I refer to

the necessity properly to survey world markets and the quantity of apples which can be absorbed from Western Australia. The board should then allow for a small surplus. This has been done with other marketing boards which handle commodities for export. I can well recall the activities of the Egg Marketing Board. The board thought it was necessary to have a surplus of approximately 10 to 15 per cent. The percentage would be arrived at according to the judgment of the members of the board. If an apple marketing board is set up it will be necessary to allow for a surplus over expected world demand so that orders may be filled. In my opinion it would be fatal for Western Australia not to be able to fill orders if they are available.

The growers in the hills have been prepared at considerable expense, to erect cool stores to enable them to store their apples. This is done at a fairly high cost over the period they must hold the fruit. However, the growers have created a situation where they can not only fill orders for the local market but also orders for export markets when they are available.

This is very important in such an industry. If we lose an overseas market in any part of the world by our inability to meet the demand, we create a situation where the market does not have confidence in the ability of the growers of Western Australia to supply the fruit. I hope this realisation is kept very firmly in mind if and when a board is set up. I support the second reading of the Bill.

THE HON. R. J. L. WILLIAMS (Metropolitan) [6.00 p.m.]: I do not bring the same objection to this measure as demonstrated by the members who represent growers and who have been brought up in fruit-growing areas. However, I have followed the debate on this subject with considerable interest. I have listened to my colleagues and the Minister's second reading speech. I admit I was somewhat uneasy when I heard some of the comments made.

It appears to me that the primary producers have been misled by many people in relation to the European Common Market and the terrible days foreshadowed when Great Britain joins it. In actual fact, I believe that when Great Britain joins the European Common Market, our markets will be increased. I would say that most Governments in Europe would be very grateful if they had no farmers to worry about, because the farmer in Europe is a headache to his Government. The cost of production in the primary field is high, and the quality of the goods produced is not very good. I do not believe the Australian farmer has much to worry about. He has received harder knocks than this and bounced back.

I cannot agree with the remarks made by Mr. Willmott. He said our market in the United Kingdom is very slippery. I believe it is still a very secure market. The "Johnny Miseries" who run around forecasting the end of primary production in Australia because of something happening in Europe have quite the wrong concept of the situation. If they were right, the farming community of Australia would have packed up many years ago, but it does not do this sort of thing.

I believe our market overseas will be expanded, and if we grasp the situation now, the future of the market for the apple and pear growers will be very bright. The best apple in the world is produced in Western Australia and our apples are in great demand in England. The English people love the variety which is branded "Western Granny Smith." We must remember this fact.

Mr. MacKinnon posed the question: When have the shippers failed to ship all the export apples? It is a very long time since that has happened, but suddenly we are confronted with a piece of legislation and we worry about it.

Mr. Baxter asked a question of Mr. Abbey, and in this regard I would like to draw the attention of members to the debate in another place. It was mentioned that 200 people attended a meeting at Karragullen and Pickering Brook. This is quite true, as is the fact that only 49 of these people voted for the referendum. However, to establish what really happened at the meetings, we must dig a little deeper. Of the 200 people at the meeting, only 49 people plus the chairman were eligible to vote on the question of whether or not to hold a referendum—therefore, the vote was unanimous. One hundred and fifty people were not eligible to vote, and the chairman maintained his neutrality and did not cast a vote either way. So that explodes the statements made in another place.

I am delighted that the Minister who made the second reading speech in this Chamber is not the Minister who framed the comments. One thing we can say about the Minister for Police, when he makes a second reading speech in relation to a matter in his own portfolio, it is very difficult to find flaws in it, and certainly not any—"half-truths" would be too harsh a word—slight deviations from the truth. I do not want anyone to believe I feel Mr. Dolan has misled us, because he has not. That is not in his character.

The language used in the second reading speech is very extravagant. We have phrases such as "urgently needed," "critical position," "serious shortfall," "peak estimated production," "glut," "excess," "millions," and similar grandiose terms to

express the idea that right now the situation in Western Australia is the same as it was last year, the year before, and the year before that.

Mr. Willmott told us about off-years and on-years, and I believe that an on-year is an odd year—1971, 1973, 1975, and so on. I do not believe there is any shortage of shipping space at all. Tasmania tells the rest of Australia how much shipping space it will be given. The States apply for shipping space and it is allocated on needs before the crop is taken. However, the Commonwealth Apple and Pear Board is controlled by the Tasmanian growers and they put in a big demand for shipping space. When these growers cannot meet their quotas, more shipping space becomes available to the other States. As usual, Western Australia is well down the list but it always obtains enough space eventually. Somewhere the shippers manage to find sufficient space to meet the needs of the Western Australian growers. This should be understood by the industry as a whole.

Sitting suspended from 6.07 to 7.30 p.m.

The Hon. R. J. L. WILLIAMS: Prior to the tea suspension I was saying that I could not match up a few things contained in the Minister's second reading speech. I then said that the situation of a glut of apples, no shipping, and all the rest of it is quite normal at this time of the year, and I went on to explain how Tasmanian growers control the apple and pear industry in Australia. One has only to look at the composition of the board to ascertain that.

When I read such things I sometimes wonder whether Sir Keith Watson was not so far wrong many years ago when he suggested that we in this State should take a certain step.

On the first page of the Minister's speech notes it is stated that the Western Australian growers' association has urgently requested the Government to act on these matters. That is not quite true. It was only the executive of the association which requested urgent action. There was a run for cover because of the European Economic Community black ban.

The Minister went on to say that recent studies by the Bureau of Agricultural Economics point to the uncertainty of continued export viability.

The Hon. D. K. Dans: Are you going to suggest that the Bureau of Agricultural Economics is wrong?

The Hon. R. J. L. WILLIAMS: I suggest that it did not include Western Australia in its report, and the report entirely conflicts with something I shall mention a little later—the report of the Knox committee, based on conditions in the United Kingdom.

The Hon. D. K. Dans: I know I shouldn't be interrupting you, but I would like to ask one more question. For what percentage of the total apple exports is Tasmania responsible?

The Hon. R. J. L. WILLIAMS: I do not know.

The Hon. D. K. Dans: Would it be in the vicinity of 76 per cent?

The Hon. R. J. L. WILLIAMS: I have no idea. I will take whatever figure Mr. Dans gives me.

The Hon. D. K. Dans: I did not say that was correct. I asked you if it is in that vicinity.

The Hon. R. J. L. WILLIAMS: I do not know. However, I do know that Tasmania has a majority on the board, and the board controls the industry throughout Australia.

The Hon. F. D. Willmott: Look it up and tell us.

The Hon. D. K. Dans: I might do that.

The Hon. R. J. L. WILLIAMS: We find that the Minister also said Australia's share of the United Kingdom market dropped from 77 per cent. to 40 per cent. in the 20 years between 1951 and 1971. He said that in the same period Australia's share of total exports dropped from 40 per cent. to 11 per cent., due to a rapid increase in South African and New Zealand supplies rather than a diminution of Australian exports. My information is that during that period Western Australia increased its percentage of exports, whilst the percentage of Tasmania decreased. I cannot give the exact figures, but that is the information I was supplied with.

The Hon. D. K. Dans: By whom?

The Hon. R. J. L. WILLIAMS: That is my business.

The Hon. D. K. Dans: I think you should substantiate that statement because this is a serious debate.

The Hon. R. J. L. WILLIAMS: It is my right not to disclose the source of my information if I do not wish to do so.

The Hon. D. K. Dans: I did not say you had to disclose it; I said I would like you to.

The Hon. R. F. Claughton: It would be a help if you could confirm your figures.

The PRESIDENT: Order!

The Hon. R. J. L. WILLIAMS: Mr. President, I was just about to remark, as one of the Ministers said the other night, "You have all the resources; you go to it."

The Minister also said—

The conclusions and recommendations of the report indicate the nature and purpose of the proposed legislation.

The nature of the recommended corporate body indicates a statutory authority.

However, I am informed that the growers and shippers could not agree on the type of control. Shippers wanted voluntary control, and the growers wanted statutory control. A little further on, the Minister said—

The consultants' findings in relation to United Kingdom marketing are summarised as follows:—

However, the operating of the central control in the United Kingdom would be made much easier by having one central authority in Western Australia which would be totally responsible for organising the selection of fruit for export, its packing and shipping, and for controlling the costs accumulated in Australia.

That is a recommendation by FA Management Consultants, in a report entitled, "A Study of the U.K. Market for Western Australian Apples" dated July, 1972. If one reads the whole of that quotation in the report one finds it has a complexion different from that placed upon it by the Minister. On page 9 of that report we find the following:—

The Australian end of the operation has not been studied by the research team and it is, therefore, impossible to make any recommendation based on research.

Then follows the portion the Minister quoted. The consultants are saying that because of their lack of research into the matter they are not competent to make a judgment on whether a single authority is needed in Australia. I claim it was misleading of the Minister not to quote that portion of the report, because the portion he did quote would lead the House to believe that the matter had been investigated. I will not read out pages 6 and 7 of the report, but I would refer members to them because upon reading them one finds the light cast upon the matter in the report is different from that cast upon it in the speech of the Minister.

Mr. Dans will be pleased to know that I have now found the figures he was after. The following are the approximate percentages of apple exports from Australia:—

	Percentage
Tasmania	64
Western Australia	20
Victoria	16

The Hon. D. K. Dans: In what year?

The Hon. R. J. L. WILLIAMS: I take it those figures would refer to the year 1971.

The Hon. D. K. Dans: That is, for export?

The Hon. R. J. L. WILLIAMS: Yes. The Minister then went on to say that the following motion was carried at the 1971 annual conference of the W.A. Fruit Growers' Association:—

That steps be taken immediately to establish a Western Australian apple and pear board.

However, that was intended to be only a policy board, similar to the Australian Apple and Pear Board. It was not intended to be a marketing board. I think the growers should realise that on page 14 of his notes the Minister went on to say—

The Bill provides that the Treasurer may guarantee on such terms and conditions as he thinks fit the repayment of any moneys borrowed by the board and the payment of interest thereon.

That would simply add an expense to those already facing the grower. Nobody can hide that fact. If the board is to be constituted the growers will have to meet the costs. That always applies to statutory boards.

I do not wish to labour the point, but to me marketing boards are a sign of weakness. I do not care what is the political colour of the Government concerned, the introduction of marketing boards is a sign of weakness. I do not care whether they are called boards, commissions, or authorities; or what the previous Government or the Government prior to that did; or what the Government in another country did; it is a sign of weak government to hand over control to an outside agency. Unfortunately we in this State know what that really means.

The Hon. R. F. Claughton: Are you suggesting the Government should run the apple and pear industry?

The Hon. R. J. L. WILLIAMS: I am suggesting that the Government should never interfere in business. It might be the philosophy of the honourable member for the Government to do that, but it is not mine. Up till now the growers and shippers of this State have managed to make a profit year after year. The moment the Government is brought into the field to obtain jobs for the boys, the expenses rise.

I will never support a case for quasi-nationalisation or Government control of private industry. How can I? I am in the wrong party.

The Hon. V. J. Ferry: You are in the right party.

The Hon. D. K. Dans: You amaze me.

The Hon. R. J. L. WILLIAMS: I sometimes amaze myself.

The Hon. W. F. Willesee: I was going to donate a tie to you.

The PRESIDENT: Order!

The Hon. R. J. L. WILLIAMS: Coming from the Leader of the House, I would accept it and place it in my souvenir cabinet. There are points of difference—and there will always be—between those who produce and those who market; but these points of difference usually may be settled by a sensible and frank approach to the problem.

It is the intention of a proposed amendment to the Bill to provide for a referendum of the growers to ascertain what they really think. However, the apple and pear industry is not composed only of growers. Certainly without growers there would be no industry, one must admit that; but when the fruit leaves the property of the grower it must be placed on some market somewhere in the world. It may be that the growers and shippers could get together to iron out any seemingly great gulf between them; it could be that at such a conference they could point out the advantages and disadvantages to each other.

The Hon. R. Thompson: Do you think we should do away with the boards for wheat and barley, etc.?

The Hon. R. F. Claughton: What about C.B.H.?

The PRESIDENT: Order!

The Hon. R. J. L. WILLIAMS: May I continue, Mr. President?

The PRESIDENT: If the honourable member addresses the Chair and avoids answering interjections he will get along better.

The Hon. A. F. Griffith: Mr. Claughton said, "What about C.B.H.?"

The PRESIDENT: Order!

The Hon. R. J. L. WILLIAMS: If this happens a lot of the differences will disappear to their mutual advantage; but if the growers want a piece of legislation it is my philosophy that they should be given, within reason, what they seek. Perhaps this should be put to a referendum of the growers. After hearing all the evidence—and the evidence will be before them in the proposed legislation—they will then be able to argue the points, and determine what will satisfy them and what will not.

I appeal to the House to give serious consideration to what this export industry means to the State. I also appeal to members to note that all this dismal talk about the European Common Market, whilst it is a reality, is depressing. There is no evidence to show that we as a State or as a nation will be cut off from the United Kingdom market. It is sure that there will be checks and balances as there are in every system, but it should be remembered that Western Australia produces quality products in apples and pears. We have only the cost factor to fear in any competition. We do not have to be

frightened of the South Africans or the New Zealanders, because even though the New Zealanders have had Australia by the nose in respect of dairy products for years and years, we are still able to export our dairy products.

To my certain knowledge the buyers in the U.K. do not like dealing with a statutory authority. They like dealing with private enterprise, or with the sources from which they can secure the best possible price. If one reads pages 6 and 7 of the P.A. Management Consultants' report it will be shown through a study which has been made—far beyond what I and other members have been able to make—that there is a very good market for quality products in the U.K. alone. If it is the wish of the growers that there should be a referendum, they should be allowed to have one so that they can voice their opinions on this piece of legislation.

I would say this: the moment we introduce a board we introduce additional costs, and I do not care what product is involved. Show me any board, and apply the same conditions to a group of private enterprise individuals, and I will indicate which will show the higher profits at the end of the year. It does not matter what they talk about. Co-operative Bulk Handling comprises a group of individuals; it is a co-operative. It is a private organisation, and not a statutory Government authority. The moment the Government puts its foot in and provides jobs for the "boys" the costs go up.

I support the second reading of the Bill but I do hope the House will agree with me when I say that possibly the holding of a referendum should be agreed to.

THE HON. D. K. DANS: (South Metropolitan) [7.49 p.m.]: I had no intention of speaking in this debate, because I have some very firm convictions in respect of the shippers, and I have the same convictions in respect of fruit growers. However, I feel I must make a contribution to the debate because of the statements made by Mr. Williams to the effect that no board ever makes a profit. Maybe I am drawing a long bow.

The Hon. R. J. L. Williams: I did not say that. I said: show me a board and a group of private enterprise individuals and I will indicate who makes the greater profit.

The Hon. D. K. DANS: The honourable member should permit me to make my speech. I have been decent with him.

The Hon. G. C. MacKinnon: We think you are decent with every member!

The Hon. D. K. DANS: I realise that. Let me refer to the Totalisator Agency Board which makes a handsome profit every year. Previously we had the illegal bookmakers, but at that time nothing

flowed back to the public purse. Let us be serious about this matter. We are dealing with a situation which affects a great number of the citizens of this State, and we are determining whether they will remain viable in an industry which they have chosen to follow or whether they will go broke. Let us look at the situation realistically.

I realise that a number of the growers in the hills district have a point of view which must be considered. There are the agents and shippers who also have a point of view which must be considered; and we have the point of view of the growers from the south-west who are the ones most likely to be affected, and for that reason we must consider their point of view.

The Hon. G. C. MacKinnon: I take it you will vote for the referendum.

The Hon. D. K. DAns: I do not want to repeat something I said before. I am not against the holding of a referendum, but let us have a very good look at that matter.

The Hon. A. F. Griffith: I bet you will not vote for it.

The Hon. D. K. DAns: I do not know about that. I might surprise the honourable member, but my Whip informs me that I am paired.

The Hon. A. F. Griffith: If you are paired then you are not here.

The Hon. D. K. DAns: If the honourable member wants to continue in that vein I am prepared to wait until the melee has subsided.

The Hon. G. C. MacKinnon: I do not think you should introduce this levity into the debate. This is a pretty serious subject.

The PRESIDENT: Order! I ask members to refrain from interjecting and to permit Mr. DAns to continue with his speech. In turn I ask Mr. DAns to address the Chair and to ignore the interjections.

The Hon. D. K. DAns: I accept your advice, Mr. President, and I will abide by it. This is a very vexed question, and it involves a great many people in the community. I think Mr. Ferry, who was the Chairman of the Select Committee which inquired into the potato industry, will agree that when we examined that industry and the board we learnt a few things, even if they were not all about potatoes.

I learnt that potatoes produced in this State had various names, and I also learnt about the problems which beset the industry. I found that some producers did not believe in the board, and for them I had some sympathy. However, I found that in the long run the people who are engaged in the potato-growing industry agree with the board, because they derive a living from the industry.

That is basically what we are speaking about in respect of the Bill before us. Mr. Ferry is as well informed as I am about these matters, because he had the opportunity to read the Knox report before it was made available to members.

The Hon. V. J. Ferry: It was tabled on the 2nd November. I did not have access to it before that time.

The Hon. D. K. DAns: I was very interested in this report, because it deals with some matters with which I am familiar, such as transport. Let me not be sidetracked. The facts are that whilst we may find many different ways of coping with potato production, some ways would be very harsh in respect of economics. They might have provided cheaper potatoes to the people but that would have reduced the number of potato growers.

Let us be frank in our assessment of where we are heading. Irrespective of the side of the House on which we sit it is not the function of members of Parliament to pillory the people or to kick people out of vocations they choose to follow. One potato grower I interviewed was regrading some potatoes that had been rejected by the board. I am not sure whether the other members of the Select Committee were with me at the time. This was a potato producer from the Manjimup area.

He said to me, "Be a little sympathetic when you look into the potato industry. I started out in tobacco growing, but tobacco went bad. I was put into tobacco growing by the Department of Agriculture. I was then asked to go into fruit growing, and you know as well as I do that fruit growing is going bad. I am now in potatoes. I am at an age when I cannot start again. I am a farmer, and I want to work for myself. I do not want to make a fortune, but I wish to remain in the potato-growing industry."

The views of that producer struck me very forcibly. Here was a man who had been knocked to his knees in growing tobacco; he had been knocked to his knees in the growing of apples; and he was in the process of being knocked to his knees by the committee inquiring into potatoes. However, he was prepared to keep going, but he implored us not to interfere with him again. He was quite satisfied with the board, with being his own master, and with what he was getting out of the industry.

The Hon. V. J. Ferry: There is an answer to that.

The Hon. D. K. DAns: This is what the debate is all about: What will do the greatest amount of good to the greatest number of people? Let us not minimise the problems confronting the industry in the terms of fruit production. Shortly we will be considering a Bill which deals with the extent to which the State and Commonwealth will co-operate in getting certain

fruit growers to pull up their trees, and with how much they will be paid for not producing fruit. That is the significant aspect we should look at.

I do not want to disfranchise any member of the industry. I am interested to keep the industry going, but how can it keep going without some kind of control being exercised? Let me use the filthy term "control." I think we found in the potato inquiry that all boards have some bad features. Perhaps one of the worst features of Government boards is that they do not have to report on their performances. They only have to report on what they have done, and that is quite easy. They have merely to write it down in a report and slip it under the door of the Premier. However, they do not have to report on their performances this year or last year, but this is very essential if we want a board to perform efficiently.

The Hon. A. F. Griffith: In other words, they do not have the same spirit as has private enterprise.

The Hon. D. K. DANS: Perhaps I would agree with the honourable member. Irrespective of our philosophies, we are living in a private-enterprise society.

The Hon. A. F. Griffith: I know that many people would like it some other way.

The Hon. D. K. DANS: Let me be quite frank and brutal about this. We could drop the Bill and forget about the matter, but that would be the most brutal and most inhumane move.

The Hon. G. C. MacKinnon: I cannot see that happening.

The Hon. D. K. DANS: Then the honourable member should support the Bill.

The Hon. G. C. MacKinnon: I did.

The Hon. D. K. DANS: That was what the honourable member said. Many of the people who are affected by this Bill will remain and die on their land.

The Hon. G. C. MacKinnon: I am referring to the Rural Reconstruction Scheme as it affects the fruit growers.

The Hon. D. K. DANS: I have a different point of view from that of the honourable member. The point is that we have been forced against the wall. We can place reliance on the authenticated figures which have been supplied by the Bureau of Agricultural Economics. This year there will be a carryover of 1,000,000 bushels of apples, unless we get into some kind of orderly marketing situation.

Let me repeat this: the growers in the Manjimup area have made a plea to the Government to allow the cannery to continue to operate. They have made a call for orderly marketing, and for a defence against the dumping of canned fruit. It

was not so long ago that we were discussing the price of canned peaches. The producers cannot make a living when dumping is permitted.

Let me refer to what the Minister said in his second reading speech, and this is the kernel of the matter. We either proceed with this Bill or drop it, and as a speculation we might forget about it, but if we do let us not come back here and, to use a term, belly ache. In introducing the Bill the Minister said—

A critical situation exists in the apple export industry requiring corporate action. Legislation for statutory measures to control the export of apples and pears from Western Australia is urgently needed in view of the present critical position of the West Australian apple industry. In view of the serious shortfall in shipping space availability and the peak estimated production of 3,300,000 bushels in 1973, it would appear that over 1,000,000 bushels of exportable Granny Smith apples could remain in this State.

At the risk of inviting interjections may I say that many members in this Chamber will remember a wharf stoppage which occurred a couple of years ago during a period when stone fruit was to be exported. The question which was to be resolved was a long time coming and as a result the people of Western Australia enjoyed the best stone fruit they had ever had at the most uneconomical price to the growers. That was simply because no shipping space was available to take the fruit away. The market price to which Mr. MacKinnon has referred was operating to the detriment of the growers.

The Hon. G. C. MacKinnon: The honourable member said that it was because of a waterside strike.

The Hon. D. K. DANS: I said it was a waterfront strike, or a waterside workers' strike. One could go on indefinitely about that.

The Hon. G. C. MacKinnon: Was not the market price operating?

The Hon. D. K. DANS: It was operating to the extent that it was the local price. There is still a shipment of fruit in the Suez Canal—if it is still there.

The Hon. A. F. Griffith: Well, the honourable member opposite brought the matter up.

The Hon. D. K. DANS: I am telling members opposite what happens. If 1,000,000 bushels of apples cannot be exported—whether they come from the hills area or the south-west—they will filter through to the metropolitan area. The fruit cannot be exported unless the ships are available.

The Hon. G. C. MacKinnon: Tell us the reason why the waterside workers went on strike.

The Hon. D. K. DANS: I have no intention of pursuing the matter. I will advise the honourable member later in my office that it was the bosses who caused it. I have pointed out what might happen and there are many people listening to this debate who know very well what the situation will be.

The Hon. A. F. Griffith: I hope they do.

The Hon. D. K. DANS: I could instance a number of problems which this Bill will not solve. I will admit that some things have gone wrong for the growers and for the other people in the industry. No-one can seriously suggest that there is not a diminishing market. Such a suggestion would be crazy.

The Hon. W. R. Withers: Some of the world's experts would disagree.

The Hon. G. C. MacKinnon: I, too, would argue.

The Hon. D. K. DANS: Our markets are wide open. I would like to believe that there is not a diminishing market, and that there has not been a green revolution. Produce is now being grown in areas where it was never grown previously. I would like to think that Australia had access to those areas and I would also like to think that instead of the Commonwealth requesting the States to pass legislation to facilitate the pulling out of trees we were able to find a market. I would dearly love to believe that but, unfortunately, I realise I cannot.

I am as concerned with the well-being of the people who come from the rural areas as is anyone else. I know this Bill can be amended and I will go along with some of the proposed amendments. Like other groups of people the fruit growers are in the situation where they do not want to get out of the industry. That is human nature and we should not condemn those people. They live a hard life. They do not get rich. I would like to see them retained in the industry.

The Hon. A. F. Griffith: Would the honourable member like the people in the industry to have a say regarding what is to happen to the industry?

The Hon. D. K. DANS: I have had a look at some of the recommendations which have been made. I see some holes in those recommendations, as does the Leader of the Opposition. I also see faults in the Knox report, but I understand that one cannot get a firm recommendation from such a diversified set of opinions.

The Hon. A. F. Griffith: I was wondering if you would answer my question.

The Hon. D. K. DANS: I said a short time ago that I understood some of the deficiencies in the industry.

The Hon. A. F. Griffith: Could I pose—

The Hon. D. K. DANS: The Leader of the Opposition cannot pose anything to me. We will eventually get into the Committee stage of the Bill.

The Hon. A. F. Griffith: Because you do not want to answer me.

The Hon. D. K. DANS: Not at this stage; I do not want to hear the Leader of the Opposition now. I do not consider that our Ministers would quote facts which are not right. They are advised by many people. We must bear in mind that this Bill has been presented after lengthy consideration by the industry, no matter how confused that consideration has been. The industry itself, irrespective of what its view is now, felt that somewhere along the line it had to do something. I am not pleading that the proposal now before us is perfect; I am saying that the industry does feel that something needs to be done.

I do not want to refute what was said by my friend Mr. John Williams—who is not here at present. However, I would like to quote some figures. I do not think the figures quoted by Mr. Williams were specifically correct but we have to have regard for some of the problems with which we are faced. Australia's share of the export market dropped from 77 per cent. in 1951 to just over 40 per cent. in 1971. That is a pretty hefty drop.

Some of us have been to the United Kingdom and we know what is going on in that country. I previously mentioned that in the same period Australia's share of the total exports from all southern hemisphere countries dropped from 40 per cent. to 11 per cent. That decrease was due to the rapid increase in exports from South Africa and New Zealand, rather than because of a diminution in the availability of Australian exports.

Let us consider these things sanely. Mr. Williams made the statement that most people in the United Kingdom did not like buying goods that were marketed by boards. Allow me to quote one instance of what occurs in the United Kingdom today. The most popular bacon in the United Kingdom is Polish bacon which is clearly stamped with the brand of the Polish People's Republic. It is the most sought-after bacon in the United Kingdom. Whether it is better than other bacons, I do not know.

The Hon. G. C. MacKinnon: Perhaps the meat is redder!

The Hon. D. K. DANS: That could be true. Perhaps they feed the pigs on kidney beans and cause a discoloration of the meat. However, do not let us get off the subject of apples.

There are problems, of course, in shipping. I was talking to Mr. Knox and his adviser—whose name I do not recall—and we discussed the question as it exists in

South Africa. I know something of the situation in South Africa and I know that the Union Castle Line runs to that country. That company decided to raise its freights at one stage but the move was halted by the South African Government which told the shipping company that if the freights were increased the Government would charter its own ships and transport its own produce because it wanted its products on the European market. The result of that situation was that the Union Castle Line still runs to South Africa and it operates at a price which the Government considers gives a fair profit to the company.

I am not saying that Australia is in the same kind of situation. There are many factors in South Africa which allow South African apples to reach the European market much cheaper than ours. Members know what I am talking about because the same situation exists in Singapore in relation to the importation of potatoes from Holland. The potatoes are subsidised by the Dutch Government, as is the shipping. The potatoes are landed in Singapore much cheaper than we can land them. We cannot match the price.

I do not want to see people having to get out of the industry; I want to see as many people still in the industry in 24 months' time as are in it today. I think that is important.

Western Australia's freight allocation is arranged within the terms of negotiation entered into with shipping consortia and is subject to the Australian problem of shortage of suitable tonnage during the export season. There is, therefore, an urgent need to allocate available space on an equitable basis between the States and between growers within each State. Freight is the largest single cost factor in supplying the United Kingdom and Continental markets, and at \$3 per bushel represents 50 per cent. or more of the landed cost. It is, therefore, imperative to offset this rising cost factor and to utilise to its maximum the limited space that is available.

Of course, here the very question of freight costs which faces the Australian Government and the Australian nation raises its head at reasonable cost. As one of the first 11 exporting nations in the world we have very few ships taking our produce overseas. We are held to ransom, to some extent, so that we cannot get our produce to the overseas markets.

Many people do not understand that most countries in the world still subsidise their export products, not only to the growers, but also to the shipping companies so that the produce reaches the world markets. We have only one ship operating on the overseas run which is owned by a consortium and in which Australia has a 25 per cent. interest. That ship is costing us millions of dollars because of the problems created by the over enthusiasm of en-

tering into the container trade. Our primary producers are paying dearly for that mistake.

On the other hand, we have the *Australian Enterprise* going to Japan, along with another ship and millions of dollars are being paid into the Shipping Conference. What a lopsided arrangement. If one refers to the history of the Commonwealth Line it will be clearly outlined that we needed that line as a developing nation to get our primary produce to overseas markets. We needed that line for the export of our potatoes, wheat, wool, beef, apples, and other fruit.

Our products are equal to the world's best but the unavailability of shipping space is killing us.

The Hon. G. C. MacKinnon: I thought you would have said it was because of the seamen's union.

The Hon. D. K. DANS: Unfortunately, they do not man the ships going overseas.

The Hon. D. J. Wordsworth: Why is the shortage not being overcome?

The Hon. D. K. DANS: Considering the fact that Mr. Wordsworth is in the business I suggest he should ask the Shipping Conference. I do not know. If Mr. Wordsworth were to rephrase his question and ask why there is a shortage of suitable shipping, I could give an answer to that question. I notice he is not asking the question! However, the answer is because of the over-enthusiastic attitude towards containerisation, which is not being availed of. Every primary producer in this country is paying for the great piles of empty containers which are stacked all over Australia and, indeed, all over the world.

The Hon. D. J. Wordsworth: I thought the trouble might have been that the containers were not available.

The Hon. D. K. DANS: Mr. Wordsworth is "Little Sir Echo." I gave him an opportunity to ask a question. The fact is that I think we should, as a House of review—

The Hon. A. F. Griffith: That is the stuff.

The Hon. D. K. DANS: Very true; I agree. As I was saying, I think that as a House of review we should have a look at this matter and get as much as we can out of the Bill at this stage rather than dump the measure.

As in the case of the Noise Abatement Bill, perhaps experience will prove we were wrong and we will have to amend it, but at least let us have something that will give some relief to a large section of the community. I could continue for a long time but I would only be quoting facts, which are sticky things to tangle with. I doubt whether some of the things said here tonight were based on fact. I support the second reading of this Bill.

The Hon. A. F. Griffith: What do you think about the referendum which growers want?

The Hon. D. K. DANS: I said I would leave my options open on that matter. Unfortunately for me, my Whip has informed me I have been paired, so I will not make a statement about that.

The Hon. A. F. Griffith: So you will not answer the question?

The Hon. D. K. DANS: The answer is: No, I will not.

THE HON. S. T. J. THOMPSON (Lower Central) [8.16 p.m.]: Some very learned gentlemen have discussed this matter this afternoon. I was interested in the statements of Mr. Williams, and I am sure some of his colleagues who are at present canvassing in the country areas would shudder to hear his remarks about boards. Perhaps a handful of members of this Chamber had experience of growing wheat before the Wheat Board was established, and I can assure the honourable member no-one would want to go back to those days. The Wheat Board did wonderful work for Australia as a whole.

The Hon. R. Thompson: You were getting 1s. 6d. a bag before that.

The Hon. S. T. J. THOMPSON: Yes. However, I did not rise to make that point. I support orderly marketing and I have always done so, but subject to a referendum of growers. It is usual to hold a referendum before the legislation is brought to the House, but in this case things seem to have been done back to front.

I am sorry for the Minister who has introduced this legislation and I am sorry for the association which, at its conference two years in succession, was authorised to put this proposition to the Minister. It is the old story of the apathy of the primary producer. He does not take an interest in what is going on in his own organisation. He will leave matters to a few willing people who are prepared to attend meetings.

I had 150 members in my branch of the Farmers' Union and for years, if we got a dozen people at a meeting, that would be the sum total. The other 130-odd might come along occasionally. That is the attitude of the primary producer.

In this instance, I think the fruit growers have let their association down by not taking an interest in the matter before it reached this stage. Be that as it may, the Bill is before us tonight, and after listening to the debate I cannot see any possibility of the authority being operative for the 1973 crop. Therefore, I support the amendment proposed by Mr. Willmott—that we pass the Bill and hold a referendum before it is enacted.

THE HON. L. A. LOGAN (Upper West) [8.19 p.m.]: I am very disappointed at the reaction to this measure by some sections of the growers. At a conference in 1971 the fruit growers decided that because of the decline in the industry—and I repeat "because of the decline in the industry"—in 1971, some action was needed to arrest the situation. That conference recommended that an apple and pear board—a statutory authority—be set up.

At the 1972 conference the fruit growers of Western Australia, by a very large majority, again voted for an authority to be set up to handle the export of apples and pears from Western Australia, and they also agreed that the executive of the association should have the power and authority to deal with the legislation without going back to the growers. That was the decision of the conference.

The Hon. R. Thompson: I am pleased that someone is telling the truth.

The Hon. L. A. LOGAN: As a result, this legislation has been brought to Parliament.

The Hon. A. F. Griffith: You are suggesting no-one else has spoken the truth.

The Hon. L. A. LOGAN: When the legislation was brought to Parliament, the stirrers walked in and the pressure went on, and now we have complete chaos amongst the fruit growers in Western Australia. I am sure many of them do not know where they are going at the moment.

When this legislation was introduced, I think deputations of representatives from different parts of the State interviewed every political party—not once but two or three times. Three questions have been asked. The first one was: Do you believe there is a problem in your industry which is declining? On all occasions the answer has been "Yes." The second question was: Do you want an authority? The answer has been "Yes." The growers then asked for an opportunity to look at the legislation. That was fair enough.

I believe many growers sat down with members of Parliament and went through this Bill—which is not a very long one—dissecting it clause by clause, and word by word. As a result of those representations, amendments were made in another place, which is as it should be. That is the job of Parliament.

Much has been made of the meetings up in the hills and at Donnybrook. What has been the verdict? What has been the decision of these meetings, bearing in mind the resolutions that were passed at the 1971 and 1972 conferences, to the effect that the growers wanted a statutory authority? The decision is that they still want the statutory authority. If members read the resolutions passed, they will find I am correct in saying that.

What a farcical situation has arisen when a petition, signed by 164 people, says, "We still want the Bill." The Bill sets up the authority. They then say, "We want a referendum." The majority of the growers in Western Australia say, "We want a statutory authority because of the decline in the industry." In the next breath they say, "Give us a referendum." An attitude such as that does not make sense to me. If they want an authority, why do they not say so, straight out? If there is anything wrong with the legislation, let us deal with it. Thank goodness we have a second Chamber of Parliament which will have an opportunity to amend this legislation. I hope the people who are listening appreciate the value of this House being able to do just that.

Mention has been made of the lamb marketing scheme. The referendum in connection with that scheme was conducted before any legislation was introduced, which is what should have happened on this occasion. The growers should have been asked whether they wanted an authority set up to control their marketing. As Mr. Syd Thompson said, orderly marketing has always been and always will be our policy.

It has been said the board cannot operate in the 1973 season. So what? How long ago was the lamb marketing authority set up? How long ago was the legislation passed through this Chamber? That authority is not yet operating, after all that time. It will commence operating on the 1st December. Therefore, if this fruit marketing authority is set up now, it will probably not begin to operate before the 1974 season. Despite the fact that the growers want the authority, in the next breath they say, "Delay it—we do not want it for a while." This is crazy thinking as far as I am concerned. I do not see how they can have it both ways.

I will not discuss the ramifications of marketing or anything else because I do not think it is our job to do so. If the authority is set up, it will be the authority's job to consider all the reports and the ramifications of marketing and control. For that reason the authority is being set up. It is not for us to do that and we could not do it. The authority cannot begin to talk to people or to look at reports and recommendations until it is set up.

The growers have now said they want a referendum. If they vote against the setting up of an authority in the referendum, they will go back to the situation where they have a declining industry. Undoubtedly, many of them will manage to get through without an authority. In every industry, some will always manage to get through. Many wheatgrowers could have existed without the pool or

the board. Many woolgrowers would have managed without the setting up of a statutory authority for the marketing of wool. But I would like some members of this House to go amongst the woolgrowers today and say, "You do not want a wool marketing authority," in order to see the reaction they will get.

I think the fruit growers of Western Australia should take cognisance of the situation so far as marketing is concerned. If they have a declining industry under the present set-up, surely that was the reason for their passing the resolution at the conference. It was decided that because of the declining industry action had to be taken. When action is taken, they want to defer it or delay it. It is obvious this Bill will pass the second reading. In view of what has taken place, it is obvious a referendum will be asked for. I wanted to point out the situation in which I think the growers are placing themselves.

Despite the fact that they want this legislation, the growers really go to market and ask that a referendum be held. Of course, it is a fact that the minds of many people can be changed; in fact, some groups within any industry or organisation can change their minds from week to week. Everything depends on the point of view that is presented to them at the time. If, after advocating the establishment of an authority to arrest the decline in their industry, a referendum does not result in the establishment of such an authority, the growers will still have a declining industry and they will wonder what has gone wrong.

I point out to the growers in this industry that they have allowed themselves to be pressured in regard to this measure. I intend to support the second reading of this Bill. I would have done so, in any case, whether a referendum were held or not. I will leave the rest of my remarks until the Committee stage.

THE HON. N. McNEILL (Lower West) [8.32 p.m.]: I agree in principle to one of the observations made by Mr. Logan; namely, that the growers have perhaps got themselves into a certain situation in the fruit industry. I think this is freely admitted by many growers by virtue of the fact that during recent times they may not have taken the interest in the industry they should have done, so that they now find themselves in a position where legislation which they do not like is before Parliament, and they have found it necessary to take certain action in order to make it more acceptable to them. So from that point of view there is perhaps a certain amount of blame that can be attaching to the growers.

However, let me put this point as emphatically as I can, more particularly in view of certain other remarks that have been made during the debate in this House, and replying in particular to an

interjection that was made by Mr. Claughton while Mr. Ferry was speaking. Mr. Claughton interjected, "I thought the growers were responsible for this." I would not like it thought that anyone other than the Government is responsible for this legislation. It is definitely a Government responsibility and that is where it rests. When legislation is brought before this House it is a waste of time for members or anyone else to say it is the growers' fault because that does not represent the true situation.

For the benefit of Mr. Logan, when he says that as a result of the preparation and introduction of this legislation stirrers have been at work, I would point out that the stirrers are those who acknowledge that what is happening is not in line with their beliefs and philosophies. It is not the sort of legislation that will guarantee them a sufficient livelihood in the future. It is not something which will enable them to acknowledge the freedom of their occupation in the apple and pear growing industry. Just because they desire to take some action in regard to the legislation they are regarded as stirrers. I reject this inference. The alternative to what they have done is for those who are dissatisfied to sit down and do nothing. What sort of situation will we then have?

I will tell the House the situation in which growers are placed now. I am sorry Mr. Dans is not in his place, because in regard to this point of view he was a most co-operative speaker. He made the observation, when talking about the inquiry that was made into the potato industry by a Select Committee of which he was a member, that he spoke to a grower in the Manjimup area. That grower said to him, "Mr. Dans, do not knock us again; we have already been knocked before. I was a tobacco grower." He was encouraged by the Department of Agriculture to enter the tobacco-growing industry. He was then put out of tobacco growing by a statutory authority that made certain decisions. He then entered the potato-growing industry. He was encouraged to do this by the Western Australian Potato Board. This was done by that board granting licenses so that he could take up the slack to compensate for his being put out of tobacco growing. In other words, these are the effects of the operation of statutory authorities.

This particular grower is dead scared when he hears that a committee of inquiry is making investigations into the potato-growing industry. He says to himself, "My hat; it is on again." This is surely the prime example of the reaction that will occur with the appointment of a statutory authority. But there is another side to the story of the production of potatoes which is quite analogous. That particular grower is, or those he represents are, growing potatoes under a quota to supply, in the main, the Western Australian

market, because people in other areas are no longer growing potatoes. However, they are growing them in those areas and I make this assertion: as a result of the actions and policies of the Western Australia Potato Marketing Board.

I could stand corrected on this, because perhaps my memory is not as good as it might be, but let me instance a case in regard to which I took out some figures for my home district of Waroona in relation to the potato-growing industry. In 1940 there were approximately 400 acres producing over 3,500 tons of potatoes, but last year there were only 32 acres under production which produced 186 tons of potatoes. All sorts of reasons may be given for this decline in production.

One of the reasons—and here I assert that this position has come about not only at Waroona, but in Harvey, Brunswick, and the hills area—is to compensate for the loss of production in the tobacco-growing industry in the Manjimup area. There is also the possibility that it is more economical to produce potatoes in those areas. What effect is being felt in those areas in which potatoes are no longer being grown? What is the effect on the people who previously grew potatoes? I ask you, Mr. President, to contemplate the difference this made to the economics and the finances of the Waroona district in that period of years, due to the fact that in 1940, or thereabouts, growers produced over 3,500 tons of potatoes and last year they grew only 186 tons? That represents a tremendous amount in goods, labour, services, and resources of all kinds that are no longer being produced in that district.

I return now to apples and pears.

The Hon. I. G. Medcalf: Are those potatoes now being grown elsewhere?

The Hon. N. McNEILL: Yes, they are grown elsewhere. That is obvious because the market is still being supplied. It is a licensed quota system. All I am saying is that the production activities of many of these growers are determined not by the choice of the grower, but as a result of the policies laid down by statutory authorities.

The Hon. I. G. Medcalf: The board gave the quotas of those growers who went out of production to somebody else?

The Hon. N. McNEILL: It may create a wrong impression to say the board gave their quotas to someone else.

The Hon. I. G. Medcalf: It did, in effect.

The Hon. N. McNEILL: Yes.

The Hon. G. C. MacKinnon: That was one of the real items.

The Hon. N. McNEILL: That is right. I could well claim to be one of those growers in the Waroona district. The board did not necessarily take away my license. The board gave me a license but on such conditions that it was virtually uneconomical for me to produce.

The Hon. J. Dolan: Are they not preferential licenses?

The Hon. N. McNEILL: I just said, "To billy-o with potato growing."

The Hon. G. C. MacKinnon: That was a very polite thing to say in the circumstances.

The Hon. N. McNEILL: Indeed it was. Let me return to apples and pears. I think I have got the message across. I have sounded a note of warning. I do not wish to deny people the right to operate under a statutory authority. By all means let us permit them to do so if that is their wish. If it is, I say they should be made aware of what the future may hold for them. They will be subject to the policies of a statutory authority and will not be masters of their own destinies. They will not be free to exercise their own choice in conjunction with the merchant with whom they normally deal.

I regard this Bill as being one of the worst in a whole list of bad examples of mismanagement, because that is what it really is. I return to the words of Mr. Logan when he described the situation as being a farce. It is a farce being contributed to by many people, not the least of whom are the members of the present Government. I agree entirely with the sentiment expressed by Mr. Ferry when he instanced the fact that this Government is completely out of touch with the growers. It is completely out of touch, because it does not understand how the growers think. If it did, it could not possibly have believed that it could introduce legislation of this sort in the course of a few months which would have the sweeping repercussions and impact on the livelihood of all the growers in the industry, in the hope of getting it through in a few weeks with everybody being happy about it.

If that is not the ultimate in naivete and ingenuousness, I do not know what is. If it is not being naive, it is being ignorant of the real thinking of the growers and the motives of the people engaged in this industry. How the Government is able to hold the belief that it can introduce this legislation and get it through in the expectation that everybody will receive it with open arms, I do not know. Not that there is anything necessarily wrong with the legislation. I make that point as strongly as I can.

I do not like certain features of the legislation, but I do not think I am in a position to make an expert judgment on whether the legislation is sound from the point of view that it will be effective in achieving those things which apparently need to be achieved to solve the problems of the industry. Not only do I not know the answer, but I believe the rank and file of the growers do not know it either. I will go a step further and say I do not

believe the answer is known by the Government. In fact, I am sure the Government does not know what the answer is. How could it?

Perhaps it might be claimed that the committees established have done their surveys; and if that argument is used let me point out that the provisions the Minister and the Government have included in the Bill do not necessarily coincide with the views expressed in the Knox report or the P.A. consultants' report. In that respect I make the observation that I received my copy of the Knox report and the P.A. report at 5.30 p.m. today and it is now 8.45 p.m. I received the reports then only because they were handed to me by my colleague after he had completed his speech. It will be appreciated that most members are in the same position. Consequently how on earth can we comprehend the material in these reports in such a short time as has been available to us?

I have had a little time to make a few observations on those reports and one or two others, but I will refer to them a little later. Let me for the moment continue with my general attitude towards the legislation.

The whole exercise is made worse by what appears to be a rather stubborn persistence by the Government to push it through this session. I think it was Mr. Cloughton who interjected on Mr. Ferry to say, "You know the reasons." He did not state those reasons, but it is presumed he was referring to what the Minister had said in his second reading speech in relation to the freight, shipping difficulties, and so on. In its haste—and it is haste, let us face it—the Government has become rather blinded to the representations which have been made to it. Many of those representations have contained a great deal of virtue and not the least is the virtue that constitutes the opinions of people.

I really do find it tedious and tiresome to hear people galore say in public statements that they approve of the Bill because it is for the good of the industry. I am more concerned about the good of the growers and their families, than that of the industry. I am concerned about the people who make the industry. They are important.

The Hon. G. C. MacKinnon: All the experts are trying to tell the growers how to run their business.

The Hon. N. McNEILL: Yes. So it is not the industry which is important, but the people. It might be claimed that when statements are made about the industry they are really being made about the people. If this is so, let us refer to the people.

In a way the Bill is a disaster. This is not because of the market arrangements it is hoped would be achieved and set in motion; not because of all the arrangements which might be possible for the satisfactory transport and export of our apples; not even necessarily from the point of view of the arrangements which might be made for Britain's entry into the common market, or, as I prefer to call it, the enlarged European Economic Community. In relation to that aspect I wonder what the results and implications will be because we hear all sorts of conflicting opinions.

However, let me return to my point about the Bill being a disaster. It is not necessarily a disaster for all the reasons I have enumerated nor for a host of others I could list but will not. However, it is a disaster for several very important associated reasons. It is a disaster—and I believe that the attendance of large numbers of people at Parliament in recent days is evidence of this, as is the numbers of meetings that have been held and the attendance at and results of those meetings—because it has destroyed the confidence of growers in their organisation.

The Hon. G. C. MacKinnon: That is a very good point.

The Hon. N. McNEILL: Up until the introduction of the Bill the growers had a great deal of trust and confidence in their association. The very fact that it has been possible to describe the growers as complacent and apathetic is because they had trust in their leaders and in the executive. The introduction of this legislation has resulted in many people becoming dismayed and losing their former confidence in the association. That is what the Bill has in actual fact initiated. In a great many quarters confidence in the executive has been destroyed and that is a great pity. When I say that I am not necessarily being derogatory about the executive which is composed of very capable and dedicated people who have done a tremendous amount of good for the industry. They have certainly devoted a great deal of time and effort to it.

The disharmony has occurred because the Bill was introduced before all the spade work had been completed and the foundations laid.

Another disastrous result of the Bill is that in destroying the growers' confidence and promoting the mistrust to which I have referred it has destroyed the unanimity within the industry at a time when, as practically every speaker has agreed, the apple industry is facing difficulties. A worse time could not have been chosen.

The Hon. G. C. MacKinnon: Just when cohesion is required.

The Hon. N. McNEILL: What a long haul the industry will have in order that it might return to its former state of sweet reasonableness when the growers and executive can all get together again and say, "We have a problem. Let bygones be bygones, and let us start again." A tremendous amount of time has been wasted and faith has been destroyed; and this is the disaster. I do not blame the growers or the executive for this. I come back and blame the Government.

The Hon. J. Dolan: For listening to people?

The Hon. G. C. MacKinnon: No; for not being careful enough with your reasoning.

The Hon. J. Dolan: Oh break it down! You make me sick!

The Hon. N. McNEILL: I am not sure of the observation of the Minister for Police but I think he said, "You make me sick." If he feels that way it is only his disposition that is suffering; it is not his livelihood!

I suppose that I am as guilty as anyone of speaking with a certain amount of emotion. However, it is difficult not to become emotional although I am not directly involved. I have no vested interest in the industry, but many people have and they cannot help but communicate and transmit their feelings to others. Consequently if I become a little emotional, this is the only reason, but I will try to keep myself in check.

A need certainly exists for an objective examination of a problem; and let me return to that problem which this Bill apparently was designed to overcome. What is it? It has been stated in many quarters and has certainly occupied a great deal of the time of both Houses of Parliament in recent days. Consequently I will not go into it all again. The various speeches have been recorded for all to read and no useful purpose would be served by my rehashing the points raised.

We know the state of the industry in Western Australia. It is not a large industry, but it is a good one and it produces first-class fruit. We know most things about the industry. We know its production capacity, the state of its economics, and its export and local consumption figures. We know the state of the export market—we have been told that anyway. We know the position with regard to the lack of shipping facilities. We have had the benefit of an active grower organisation and also the benefit of what would appear to be first-class reports in the Knox report and the associated report by the F.A. consultants.

Another tremendously important aspect is that we have the benefit of the desire on the part of the shippers to operate on a corporate handling basis. They have made

this known publicly and they are prepared to do so, even for the next season—and they know this Bill is pending. I do not suppose anyone would deny—least of all the shippers—that there is a need for a rationalisation of the shipping industry. It is acknowledged—and I certainly acknowledge—that rationalisation is necessary in order to achieve economics in handling and, possibly, also to achieve the sort of thing to which Mr. Ferry referred; namely, the single brand selling, and so on, on the European market.

A problem does exist, and I make it clear that I appreciate this. However, I am not sure by any means that the industry is on the decline. It has problems. What are they? From my experience in the rural and agricultural industries in Western Australia I would say they represent nothing more than a challenge to the growers themselves; and I am sure no-one would appreciate this more than you yourself, Mr. President. The problems and difficulties represent no more than a challenge. They do not represent impossibilities which cannot be overcome.

I acknowledge that perhaps this Bill was one of the means designed to overcome some of the problems. For this reason I am prepared to vote for its second reading; but I make it abundantly clear—and I am sure members in the House are well aware of the fact—that in the reasonably short time I have been in Parliament I have been party to, and in fact, on one or two occasions I have been largely responsible for, the defeat of Bills for lesser reasons than I have for defeating this one.

However, perhaps the situation is a little different this time and so I repeat I am prepared to vote for the second reading. I am sure that my reluctance will be well understood.

Having said that, let me refer now to one or two particular items in the Bill which I think are of great importance. The first is the role of the Department of Agriculture. It is noted that the Bill provides for the department to be represented on the board. Once again I believe that members will be aware of my past experience and the fact that I was a departmental officer on the extension staff of the Department of Agriculture. I have all the sympathy in the world for the work the department does, but I have not in the past visualised, nor do I visualise today, that the role of the department is that of administration in the commercial affairs of our agricultural industries.

I believe the proper role of the Department of Agriculture is, first and foremost, to provide extension and advisory services. Secondly, it should provide the technical background for the advice and extension work. Thirdly, it should provide inspectorial services so that agriculture may be

served. A complete and absolute fundamental of its functions is to advise the Minister on aspects of agriculture. I do not subscribe to the view that the Department of Agriculture should be involved in commercial enterprise in connection with any section of our agricultural industries. Do officers of the Department of Development and Decentralisation take a place on the boards of companies or industries which they promote, assist, and advise in Western Australia?

It may be claimed that the comparison is not analogous and in recent times it has certainly been said in various quarters that farmers' organisations are comparable with boards of directors and, presumably, statutory authorities are the equivalent of these. I do not think this is the role of the Department of Agriculture. In my view the department has its hands full in carrying out its proper functions. Reference is made to these in the Knox report and the P.A. consultants' report. The department should be concerned with quality control, inspections, and giving other services which will help give Western Australia ample fruit of the quality and standard necessary for Western Australia—and the people who live in this State—to take advantage of the export market.

I know the report draws attention to the deficiency of the Department of Agriculture in connection with the economic management side of the industry. There are so many other functions in which the Department of Agriculture can properly involve itself without having a representative on a board.

The next item which concerns me and which has been referred to on many occasions is the question of the European Economic Community. I do not know what the answer will be and I do not think anyone, anywhere, really knows what the ultimate result will be. Personally, I would be wary of trying to gear production in Western Australia on a mere assumption that something may be the position. In particular, the Minister created this impression in his second reading speech by implying that a dismal future is ahead of us and we should start to take in a few tucks. He suggested we should organise quota and licensing systems, because we will be badly off. This is a mere assumption.

I note that the Minister, in his second reading speech, referred to recent studies by the Bureau of Agricultural Economics which, he said, point to the uncertainty of continued export viability. The Minister made other observations of this kind. Although the Minister has described these as the views of the Bureau of Agricultural Economics, he did not refer to a particular paper. Observations of that kind could well have been taken from a report which is available in the Parliamentary Library and which I came across this afternoon.

I refer to "Apple and pear growing in Tasmania, Victoria, and Western Australia; an economic survey 1965-66 to 1968-69." The report is dated 1972. I will read from page 3 of the report which states—

Growers, particularly those producing for export, have been faced with rising costs together with increasing competition in the United Kingdom—European market. Furthermore, record Australian production of 22m bushels of apples in both 1969 and 1970 was followed by an estimated 25m bushels in 1971. Marketing problems and large carryover of stocks resulted in lower prices being paid for juicing grade apples in 1970: added to which, the intake of canning grade apples was reduced by approximately one third compared with the previous year.

The Apple and Pear Export Stabilisation Plan—

Let me interpolate to say that I do not think sufficient reference has been made in the debate to the effects of the impact of the Apple and Pear Export Stabilisation Plan. I am thinking in terms of its effects on the apple industry which could be connected with this type of legislation. To continue—

—which commenced operation in 1971 is expected to provide considerable assistance to growers who sell their fruit at risk. The results for the first year of its operation showed a substantial increase in the proportion of total exports made at risk and average prices below the support levels for most varieties of apples. This meant a substantial 'pay out' to growers. The generally satisfactory marketing season for pears required growers to 'pay in' with respect to most varieties.

I refer members particularly to the next observation which is as follows:—

The entry of the United Kingdom into the European Economic Community is not expected to result in any significant change in the European market for Australian apples and pears in the short term.

I repeat that this extract has been taken from a report of the Bureau of Agricultural Economics, dated 1972, based on a survey during the years 1965-69. I do not wish to cause any embarrassment in respect of the statements made by the Minister, so I will not develop that theme further.

I now refer to another publication of the Bureau of Agricultural Economics. This is the quarterly review of the bureau and I refer to the issue of July, 1972. This contains an article by Mr. N. D. Honan, a gentleman whom we have heard in this State at seminars on more than one occasion. His article is headed, "Impact

on Australia's Agricultural Trade of the United Kingdom's Accession to an Enlarged European Economic Community." Some of the comments are particularly relevant. For example—

The repercussions of the change in the United Kingdom's tariffs on *horticultural products* are likely to be substantial, since Britain imports virtually all of its requirements of dried vine fruit and canned deciduous fruit, as well as substantial proportions of its needs of fresh apples and pears.

That comment appears on page 204 of the report. Under the heading, "Conclusion" the following appears:—

The United Kingdom's accession to an enlarged Community is likely to adversely affect Australia's trade with Britain in cereals, meats, dairy products, apples and pears, dried and canned fruit and sugar . . .

The only reason I have quoted both documents is to illustrate that, in two separate publications produced by the Bureau of Agricultural Economics in the year 1972, two different points of view were expressed.

I suggest that the Minister was drawing a long bow when he said that part of the reason for the legislation was due to Britain's entry into the Common Market. The Minister does not know what the results will be. He is suggesting we should be careful and I do not blame him for that. I think I have said all that is necessary on this point.

I now wish to make some observations in connection with what I think will be a repercussion of the application of this legislation on the growers themselves. This is an extremely important field. It is important to growers; it is important to commercial enterprise in the country; it is important to local communities; and it is important to Government.

I suppose members of the Country Party would agree that on almost every occasion a Federal election has been held in recent years one of the main points at issue has been the provision of long-term finance on reasonable or easy terms for the conduct of agricultural production. This can be stated more concisely by saying that the provision of money for the operation and maintenance of our agricultural industries is a fundamental principle.

The Hon. L. A. Logan: It will continue that way until we get it.

The Hon. N. McNEILL: The position will be as Mr. Logan says, "It will continue that way until we get it." What a disaster it would be for the industry if one of its major sources of finance were cut off. This could well be one of the effects of the legislation. I am sure every member of this House knows that I am referring to the operation of a statutory authority. By the operation of such an authority, the

ownership of the commodities is taken out of the hands of the merchants or shippers. The possible appointment of a certain number of merchants—or shippers—as agents for the authority, will mean that these people no longer have a vested interest in the commodities. I am sure every member would be aware of the tremendous use that is made of these companies in the provision of finance for all sorts of reasons in the farming world. Mostly finance is provided for the servicing of agriculture; for the provision of fertilisers and sprays; and for seeds of all kinds. However, some is provided for domestic purposes. In recent discussions I learned that finance has even been provided for the wedding of an orchardist's daughter. The companies make this finance available and frequently it is unsecured; there are no liens; and there are no contracts. A great deal of money is provided.

I wonder whether the Government and its instrumentality, the Department of Agriculture, have really done their homework to see what effect this kind of legislation will have on the availability of this type of finance.

I will not refer to the Minutes of the Proceedings, but members will recall that some time ago I asked a series of questions of the Minister in connection with the setting up of boards. I referred, in particular, to the proposed single authority for dairying. I asked what was the source of finance of the agricultural industries in Western Australia. I also asked what it amounted to and who provided it. One further question was: What are the attachments in connection with the provision of this finance?

I do not want to be unfair but I think that, generally, answers were given on the basis of figures supplied by the Bureau of Agricultural Economics for the last available year, 1970. In other instances it was said that figures were not available. In other words, the Minister was saying the Government does not know how much of this money is available in our agricultural communities. I suppose this figure may be impossible to ascertain, but I suggest there is only one way to ascertain it: to ask the companies and the growers. In many instances these are not necessarily formal deals, but they are no less important or real because of this factor.

This is one of the points which causes me great worry when I think of the operations of authorities. If this authority will do anything towards contributing to a drying up of this finance, there will be serious repercussions indeed.

The people who would like to see an authority set up have, I am sure, the best intentions in the world. If the growing fraternity wants this organisation set up, let it be set up by all means. However,

the growers should be well aware of what the repercussions could be and how the board could adversely affect them. There is a desire to chase the benefits of a greater return for a product, but the growers may be unaware of the losses, in kind, they could suffer in other respects.

Let me refer to another matter which concerns me greatly as I participate actively in country communities in the south-west. I refer to the questions of loss of population; a cutting down on commercial enterprise; and the failure to work of the policy of decentralisation.

The operation of centralised bodies—and members will note I am not referring necessarily to statutory authorities—removes people who serve the industry from the local community. I cite the example of the Waroona potato industry and the many people who left the district because it was no longer producing 3,000 or 4,000 tons of potatoes. When a company transfers its headquarters to Perth, and operates only in agency form in the country, how many people are lost to the local community? The stock firms now operate through agents in the country. With the establishment of the Milk Board, local people no longer service the industry because it is centralised in Perth. The same applies to the potato industry, and with the establishment of an apple and pear board we would lose more people who service that industry. Certainly the administration of the board will be centralised in Perth, and this factor is tremendously important to the country communities.

Reference has been made to the need for rationalisation. This is a much over-used word, but I am sure members know its meaning with reference to this industry. It is said that with the establishment of a board we will cut down on transport costs. When we cut down on transport costs, whether in this industry, the potato industry, or the milk industry, it means we are putting trucks off the road. When a truck driver is put out of a job it means the loss of a family of three, four, five, or six people to the community. If we put two truck drivers out of a job, it may mean the loss of a dozen people, and this makes a very big difference to country businesses. This is the point which worries me with the setting up of a centralised statutory authority.

I do not feel I need expand my comments any further. I have declared my attitude to the legislation in fairly unmistakable terms. I am rather fearful of its ultimate effect, and this will not necessarily be recognised tomorrow, next year, or in five years' time. What about the long-term view? In 15 years' time everyone may have forgotten that such-and-such an effect is due to the setting up of the statutory authority.

I am prepared to support the second reading of the Bill, but subject to the amendment which will restore to the growers the right to determine the future conduct of their own industry. I agree it is not a very satisfactory way to decide the issue, but the only way for the growers to declare their attitude and exercise their rights is by way of referendum.

THE HON. F. R. WHITE (West) [9.18 p.m.]: Mr. McNeill stated that the introduction of this Bill was a disaster. In my notes I had written down the word "catastrophe." The Government of the day has done the industry a great disservice with the introduction of the Bill on the 8th November in another place.

We all know that the executive of the Western Australian Fruit Growers' Association was given a mandate to look into the desirability of a statutory authority for the industry. The Government was also aware of the divergence of opinion regarding control of the local market. However, when the Government introduced the Bill we found that it covered all aspects of the industry—not just the export market, but the local market and planting as well. Naturally, this aroused the ire of the growers. As a result, in the very brief period since the introduction of the legislation, members and Ministers have been approached by many individuals and organisations objecting to it. The catastrophe I referred to is that the industry has lost faith in its executive. This is because of the industry's ignorance of the background to the introduction and passing of legislation.

The executive of the association knew no more of the contents of the legislation than we did before its introduction. The executive probably assumed that its desires would have been met and certainly it must have felt that the measure would not depart into all the other aspects considered undesirable by the industry. The end result is that the industry quite unjustly blames its executive for the legislation.

I have done my best to explain to growers and others the procedures of Parliament, and that it is the Government's responsibility to draw up legislation. The Government may be asked to draw up legislation along certain lines, but it can then draw it up in the way it pleases. This is apparently what happened. The Government has provided for the creation of a board with absolute control over every aspect of the industry.

I referred to the ignorance of the general public and the fact that this ignorance is quite understandable. Not many people know the way Parliament operates and the procedure in the two Houses. One good thing to come from this legislation is that those people who have made an effort to understand the procedures now

know much more about legislative processes than they did before. If the growers are given the right to vote on the issue, and I hope this will eventuate, they will be in a position to make an intelligent decision. Up to the present time, many of these people lacked the knowledge and consequently no intelligent debate could take place on matters which involved parliamentary processes.

It is very obvious that we need to contain costs within the industry. Members have seen the Knox report—the report of the Fruit Handling and Transport Committee—and they will be aware that the committee does not bring down a definite final recommendation. It does not refer to a statutory board—it refers to a body. Part 11 of the report refers to this particular body and the first recommendation is as follows:—

A Body whose composition reflects the sectional investment in the industry should determine:

Industry objectives.

Industry policy to achieve those objectives.

Industry performance standards.

The second recommendation commences with the term "the body." The third recommendation commences in the same way. At the bottom of the page we find the following:—

The Committee is unable to agree as to how this control should be exercised or on the form of industry organisation that would result from the imposition of control. The divergent points of view of growers and shippers are clearly stated in Part 8.

The Knox committee could not recommend with certainty the type of organisation required. It referred vaguely to "the body," but it made the need to contain costs abundantly clear as it did the need to reorganise the industry, including shipping.

If we turn to Part 8 referred to, we find that four alternative bodies were considered—the type 2 structure, the type 3 structure, the type 3A structure, and the type 4 structure. We find in some instances the growers agreed to one structure and the shippers did not. The growers believed that a type 2 structure would be ineffective in reducing marketing costs. The grower members of the committee rejected the type 3 structure. The shippers were unable to reconcile their ideas with statutory control in this or any form, and thus the committee rejected the type 3 structure. In an endeavour to reduce the area of disagreement, the growers indicated they were prepared to accept a modification of the type 4 structure. For the reasons already described, the shippers would not agree to a type 4 structure.

We can see a very different approach to the problem by the two bodies with their own particular economic interests.

The Knox report was tabled in this House on the 2nd November. It is a very lengthy report, and a very good one. I have not had an opportunity to study it in depth, and neither has any other member. The Bill we are considering was only introduced to this Chamber yesterday—a very short time ago.

Many items in the report are of interest and should be of interest to the members of this Chamber. Page 2/17 sets out tables of comparison of charges in two of the Eastern States—Tasmania and Victoria—and Western Australia. I will quote some of the charges relating to handling. The cost to pack a bushel of fruit in Tasmania for the 1971-72 season was 125c, the same as in Victoria. However, in Western Australia it was 144c per bushel—much higher.

At that time the freight charges in Tasmania and Victoria were 17.33c per bushel and 25c per bushel in Western Australia—again much higher. Cool storage charges in Tasmania and Victoria were 16c per bushel, and in Western Australia 22.8c per bushel—once again much higher.

The comparison of handling and marketing charges per bushel shows that in Tasmania and Victoria the cost was 15.6c whereas in Western Australia it was 23c. It is very obvious that we need to look into the costs of the total operation, with particular reference to shipping. We know the basic handling cost of export apples by the shippers is about \$3 per bushel. This is a very substantial charge and must be met by the growers before they can ever make a profit.

Mr. Logan referred to growers wanting a board. The approaches made to me indicate that the growers do not want a board, or at least they desire the deferment of the legislation. I have used my judgment to arrive at a final decision.

I believe the industry needs some sort of statutory control. We can defer the operation or the implementation of legislation, but we cannot defer the debate on the Bill before us. Only a Minister of the Crown or the Government can do that. So we have the Bill before us and in my opinion we must deal with it in one of two ways. Firstly we may vote against the second reading and throw out the Bill, which I feel would be detrimental to the industry. Secondly, we may amend the Bill so that it is a satisfactory measure and will cover many of the queries raised by various organisations.

I will quote briefly from various telegrams I have received, as follows:—

Growers in hills opposed to apple Bill. Request deferment and referendum.

Another reads—

Growers want a deferment of apple and pear Bill. Request right of referendum.

Another reads—

Defer legislation on apple and pear board. Growers desire written referendum.

And another very expensive telegram states in part—

... the Act before Parliament be deferred to allow all growers to express their opinions through a referendum

... That is the tenor of the letters and telegrams I have received; and not only from growers, because the large telegram was from exporters.

We hear many intelligent people speak and we read many intelligent statements. I received a letter in the post which I consider to be a very perceptive letter—"perceptive" meaning, "understanding and able to make himself understood." The gentleman who wrote the letter is a very good friend of mine. He did not approach me personally, but wrote to me. He has a deep knowledge of the industry and, with your permission, Sir, I would like to quote some of the things he said.

Incidentally, I would inform members that the writer of the letter has been involved in the industry for many years both in an administrative capacity and as a producer. He has visited many countries of the world, including British Columbia and New Zealand, both of which have single marketing authorities, the U.S.A., Singapore, Malaysia and others. I quote from his letter as follows:—

In general principle I am a strong advocate of free enterprise and incentive for efficiency and dislike regimentation and bureaucracy, and also generally believe in referendums wherever practical and when voters can render an intelligent vote without too much parochialism.

A little later he goes on to say —

This Bill is the culmination of efforts by the Fruitgrowers' Association to bring about rationalization the exports—over a lengthy period of time.

According to the last Apple and Pear Tree survey of 1967-68, the 1204 growers revealed that the average acreage was nearly 11 acres. (There are many small growers in the South West as well as in the Hills). The Hills growers also usually have other fruits. Only 18% of the growers gave orcharding as their sole source of income, whereas in the Hills, 47% depended totally on fruitgrowing.

So 47 per cent. of the hills growers depend totally on fruit growing. The hills growers have only small properties and do not

have the opportunity to diversify. The total livelihood of those growers is wrapped up in the production of apples, pears, and other fruits. A little later the gentleman referred to shippers, and said—

... (some of the propaganda of some shippers is very questionable according to reports).

Then he went on to say—

The 15 W.A. shippers with their overlapping of functions and multiplicity of senior executives are far too many for this State. This evidence was also given at the 1961 Royal Commission on apples. In the main their commission rate is 30 cents per bushel.

Further on he says—

Please do not regard this as a personal attack on the shippers, but just being factual.

It is unfortunate that the very lengthy Knox Committee's complete Report was not available for general circulation, although I doubt if many growers could really understand it all. They do not understand the complexities and ramifications of the export industry. However the Executive . . . knew of its main contents.

I paused there because I am deliberately avoiding making reference to the name or occupation of the writer of the letter. Further on in his letter the gentleman says—

As mentioned earlier, many of the vocal growers are unfortunately grossly uninformed, apart from lack of knowledge of the Knox report, and how shipping space is allocated, etc. The States apply to the Apple & Pear Board for export space—percentage allocation based on growers' options to shippers (application by growers for quantity he desires to export). The W.A. shippers then own the space, whereas in Tasmania the growers actually own the space.

So we have a difference between Western Australia and Tasmania inasmuch as when shipping space is allocated in Western Australia, the shippers own the space; but when it is allocated in Tasmania the growers own it. This information is valuable because it indicates there is a comparison between the two States, and it is one of the arguments of the growers that the shippers can wield a big stick. The shippers have control of the export market.

If a grower is inefficient to some degree or is irregular in his supply of fruit, the shipper can say to him either, "I will take your apples" or, "I will not take your apples." The shipper can direct his favours where he wishes. This upsets some growers; but if we had a board or some other statutory authority which did not have absolute power, that problem could be overcome.

We would find that some growers who receive preferential treatment at the moment may be forced to accept slightly smaller export quotas; but possibly other growers who are being ignored at the moment could receive a quota over and above the little or nothing they receive now. Therefore, there would be advantage to the industry as a whole.

The writer of the letter then commented as follows:—

The only way of preserving equity is for one export marketing authority in W.A. and for individual growers to own the space, this being determined by application, quantity available, past performances and allowing for young trees (including replacement of old trees or obsolete varieties) coming into bearing (but not new acreage after 1972).

He then goes on to criticise some of the growers and the black market operations which are not in the best interests of the industry. This is factual comment. Every section of the industry must put its own house in order if it wishes to protect and improve the industry as a whole; every section must play the game. One method of playing the game is to provide some sort of authority that can control and direct the activities of the various sections.

However, not everybody will be happy; some growers and some shippers will not be happy. But if it is done with common sense and everybody is given a fair go and the existing interests of each section are considered, I believe the industry as a whole will be content.

Criticism has been directed at the shippers. They are aware of the criticisms, just as we are; but they are doing a pretty good job. They supply a service which would not otherwise be supplied and they have a tremendous financial investment which must be considered by any authority which is set up. By co-operation and co-ordination I think not only will the interests of the fruit-growing industry be protected, but also the interests of the shippers. Maybe the shippers will not receive such a big rakeoff as they have in the past, but they will still receive good, solid business. The writer of the letter then went on to state—

Some major objects of the Bill are to cut costs, avoid overlapping of overheads and to equitably allocate available space amongst growers.

The Executive Meeting passed unanimously a motion reading something like this, "That the W.A. Apple Board apply for a single licence for this State and that the franchise be given to the existing shippers to perform their normal functions in 1973". It is confidentially expected that the Federal Apple & Pear Board will grant this single licence as it is in line with

their overall strategy and policy I believe, and have approval of the Minister for Primary Industry. There is also a very strong move for a single licence in Tasmania.

I will not weary the House by quoting further at great length, other than to make the following small quotation:—

As far as we are concerned we would not be better off with a Board, but bearing all circumstances in mind, and as far as I can see, the proposed export legislation is satisfactory from the industry viewpoint and should benefit it greatly.

It is urgent that this proposed scheme operate for 1973 and for this and above mentioned reasons, I would favour the setting up of the Board without a Referendum.

That is the opinion of the gentleman concerned. He is a very intelligent, capable man who knows the industry literally inside out. He knows the weaknesses of the growers and the shippers and he knows the weaknesses and strengths of the industry as a whole. He is a man who supports free enterprise and incentive for efficiency, but realising there are problems regarding the cost of packaging and shipping, he is prepared to penalise to some extent, his own interests for the benefit of the industry as a whole.

Many stories have circulated during the furore which has occurred over the last 13 days since the Bill was introduced in another place. One story is that there is a tremendous division between growers; another is that the hills growers have a point of view regarding the legislation which is different from that of growers in the Donnybrook area. Some people have said the Donnybrook growers are wholeheartedly in favour of the Bill, whereas the hills growers are not.

Mr. Willmott put this situation straight tonight. He referred to a list of names which he received today, but last evening at 8.00 p.m. I knew of 164 names on that list. As Mr. Willmott pointed out there has been consistency among the Donnybrook growers, and this consistency has been exactly the same among the hills growers.

However, there has been a lack of understanding of the legislation and a lack of knowledge. Naturally there has been fear in the minds of the people involved in the industry, particularly of the growers, because of the unknown bogey—the bureaucratic board which is proposed to be set up to control the industry. Their feelings are quite understandable. With all the debate that they have heard and with all their contacts with members I am sure they are realising what the ultimate effect will be.

This evening mention was made of amendments and of what will be left of the Bill. Mr. Willmott has a long list of amend-

ments, and I also have a list proposing almost the same amendments. Seeing that two members of Parliament have similar amendments it was decided that Mr. Willmott should place his on the notice paper. I believe they will make the Bill much more acceptable to the industry.

Seeing that the debate on the Bill cannot be deferred the Bill has to be carried, but it should be amended to provide for a referendum to be held before the Bill becomes operative. Some people say this could affect the future operations of the legislation; that is, if it is unduly delayed, but I cannot see any undue delay occurring.

If the Bill is agreed to with amendments it will not become operative before the Christmas period which is generally a period of inactivity. I cannot see any action being taken on the legislation prior to the next session of Parliament in February or March next.

The board cannot become fully functional until the 1974 season. The 1973 season is already catered for, and during the season the shippers will be able to control the export of apples. However, by the 1974 season I would say that the statutory body—which I hope will be a small board and will have on it a majority of grower representation, or at least 50 per cent. of grower representation—will have created a pool of ideas which it will be able to put into effect for the benefit of the industry.

Many of the matters I intended to refer to have been covered by other members, so I shall not weary the House by repeating them. I should like to warn the industry of one serious danger that lies in the establishment of any board, particularly a board of this type. Whereas at the present time there is an incentive to growers to produce premium quality fruit, I am fearful that the establishment of a board and the power given to it to allocate quotas to the growers will bring about a tendency on the part of the growers to lower the quality of the fruit they produce and generally to create what is termed fair average quality fruit for export. This could be a serious danger to the industry.

If the board strikes a special premium for very superior fruit then the problem could be overcome; but the board needs to be very cautious of the tendency by the growers to reduce efficiency and to produce a fair average quality fruit for shipment overseas.

I have indicated that I will support the second reading of the Bill, but if the amendments on the notice paper are not agreed to I will oppose the third reading.

THE HON. N. E. BAXTER (Central)
[9.51 p.m.]: My remarks on the Bill will be very brief. I shall touch on only a few very pertinent points. This is a proposal to set up a statutory board to handle the export sale of apples and pears.

I am sure that you, Mr. President, a number of other members, as well as I have seen a similar situation developing over the years in regard to the introduction of legislation for the establishment of statutory authorities to control the sale of primary products. I turn to bulk handling where exactly the same type of authority was set up for receiving wheat in this State. We can turn back to 1919 when the grain elevators Bill was introduced to implement bulk handling. At that time a situation similar to the one which now exists developed; and one group of the wheat producers was in favour while another group was not.

We experienced the same thing when the Wheat Marketing Board was established later; when the dairy products marketing and prices equalisation scheme was introduced; when the Egg Marketing Board was established; when the Potato Marketing Board was established; and when the legislation to establish the Lamb Marketing Board was before us. This will always be the position.

I believe it comes about because the people in the industries concerned fall into two opposite groups. One group takes an interest in the industry, attends the meetings of the organisations, and knows what is coming forward; but the other group is not interested, does not attend meetings, and does not know what is proposed.

In this atmosphere there was a conference of the fruit growers which recommended to the executive that an approach be made to the Government for the setting up of some form of statutory marketing authority for the export sale of apples and pears. Here we also found the two groups of growers.

Much has been said of the Bill, and much reference has been made to the holding of a referendum, but nobody seems to know how many growers will be able to cast a vote; how many growers are at present on the Commonwealth roll; and how many of these will be eligible to vote for appointments to the Commonwealth Apple and Pear Board.

We have had very little time to consider these matters. If the debate on the Bill did not have to conclude tonight I would be able to find out the number. With more inquiries I could possibly find out where the voters are situated. I understand that it is the intention of the Government to proceed with this Bill as far as possible tonight, so there is little opportunity for us to obtain this information.

When Mr. Abbey was speaking I interjected and asked whether he could say how many people in the hills district would be eligible to cast a vote. He did not know, and I still do not know. The point is this: at the last election for a representative to be appointed to the

Commonwealth Apple and Pear Board the total number of votes cast was 230. Going on that number of votes recorded, and knowing something about voluntary voting, I say this number would represent about 42 per cent. of those who are on the roll and are eligible to vote. The total number of eligible voters would be about 550.

If the figure given tonight that 17 per cent. of the apples which are exported come from the hills district is correct, then by making a rough calculation I could determine how many voters would be represented in that percentage. I would say there were about 44 growers eligible to vote in the hills area, but the number on the roll could be twice as great as that.

It seems that some people who do not understand the Bill are against it, including some from the Donnybrook area. I am referring to the ones who are eligible to vote. There are others who will not have a vote in the referendum and who are also against it.

The Hon. C. R. Abbey: That does not alter the need for a referendum.

The Hon. N. E. BAXTER: Much has been said in this debate about a referendum, but many of the people who are against it will not have a vote in the referendum. The point I am making is that some of the people concerned do not understand the Bill and will not have a vote, yet they are making a song and dance about the measure; or somebody is doing that for them.

Mr. McNeill has referred to this Bill as being a farce, but he failed to tell us which part of it constituted a farce. Later he referred to this as a disaster. Let us see what the Bill does provide, so that many of those who are now in the gallery will know. I do not think any member has referred to the provisions of the Bill.

The Bill commences with the long title which is—

An Act to establish a Western Australian Apple and Pear Board to engage in the export beyond the Commonwealth of apples and pears produced in the State;

Does it say anything about the marketing of apples in this State? Of course it does not. The long title continues—

to regulate the receipt of apples into cold storage;

I understand there is an amendment which will delete this part of the long title. Then follows the part of the long title with which I am not greatly concerned, although I do not thoroughly agree with it—

to regulate the planting of apple and pear trees; and for incidental and other purposes.

The Hon. I. G. Medcalf: Is the title correct?

The Hon. N. E. BAXTER: No, a part of it will be deleted.

The Hon. I. G. Medcalf: Which part?

The Hon. N. E. BAXTER: The part which I have read out—

to regulate the receipt of apples into cold storage;

The Bill also contains a short title. Other provisions which follow relate to the commencement of the legislation, to an arrangement of the legislation, to interpretations, and to the setting up of the Western Australian apple and pear board. It also provides that this shall be a body independent of the Crown. Other provisions specify the membership of the board, and the personnel who shall be appointed to it.

The Hon. D. J. Wordsworth: Does it introduce a producer control board?

The Hon. N. E. BAXTER: I am trying to explain the contents of the Bill. The board shall consist of five members and it will not be a producer-controlled board. It is important that people understand the Bill.

It outlines the proceedings of the board, and how it shall conduct its business. There is provision for remuneration and the payment of expenses of members. Another clause deals with the appointment of officers. The first appointment shall be the executive officer of the board, and the board may appoint such other officers and employees as the Minister approves as necessary for the purposes of the Act. One member of the board shall be the Director of Agriculture, and perhaps we all do not agree with that appointment. Three persons shall be appointed by the Minister, of whom two shall be growers, and one shall be a person considered by the Minister to have commercial expertise and experience in fruit shipping. I think everyone will understand the intention of that appointment.

Clause 15 deals with the general powers of the board, and they are as follows:—

15. (1) The Board may, for the purposes of this Part—

- (a) buy and sell any property;
- (b) enter into any contract;
- (c) borrow money;
- (d) mortgage or charge any of its property as security for the repayment of any money borrowed;
- (e) establish or maintain premises, machinery, plant or other equipment for receiving, handling, storing, packing, or selling apples and pears;

It might not even have to do this; it may use the existing plant. That is quite likely, so there is no great problem there. The clause continues—

- (f) carry out, or enter into contracts for the carrying out of, receiving, handling, storing,

packing, selling and shipping of apples and pears, and do all such things as it considers will promote the sale and consumption outside Australia, of apples and pears;

- (g) act as or appoint persons to act as shipping agents;
- (h) appoint persons to act as agents for the Board and authorize those persons to carry out on behalf of the Board such of its powers and functions as are prescribed or are agreed between it and each such agent;
- (i) purchase or hire on its own behalf and resell or hire to growers and other persons engaged in the production and handling of apples or pears, any packing materials, containers and other articles and materials used for or in connection with the packing, grading, treatment and transport of apples or pears;

Two grower representatives will be on that board and, of course, they will not go half way. If the producers are not looked after they will kick up a row. The clause continues with several other provisions which do not matter at this stage. Clause 16 of the Bill deals with the delivery of apples and pears to the board, and reads as follows:—

16. (1) The Board may from time to time—

- (a) by notice in writing served on the person to whom it is addressed; or
- (b) by notice published in a newspaper circulating throughout the State,

specify the manner in which and the times and places at which applications may be made to the Board by persons wishing to deliver to the Board on or after the appointed day apples or pears intended for export beyond the Commonwealth.

(2) Where the Board has received an application made to it in response to a notice served or published under subsection (1) of this section, it may, by notice served on the applicant, advise him that the Board will accept from him a quantity of apples or pears specified in the notice if those apples or pears—

- (a) are delivered at a place and at the time specified in the notice;

The Hon. I. G. Medcalf: Does the honourable member think it is fair to say that the export should be beyond the Commonwealth?

The Hon. N. E. BAXTER: Yes, because exports can be made within the Australian States.

The Hon. I. G. Medcalf: One cannot export within the Commonwealth.

The Hon. N. E. BAXTER: Yes, one can export from Western Australia to the Eastern States. At page 432 of the 1971 *Official Year Book of Western Australia* it is shown that for the year 1968-69 apples exported included interstate and overseas markets. The Bill most definitely states that the board will control apples intended for export beyond the Commonwealth. The Bill goes on and sets out the time and place of delivery, and subclause (3) reads as follows:—

(3) Subject to subsection (5) of this section, where a person on whom a notice under subsection (2) of this section has been served tenders to the Board at the time and place specified in the notice a quantity of apples or pears complying in all respects with the particulars specified in the notice, the Board shall accept delivery of those apples or pears, and thereupon the apples or pears become the absolute property of the Board,

And so the provision continues with the usual conditions relating to marketing boards. The next clause in the Bill relates to the sale of apples by the board. Then follows provisions for the non-liability of the board, accounts and audit, expenditure being a charge on the sale of apples and pears, annual reports, and how legal proceedings shall be taken. The planting of apple and pear trees is also dealt with. The growers are mainly concerned about the marketing board and its operations. In spite of all the criticism levelled at this Bill I maintain there is nothing wrong with its provisions. It is the usual type of marketing Bill. It has been set up on fair and equitable lines.

I intend to support the Bill after considering the amendments in Committee. It is very hard to decide whether or not to go along with the proposal for a referendum. My feelings are not in line with those engendered among certain growers in this State, who will say, "No" to the proposal for a referendum.

I believe that many growers do not know the provisions contained in the Bill and for that reason many of them would vote "No" in a referendum. People who do not take an interest in a particular industry usually vote "No" at a referendum and that is a reason why I feel we should not amend the Bill to include the proposal for a referendum.

I support the Bill, and a number of the amendments which appear on the notice paper.

THE HON. D. J. WORDSWORTH (South) [10.12 p.m.]: As members will be aware, I am not an apple producer. However, as a primary producer I can see a familiar pattern emerging in the fruit industry similar to that which has occurred in other primary industries.

It is very unfortunate that the two major reports concerning this measure have only just been placed before members in this House. Most members have had only a couple of hours available during which to study the Knox report.

The Hon. J. Dolan: It was tabled on the 2nd November; three weeks ago.

The Hon. F. D. Willmott: I am afraid that I may be to blame because I was using that copy.

The Hon. D. J. WORDSWORTH: I hope that more copies of the report will be available to representatives of the industry than have been made available to members of Parliament.

It is quite obvious that the orchardists have been subjected to the expression "Get big or get out". Some orchardists have endeavoured to get big, and production has gone up from 2,000,000, to 3,000,000 bushels in a matter of two or three years. Unfortunately, prices have not kept up with costs.

Unlike secondary industries in this country, the price structure of the orchardists depends on the prices available in other countries and whether inflation is higher than it is in our country. A lot also depends on how the importing countries endeavour to protect their home markets for their own producers.

Another great worry to our growers is the fact that Britain will soon enter the European Common Market. This is causing concern in the industry. I think that in most cases everyone is a little jealous of their local market, and they are frightened that it will be flooded to the disadvantage of the local growers.

Looking quickly at the export market, it is obvious that Western Australia produces a good product. While we have only 2 per cent. of the English market, we seem to have 25 per cent. of the market for Granny Smiths. That is obviously the product which Western Australia has really established overseas.

It was very interesting to read the section of the Knox report dealing with fruit handling. The solution given in paragraph 5 on page 8/6 is—

As a result of its market research in the United Kingdom, the Committee believes Western Australian strategy in the export market must be to maintain volume/quality pressure and the highest possible flexibility in both strategic and tactical marketing decisions consistent with financial security. This implies that volumes exported by

Western Australia should be unrestricted by any outside agency such as the Australian Apple and Pear Board and that Western Australia must exercise close control of its fruit from the time it leaves the orchard until the time it reaches the market.

The important point in that recommendation is that we should keep our volume up, yet it seems as though this will be the great difficulty. The volume of shipping does not exist to keep that quantity on the market.

I wonder why this Bill is before the House. I do not think the Government would be foolish enough to bring in legislation which was very unpopular with growers, and the Government must be somewhat amazed at the hostile galleries we have had and the interest that has been shown in the Bill.

There will obviously be difficulties in the export of fruit in the coming season, largely because of the lack of shipping. The Government has brought this Bill forward as its solution for the industry. Needless to say, it is socialistic legislation. I do not blame the Government for that. After all, that is its philosophy. If we in this House throw the Bill out, the Government will have a water-tight excuse for saying it endeavoured to do something for the industry but its legislation was destroyed by the Legislative Council.

The Government's solution is to control production and share the market amongst all the growers for fear that one or two growers might end up with more than their share of the market. I suppose it is a fairly realistic fear. Some people might corner more than their fair share of the available shipping. But I wonder if this Bill is really the solution.

If we sent less to Britain, would we be able to keep our share of the market? Surely our troubles overseas have largely arisen from the competition from South Africa and other producers. Even if we limit the amount we send overseas, we will not be able to retain 11 per cent. of the market. We will end up by losing yet more. If Britain were to say to us, "You can export so many million bushels and we are limiting all the apples that come into the country," perhaps there would be a good place for this legislation. But Britain will not do that. We will limit the quantity of apples that go to Britain and decrease our percentage of the market.

Producers have been told they can get control of the market. "Orderly marketing" seems to be the catch-phrase nowadays. Producers have been told they can introduce a certain amount of stability into the market with a control board. This is always given to the farmers as being the answer—a producer-controlled board to control the market and prices. It sounds good but in fact it does not take

place. This Bill will achieve exactly what has been achieved by many other statutory bodies; that is, it will do little more than freeze production, in historic patterns.

Let us examine some of the other statutory bodies to which this proposed authority is being likened. I am thinking of the Lamb Marketing Board, the Egg Board, and the Milk Board. How much control have farmers over those boards? They have very little control, particularly as regards prices.

The Hon. S. T. J. Thompson: They voted for them.

The Hon. D. J. WORDSWORTH: They might have voted for them but they are not controlling the prices they receive.

On page 10/8 of the Knox report reference is made to the South African and New Zealand boards. It is pointed out that these boards do not control the prices. I will quote from that page—

Neither board attempts to fix the levels at which sales are made, although the NZ APB did attempt to do so in 1971, with little result except antagonising the traders.

Unfortunately, it looks as though by having a board the producers will not be able to do what they hope they will be able to do; that is, fix the price.

The Hon. S. T. J. Thompson: Are you opposed to orderly marketing?

The Hon. D. J. WORDSWORTH: No, I am not. That is a loose phrase that is thrown around the countryside. I am a great believer in orderly marketing. I say many of the aspects of this Bill will not amount to orderly marketing.

As with most socialistic legislation, there is always a wicked wolf, and this time it is the shippers.

The Hon. G. C. MacKinnon: Are you speaking seriously or facetiously?

The Hon. D. J. WORDSWORTH: Facetiously, I hope. On reading the report one will find that the producers blame the shippers for many of their troubles. I will quote from a report in the *Western Australian Fruit Grower* of September, 1972. Mr. Knox was asked to address a special meeting of the executive on the 9th August, 1972. The report states—

Mr. Knox then went on to criticise the grower representatives on the Committee for their inflexible attitude and apparent refusal to deviate from their set objective of the establishment of a Statutory Authority for control of the fruit industry in Western Australia. Other sections of the industry, although firm in their convictions that existing facilities could be streamlined and modified to provide more efficient handling and documentation, were prepared to, and had in fact conceded

a lot of ground but the growers remained adamant that nothing short of a full, grower dominated Statutory Authority would be acceptable to them.

This attitude was completely wrong and growers must realise that they too must be prepared to compromise if a satisfactory outcome was ever to be achieved. He warned against the insistence of establishing a Board as, in his opinion, experience had proved that not only did Boards tend to be very expensive to set up and maintain, but also that they invariably turned out to be very inflexible as had been shown in the cases of the New Zealand Apple & Pear Board and the South African Deciduous Fruit Board, as well as various commodity Boards, both State and Commonwealth in Australia itself.

The point I make is that the shippers cannot be blamed for the lack of shipping which will obviously come about during the next season.

Mr. Dans suggested that containerisation had created the difficulty. I wonder whether that is really so or whether he is just banging the old waterside workers' drum. It looks as though containerisation will do much for the industry.

The shippers seem to be the wicked wolves of the apple and pear industry! If I remember correctly, the stock firms were in trouble in connection with lamb marketing. The 5 per cent. which they were charging was to be the profit for the farmer. It was very interesting to see that as soon as the Lamb Marketing Board came into operation it did not get rid of the stock firms at all. On the contrary, each producer must declare a stock firm and stay with it. He is not even allowed to change. I wonder whether the same thing will happen as regards the shippers. I think the shippers have a place in the industry and the indications are that from the point of view of finance the shipper is just as important to the fruit industry as is the stock firm to the fat lamb farmer.

The Australian Meat Board was recently asked to report on statutory marketing and it came up with the answer that it was better to have many traders in the market than to market everything through one organisation. The board felt that having a number of people out seeking markets achieved a better result than did having only one person representing the board looking for markets. Not only did many traders find more markets but if one trader decided to develop a market which was not successful he could go broke without jeopardising the whole industry. Obviously, boards cannot afford to take the same risk.

The Meat Board was thinking of the efforts New Zealand had made to market lamb in the United States. The New Zealand board lost millions of dollars in trying to develop this market, yet Australian

traders were able to whip in and make very successful sales. The Meat Board based its report on such experiences. When the farmers' organisations heard the report, the first thing they said was, "We should get rid of the Meat Board."

Perhaps many sections of the industry will want statutory marketing. I can foresee many difficulties associated with it but I also realise the primary producer is in great trouble and he must look for some help. It is unfortunate that a statutory body alone has been suggested. The Government has not looked for other ways in which to help out the apple growers.

It may prove to be a little more expensive to pay subsidies or adopt other means to help the industry, but I am sure it would prove to be a better solution than establishing a statutory authority. It is for this reason that I will support the second reading of the Bill so that the House can be given an opportunity to pass that stage and enable us to include a clause providing for a referendum to be held so that growers will be aware of what the Bill proposes and be able to determine whether they really want the establishment of a statutory authority.

I believe the primary producer should be given this opportunity and I reprimand the Government because the report that has lately been put in front of us was not released earlier so that members of Parliament and the growers would be aware of the reason for the introduction of this Bill. They also would have been made aware that the Bill, in its present stage, is designed to control only the export market and not the local market. This is rather frightening as there is no proposal to protect the local market which utilises 20 per cent. of the apples produced in this State. As a result the local market will be flooded with apples which otherwise would be exported.

The Hon. J. Dolan: You cannot export them if there is no market in which to sell them.

The Hon. D. J. WORDSWORTH: Then why are we exporting any? Surely it is better to get them marketed overseas and ensure that the 20 per cent. we sell in this State are sold at a decent price.

The Hon. D. K. Dans: Where do you sell them if you cannot get a decent price for them?

The Hon. D. J. WORDSWORTH: If need be we could destroy them and allow the local market to achieve a decent price.

The Hon. D. K. Dans: You said it; all right, we could destroy them.

The Hon. R. Thompson: If we destroy them, who pays for that?

The Hon. D. J. WORDSWORTH: I am not suggesting that we should destroy them, but we should drain off a great deal

of the production from the local market so that what is sold on the local market obtains a decent price.

The Hon. D. K. Dans: You said we could destroy them.

The Hon. D. J. WORDSWORTH: The point is that the Bill does not allow for that.

The Hon. J. Dolan: You could export them and pay \$3 freight to get them to England and then find that your money has gone down the drain.

The Hon. G. C. MacKinnon: The PA Management Consultants' report does not indicate that.

The Hon. D. J. WORDSWORTH: That report indicates that we should maintain volume pressure. If we are to prevent apples from being exported overseas it will result in a flood of apples on the local market, which is very foolish. In fact, we supply only 2 per cent. of the British market. If we sold more apples on that market we would sell only 3 per cent.

The Hon. J. Dolan: That is a rise of 50 per cent.; from 2 per cent. to 3 per cent. You send 2 per cent. to the British market and then you increase that to 3 per cent. You just cannot do that. You do not seem to understand simple basic economics.

The Hon. D. J. WORDSWORTH: Then let the Minister tell the House. How many million bushels of apples do we produce and how many million bushels will we export? It looks as though we will be reducing our export of apples to 1,000,000 bushels.

The Hon. D. K. Dans: If we send 2 per cent.

The Hon. D. J. WORDSWORTH: If we send the whole lot there—

The Hon. D. K. Dans: You will increase it by 50 per cent.

The Hon. D. J. WORDSWORTH: By 1 per cent.

The Hon. D. K. Dans: One per cent. over 2 per cent. is 50 per cent.

The DEPUTY PRESIDENT: The honourable member will please address the Chair.

The Hon. D. J. WORDSWORTH: I will explain again. If we send all our apples to England we will only increase the total amount of apples on the British market by one per cent. and that would not flood that market.

The Hon. G. C. MacKinnon: Quite right.

The Hon. D. K. Dans: Have you thought of the possibility that the 2 per cent. might be reduced by 50 per cent.?

The Hon. D. J. WORDSWORTH: I do not quite understand what the honourable member means.

The Hon. D. K. Dans: Let us assume we are sending 2 per cent., and because of a change of situation we reduce it by 50 per cent.

The Hon. D. J. WORDSWORTH: That is exactly what this Bill will do. We will send only 50 per cent. of our total production. What will that do to the price?

The Hon. D. K. Dans: It will introduce to the Commonwealth a scheme of tree pulling. Is not this correct?

The Hon. D. J. WORDSWORTH: The honourable member can continue talking about tree pulling to his heart's desire with the next Bill.

The Hon. G. C. MacKinnon: If we ever get that far.

The Hon. D. J. WORDSWORTH: I cannot see that this Bill will do any good at all. It will not improve the price our apples will bring on the British market. Nevertheless I am willing to support the second reading of the Bill so that in Committee a referendum clause can be included. If the referendum clause is rejected I will probably vote against the Bill.

THE HON. J. DOLAN (South-East Metropolitan—Minister for Police) (10.36 p.m.): I have sat here from about 2.15 p.m., and the time is now approaching 10.45 p.m. I have had breaks only for afternoon tea and dinner. Might I start off by saying that the only real common-sense approach to the measure before us was shown in the contribution to the debate by Mr. Logan, and by the Deputy President, Mr. Baxter. Then of course we go to the other extreme where two members, Messrs. Ferry and McNeill in particular, merely set out to blame the Government for what the Bill contains. The only questions they could ask were: Why did the Government hurry? Why was it bringing this Bill forward so hastily?

I intend to tell the members of this House why the legislation is here and why there has been a hurry to get it here, and to see whether those members would have acted in the same way had they been placed in the same position as the Government.

I will begin, firstly, by referring to an article that was published in last Thursday's *Countryman*. I understand that newspaper represents all aspects of country interests. I am a city-slicker, but I buy the *Countryman* every week and read it. I was impressed by the article which was published in last Thursday's issue and I thought the people who were mentioned in it were people of authority. I think Mr. Logan drew attention to it also. The opening paragraph of this article reads as follows:—

Orchardists attending the 1971 conference of the WA Fruitgrowers' Association unanimously decided to

press for an Apple and Pear Board. Yet when the Apple and Pear Industry Bill was introduced in the Legislative Assembly to implement this last week it brought a howl of protest.

Less than two months ago at the 1972 conference the need for statutory control was foreshadowed, and delegates passed a vote of confidence in their executive for the efforts made to achieve this end.

That was the start. They realised that their industry was in jeopardy and they said, "We will approach the Government to see what can be done about it." I think the Minister for Agriculture was wise—

The Hon. N. McNeill: What was the date of that last conference?

The Hon. J. DOLAN: It said in this article it was held less than two months ago. The article appeared in last Thursday's issue of the *Countryman*, written by J. O. G. Middleton. He is the reporter who apparently made himself familiar with the facts and I am prepared to accept that his article was fairly close to the mark.

The Hon. N. McNeill: I tried to ask you when the conference was held—

The Hon. J. DOLAN: All right, the honourable member has had his say so I hope he is prepared to let me continue with my speech.

The Hon. A. F. Griffith: By gee, you are rude are you not?

The Hon. J. DOLAN: Well, I am not very well, if the Leader of the Opposition must know.

The Hon. A. F. Griffith: Well there is no need to take it out on other members.

The Hon. J. DOLAN: I was not taking it out on other members.

The Hon. A. F. Griffith: I do not like you being so damned rude, that is all.

The Hon. J. DOLAN: Just imagine the Leader of the Opposition talking about people being rude. Of course he is an expert in that field, I admit.

The Hon. A. F. Griffith: I cannot show you anything.

The Hon. J. DOLAN: I do not believe it, but there it is. The Minister for Agriculture wisely decided the best thing he could do was to set up a worth-while committee which would examine the situation, and he did just that. I think the committee produced an excellent report. I am prepared to say that I regret that these reports were not available earlier so that every fruit grower or apple grower could have had a copy in order to go through it. I think most of them would have been no better informed tonight than they would have been when they were first given a copy of the report.

The Hon. G. C. MacKinnon: I think you should give them credit for having more intelligence than that.

The Hon. J. DOLAN: They are more intelligent, but very often they are not prepared to exercise it to make such a study.

The Hon. G. C. MacKinnon: After all, they had no opportunity to do so.

The Hon. J. DOLAN: I could not help noticing that one of the members of the committee was previously a member of another place but recently resigned. He is very familiar with the industry and all its facets, and he thinks what the Government has done is a sound move and he gave his blessing to the legislation. Now of course the measure has met with all kinds of opposition. When the Minister for Agriculture set up the committee certain terms of reference were laid down.

The Knox committee report commences by saying that during 1971 there was a growing awareness that a certain crisis was developing in the apple industry in Western Australia, and in response to requests by various sections of the industry, particularly by growers, the Minister for Agriculture agreed to set up a committee to undertake an investigation of the problems with a view to obtaining some solution to them. That committee was known as the Fruit Handling and Transport Committee.

It commenced its work and not only did it make its investigations, but an examination of its report will reveal what an excellent job the committee did. I have been in constant communication with Mr. Knox over the period he was engaged on this committee, not only in regard to this particular measure, but also in regard to other matters associated with transport. I know the long hours and painstaking effort he put into this report, with the help of other committee members, in the hope that the industry could learn what it will have to face.

The Hon. N. McNeill: Why did not the Minister wait for the final report to be brought forward before preparing this legislation?

The Hon. J. DOLAN: I will tell the honourable member. A particular group that approached the Minister on behalf of the fruit growers wanted this legislation passed during this session. The report was not made available until October and the legislation was brought before the Lower House and then to this Chamber. The Government is trying to get the measure through during this session at the request of the growers, because they say it will be too late for action if it is introduced next session which will be held early in 1973. That is the reason they wanted the legislation introduced as early as possible.

Not only did the committee conduct its investigation, but it also prepared this report I now have in my hand on fruit handling and transport in England, where we sent most of our experts to study the situation.

The Hon. G. C. MacKinnon: Which report we also did not get.

The Hon. J. DOLAN: The honourable member was not given a copy of the report for the simple reason that I am the Minister handling the Bill in this House and I was handed three copies today. This is the first time I have seen them. Within half an hour one of my staff was on his way to Parliament House to deliver one to Mr. MacKinnon and also one to Mr. Willmott.

The Hon. G. C. MacKinnon: Many thanks; it gave us three hours to study it.

The Hon. J. DOLAN: I appreciate the position in which the honourable member was placed. I only wish the report had been available to us a month ago. I am the Minister handling the Bill and I could not have done any more to satisfy the needs of the honourable member. I will now return to what Mr. McNeill and Mr. Ferry had to say. They criticised the Government for rushing the legislation.

The Government may have rushed it, but I wonder what the previous Government would have done had it been in office.

The Hon. G. C. MacKinnon: It would have printed the reports and circulated them.

The Hon. J. DOLAN: I wonder what the previous Government would have done if these people had come to it and said, "We want you to do something about our industry. We want you to establish a statutory authority and to do many other things to help us." They have asked the present Government to do this.

The Hon. D. J. Wordsworth: You said that they had that a year ago. That report has been out for some time.

The Hon. J. DOLAN: Which report?

The Hon. D. J. Wordsworth: The one you told us was sitting there. The problem was the number available.

The Hon. J. DOLAN: There is still insufficient to circulate, but I had to make all the necessary inquiries this morning.

The Hon. G. C. MacKinnon: This should not all be left to you.

The Hon. J. DOLAN: It was said that as soon as the Bill was introduced many meetings were held and everyone objected. People can please themselves. I do not mind if they do not like the legislation. However I think it was Mr. Baxter and Mr. Logan who said that the growers did not know what was in the Bill.

The Hon. G. C. MacKinnon: They are entitled to the opportunity to learn.

The Hon. J. DOLAN: The honourable member refers to hostile groups and tries to ferment trouble.

The Hon. V. J. Ferry: It happens that the growers themselves objected.

The Hon. J. DOLAN: Mr. Ferry would have made a wonderful speech if he had uttered two words and then sat down!

The Hon. V. J. Ferry: Thank you very much!

The Hon. J. DOLAN: Let us read some of the telegrams to see whether the growers have changed their minds. The following is from Mt. Barker:—

Mt. Barker Association reaffirms need for statutory authority.

That telegram is signed by a person I have known of for 30 or 40 years. He comes from a pioneering farming family in the Mt. Barker district and they really love farming. I doubt whether any family in this State would know more about the subject than this one. It is signed by Mr. Sounness, the President. I have the greatest admiration for that family which believes that a statutory authority is required. Let us go a little further and deal with the district which is presumed to be a little hostile. The following is from Donnybrook:—

Reaffirm Donnybrook support of W.A.F.G.A. policy requiring statutory export marketing authority.

E. J. Parke, President.

The Hon. F. R. White: What date was that?

The Hon. J. DOLAN: These arrived during the last couple of days, since the legislation was introduced and the growers knew what was in it. The next is from Upper Kalgan:—

Albany Fruit Growers Association confirms support for statutory authority.

Montgomery, President.

The next one is from Kendenup which is getting close to Albany, which is also a good district. It reads:—

Kendenup branch reaffirms need for statutory authority.

A. R. De Pledge, President.

Probably some of the names will be familiar to members from the areas concerned. The following telegram is from Nyamup:—

Manjimup Association deep concern at delay in passing W.A. Apple Board. Imperative Bill pass this session. Industry in urgent need of this legislation for 1973.

Dick Van Hofe, President.

The Hon. G. C. MacKinnon: It cannot affect 1973, and the Minister himself has said so.

The Hon. J. DOLAN: Of course the honourable member knows more about the subject! He is not even in the industry!

The Hon. G. C. MacKinnon: I am quoting your own words.

The Hon. J. DOLAN: He is not even in the industry so he would not know anything about it. The following telegram is from Greenbushes:—

Balingup Fruit Growers Association strongly reaffirm the urgent need for export apple marketing authority.

N. Lindsay.

Members will notice that all the telegrams express concern at the delay, but we are criticised for our hurry. The Opposition would have had the Bill in Parliament even before it had looked at it. The next telegram is from Bridgetown and reads as follows:—

The Bridgetown Fruit Growers Association is very concerned at possible delays in Parliament re authority. Urges immediate legislation so that authority may operate for this season on lines as agreed by executive.

J. Awcock, President.

The Hon. F. R. White: You will read out those for the other side, will you not?

The Hon. J. DOLAN: I do not want to be involved really, and say nasty things.

The Hon. G. C. MacKinnon: You do not want to be fair.

The Hon. J. DOLAN: Mr. White read out a letter from a man whom he described as intelligent, a man who knows the industry backwards. If Mr. White had said he subscribed to what was in the letter, I would have gone along with him all the way because I, too, believe he is an intelligent man. However, despite the fact that Mr. White said nice things about him, he could not go along with what he said.

The Hon. F. R. White: He called a spade a spade.

The Hon. A. F. Griffith: I find it hard to understand why all these communications have come to me, as Leader of the Opposition, in the last 48 hours, expressing a contrary view.

The Hon. J. DOLAN: They write to the Leader of the Opposition because they know he is pretty susceptible to pressure. I have seen the Leader of the Opposition before stand in his place and hold up bundles of papers and indicate that they have all come from certain people, but if they had not sent them they would have been tramped.

The Hon. N. McNeill: You are not susceptible?

The Hon. A. F. Griffith: You are talking a lot of nonsense. Absolute tripe that is. I just told you I received communications from people and you tried to say they are my own invention.

The Hon. J. DOLAN: I said no such thing, and the Leader of the Opposition knows that very well.

The Hon. A. F. Griffith: You go on as you are doing and you will burst a blood vessel.

The Hon. J. DOLAN: The Leader of the Opposition does not need to worry about me.

The Hon. A. F. Griffith: I am not.

The Hon. J. DOLAN: My doctor has given me a wonderful bill of health, and with justification.

The Hon. A. F. Griffith: You should join the pantomime society.

The Hon. J. DOLAN: I realise that the industry is facing a problem. I belong to a humanitarian party which desires to do something for all sections of the community.

The Hon. A. F. Griffith: Jolly Good! You fooled everyone today.

The Hon. J. DOLAN: The Leader of the Opposition is always a nice kindly soul with his interjections.

The PRESIDENT: Order!

The Hon. A. F. Griffith: You throw out abuse, but do not like anything said to you.

The PRESIDENT: Order!

The Hon. J. DOLAN: The Leader of the Opposition can say what he likes to me. It will probably hit my shoulders and roll off.

The Hon. A. F. Griffith: You are such a big man!

The Hon. J. DOLAN: Numerous amendments appear on the notice paper. I have made those preliminary remarks because I consider that in Committee we can deal with all the other matters to which members object. I do not intend to debate them now. In Committee I will state the view of the Government as presented by the Minister. I will not be long-winded, although I do not care how long we take. It does not concern me because members have a perfect right to discuss anything they desire in the Bill. They have a perfect right to seek to delete or insert any clause they desire or, in fact, to throw out the whole Bill. That is their right and I have no quarrel with it.

However, I believe that we have reached the stage that whenever a controversial Bill is presented certain members will always say that the Government is at fault.

The Hon. V. J. Ferry: It probably is, too!

The Hon. J. DOLAN: It is not. I have told members that this group approached the Government and asked it to do something to help. The Minister has been in constant communication with the growers because he dealt with the executive right up until the Bill was introduced, and the executive knew everything that was in it.

It has been said that we were responsible for a cleavage between the executive and the growers.

The Hon. F. D. Willmott: At Donnybrook the executive said—

The Hon. J. DOLAN: This was completely unworthy of those who said it. Any group of growers which is concerned about the industry elects to its executive men whom they know will do their best. The executive attended the conference and the growers agreed that an approach should be made to the Minister. At subsequent conferences this suggestion was confirmed as was also the case in 1971. The growers are still in constant communication with the Minister.

Now, of course, the Bill has been criticised. It has been said that it has been hurried. Even if it were left until towards the end of next year to enable the growers to study it, we would still be faced with the same difficulties and the same criticism.

I believe that the Bill represents a legitimate attempt to help the apple and pear growers and this—and nothing else—was the purpose of the legislation which I commend to the House.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. J. Dolan (Minister for Police) in charge of the Bill.

The CHAIRMAN: Before we commence, I desire to say that a fairly long debate has ensued on the Bill and so I ask members to adhere to the subject matter of the amendments as closely as possible or we will be here a long time getting nowhere.

Clause 1 put and passed.

Clause 2: Commencement—

The Hon. F. D. WILLMOTT: I move an amendment—

Page 2, line 3—Add after the word "proclamation" the following proviso:—

Provided that no proclamation may be made until the Minister has caused to be conducted a referendum of growers who own or occupy orchards from which not less than 500 bushels of apples or pears were exported in each of at least two of the three years preceding the taking of the poll asking whether the Act shall be brought into operation and a majority of those growers has voted in favour of bringing the Act into operation.

As we have already spent some 6½ hours on this Bill, I agree with you, Mr. Chairman, that we must not unduly waste time.

I do not intend to enlarge to any great extent on what has been previously said. I merely wish to indicate that if we desire the board to work harmoniously, a referendum is absolutely essential. It has been amply demonstrated that a division of opinion exists amongst growers. I do not believe that they do not know what is in the legislation, because at one of the meetings I attended they very clearly demonstrated they knew what was in the legislation and how they wanted it amended.

It was also stated that if the Bill were circulated amongst growers they still would not know what it was about. I said that the best way to deal with this situation would be to condense faithfully what was in the Bill with nothing hidden or left out, and circulate it to growers. If this were done growers would certainly acquaint themselves with its contents and would certainly ensure they cast a vote.

Before I resume my seat I would like to express my thanks to Mr. White. Earlier he and I had prepared amendments separately but last night we got together and decided that as the amendments were similar, we would use only one set. Because some of my amendments contained slightly better wording, mine now appear on the notice paper. I just wanted to make that explanation and to thank Mr. White for his co-operation.

The Hon. J. DOLAN: I will give the Committee the explanation advanced by the Minister who handled the Bill in another place. If I should use the word "I" this refers to the Minister in another place who said—

... I have kept faith with the association. I have discussed with it at considerable length the statutory authority which was sought by growers at two successive conferences. The industry leaders have been brought into the discussions and contact has been maintained. If they were in favour of the amendment, I think they would have canvassed that view.

Therefore, I cannot support the amendment.

The Hon. A. F. GRIFFITH: I have not contributed to this debate at all this evening and, instead, I have left it to members who know more about the apple and pear industry.

I am disposed to tell the Minister through you, Mr. Chairman, that I have received a number of communications from grower organisations. Other members of my party have received similar communications, as have members of the Country Party. All the communications ask that the matter be referred to a referendum.

The Minister read us a list of names of the people whom he says want the legislation. I asked him to enter into the other

side and to mention the people who may want the legislation after they have had the opportunity to express this by way of a referendum. He chose to skirt around this request by rebuking me for some reason or other.

I simply want to place on record that I have received such communications which have been forwarded in consequence of meetings held in the last 48 hours. These have been meetings of growers held in various parts of the State. This fact has already been stated tonight and, for this reason, I considered it unnecessary to repeat it. However I was drawn into the debate by certain comments made by the Minister. I felt inclined to make clear that communications have been sent to me which tell the other side of the story.

The names were read out by the Minister from a sheet of paper.

The Hon. J. Dolan: They were all telegrams.

The Hon. A. F. GRIFFITH: From individuals?

The Hon. J. Dolan: No. They were all from presidents. I read the names of the associations and then I named the presidents, one by one.

The Hon. A. F. GRIFFITH: I do not know the dates of those meetings and I will not enter into conflict with the Minister on that point. I want the Committee to know that as late as last night Mr. Willmott read out one of the requests I have received. Yesterday I received a letter from the South Suburban Fruit Growers' Association stating that it expresses this same opinion.

I have received a number of telegrams from people asking that this matter should be referred to a referendum and I place this request on record. The Minister, instead of allowing his blood to boil over, should realise there are two sides of the story. These growers must have some reason for holding meetings in the last 48 hours and for expressing their feelings to members of Parliament as they know that the Bill is being debated in this Chamber.

I do not know whether the Minister has received similar communications, but the latest information I have is that the growers want this matter to be taken to a referendum.

The normal practice, when a referendum is involved, is to hold it before presenting legislation to Parliament. The Lamb Marketing Authority is a good example of this. Negotiations for the establishment of that authority started during the term of the previous Government. A referendum was carried and, subsequently, legislation was prepared and presented in this Chamber by the present Government. That was the order of events.

As it is, legislation has been brought down but the people concerned must know what is in the legislation and they want time to consider it. Surely this is a reasonable proposition.

Amendment put and a division called for:—

The CHAIRMAN: Before the tellers tell, I give my vote with the Noes.

Division taken with the following result:—

Ayes—15

Hon. C. R. Abbey	Hon. S. T. J. Thompson
Hon. G. W. Berry	Hon. F. R. White
Hon. V. J. Ferry	Hon. R. J. L. Williams
Hon. A. F. Griffith	Hon. F. D. Willmott
Hon. J. Heltman	Hon. W. R. Withers
Hon. G. C. MacKinnon	Hon. D. J. Wordsworth
Hon. N. McNell	Hon. Clive Griffiths
Hon. I. G. Medcalf	(Teller)

Noes—12

Hon. N. E. Baxter	Hon. R. T. Leeson
Hon. R. F. Cloughton	Hon. L. A. Logan
Hon. S. J. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. J. M. Thomson
Hon. Lyla Elliott	Hon. W. F. Willesee
Hon. J. L. Hunt	Hon. R. Thompson
	(Teller)

Pair

Aye

Hon. T. O. Perry

Noe

Hon. D. K. Dans

Amendment thus passed.

Clause, as amended, put and passed.

Clauses 3 to 6 put and passed.

Clause 7: Members—

The Hon. F. D. WILLMOTT: I move an amendment—

Page 4, line 1—Delete the word "five" and substitute the word "four".

With your permission, Mr. Chairman, I will deal with this matter a little further, as this is only a preparatory amendment to what will follow. The purpose of the next amendment is to delete paragraph (a) from the Bill. I refer members of the Committee to the wording of this paragraph which appears on page 4 of the Bill.

The purpose of deleting the officer from the Department of Agriculture is because the proposed body would be subjected to too much control by the department. Quite strong views have been expressed in this connection this evening. I leave it to the Committee to decide. I do not intend to speak at great length on the matter again. I do not think any purpose would be served by having such an officer on the board. I have already stated my views in connection with this, but perhaps other members may wish to state theirs.

The Hon. J. DOLAN: Once again, I will state what the Minister said in another place, which is as follows:—

The Leader of the Country Party has made his reasons clear and whilst I understand them I cannot agree with them. He may have overlooked several factors. The appointment of

a departmental officer as a representative on the board may be unusual, but this was as a result of a specific request by the Fruit Growers' Association. The request may have been made because of the department's involvement in sales, marketing, and research conducted in this industry. The assistant chief of horticulture was responsible for submitting a very useful report this year following a four-month visit to the United Kingdom.

At present we have an officer in Canberra acting in liaison with the Department of Trade and although there is a tremendous volume of literature coming from that department that is useful for market research it takes so long to reach the departmental officers in this State it is not of much value. However, having an officer stationed in the Eastern States collating such information renders it very useful to the State department. In addition, there was the refinement of bulk bins which were responsible for the saving of many thousands of dollars to the growers, so I can understand the requirement of the growers in this instance.

The objectivity of a professional departmental officer would mean that he would not become so involved as he would in a fragmented industry. I think, too, that the day-to-day discussions held by the board would benefit from the expertise that is available from the officers in the department. The present director is probably anxious to develop market research. He can see no objection to the clause, and the appropriate officer would be selected for the position. So whilst I recognise the point that is raised I have a strong predilection towards the point I have taken and therefore I cannot agree to the amendment.

The Hon. F. D. WILLMOTT: I do not want to delay the Committee. This matter could be argued at great length, but this is not my intention. I agree with a great deal of what has been said, but I point out to the Committee that departmental officers are always available and can be called upon at any time. I have never known of any occasion when a person has wanted knowledge from a departmental officer and has not been able to obtain it. Such an officer could be called upon at any time to give his advice to the board. This does not mean he must be a member of the board. I leave it at that.

The Hon. N. McNEILL: I believe it is unnecessary to have an officer of the Department of Agriculture on the board, because the situation is well and truly catered for in clause 14.

The Hon. J. DOLAN: I will simply repeat these words—this was incorporated as a direct result of a specific request from the Fruit Growers' Association.

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

Ayes—17

Hon. C. R. Abbey	Hon. S. T. J. Thompson
Hon. G. W. Berry	Hon. J. M. Thomson
Hon. V. J. Ferry	Hon. F. R. White
Hon. A. F. Griffith	Hon. R. J. L. Williams
Hon. J. Heltman	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. W. R. Withers
Hon. G. C. MacKinnon	Hon. D. J. Wordsworth
Hon. N. McNeill	Hon. Clive Griffiths
Hon. I. G. Medcalf	(Teller)

Noes—9

Hon. R. F. Claughton	Hon. R. T. Leeson
Hon. S. J. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. W. F. Willesee
Hon. Lyla Elliott	Hon. R. Thompson
Hon. J. L. Hunt	(Teller)

Aye	Pair	Noe
Hon. T. O. Perry		Hon. D. K. Dans

Amendment thus passed.

The Hon. F. D. WILLMOTT: Without further comment I propose to move the next amendment standing in my name on the notice paper. I move an amendment—

Page 4, lines 3 to 7—Delete paragraph (a).

Amendment put and passed.

The Hon. F. D. WILLMOTT: I move an amendment—

Page 4, lines 15 to 18—Delete subparagraph (ii) of paragraph (b) and substitute the following:—

- (ii) one shall be a person selected from a panel of names submitted by a recognised body of licensed apple and pear exporters and who is considered by the Minister to have commercial expertise and experience in fruit shipping;

It was suggested to me that as the growers' representatives are to be selected from a panel of names submitted by the Fruit Growers' Association, the shipping representatives should also be chosen from a panel of names.

Amendment put and passed.

The Hon. F. D. WILLMOTT: I move an amendment—

Page 4, line 19—Insert after the word "person" the words "with commercial experience".

With your permission, Mr. Chairman, I would like now to speak to this amendment and the next amendment as they are inter related. Do I have your permission to do that?

The CHAIRMAN: You may do so.

The Hon. F. D. WILLMOTT: If the Committee accepts my two amendments, paragraph (c) will read as follows:—

one shall be a person with commercial experience appointed by the Minister to be a member and chairman of the Board and who has no financial interest in any part of the Apple and Pear Industry.

I believe the board will achieve a better result if the chairman appointed is not connected with the industry. It is felt that such a person would adjudicate more fairly than one involved with the industry. He would be completely unbiased. The first amendment refers to a person with commercial experience, and I feel such experience is necessary to understand some of the complexities which will no doubt confront the board at various times, particularly in relation to marketing.

The Hon. J. DOLAN: The Minister in another place is opposed to the addition of the words, and I personally feel they are unnecessary. They convey nothing to me. I suppose we have all had commercial experience. The Minister could appoint me and say I have had commercial experience.

The Minister commented he is a little wary that the amendment would exclude an outstanding person with special knowledge of the Tilbury Docks. This experience could be of greater benefit than agricultural experience.

The Hon. F. D. Willmott: I have not mentioned agricultural experience.

The Hon. J. DOLAN: I did not say the honourable member used that word. The Minister in another place says that the Minister will not select any person from the public to be appointed to the board. He will have regard for the specific requirements the duties entail, and to restrict this to someone with outstanding agricultural and commercial background would bar a person who may be ideally suited for the appointment. When an appointment of this kind is made, all factors are taken into consideration as well as general knowledge of what is entailed. I am opposed to the Minister appointing a person as set out in the amendment.

The Hon. F. D. WILLMOTT: Again the comments read out by the Minister do not apply to the amendment. The amendment does not refer to agricultural experience.

Amendment put and passed.

The Hon. F. D. WILLMOTT: I move an amendment—

Page 4, line 21—Add after the word "Board" the words "and who has no financial interest in any part of the Apple and Pear Industry".

I have already explained my reasons for this amendment, and I believe they are quite sound.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 8 to 15 put and passed.

Clause 16: Delivery of apples and pears to the Board—

The Hon. F. R. WHITE: The amendment standing in my name on the notice paper proposes to substitute the word "shall" for the word "may." When the board receives an application made in response to a notice it has served or published, the clause provides that the board may advise the applicant that it will accept apples from him subject to certain conditions. The word "may" is purely permissive, and the word "shall" is mandatory. I contend that if the board advertises it wishes to receive applications from growers, stipulating the grade and quality of apples desired, and the grower goes to the trouble of answering the advertisement and advising the board how many apples he has, it should be mandatory upon the board then to accept the situation. The board should advise the applicant of the quota of apples it is prepared to export.

My amendment is a small one and I would like the Committee to deal with it on its merit. I move an amendment—

Page 9, line 27—Delete the word "may" and substitute the word "shall".

The Hon. J. DOLAN: If the amendment is agreed to a great deal of flexibility will be removed. The Crown Law Department indicates that if the word "shall" is inserted it would mean that when the board advertises it would have to accept a portion of all fruit offered. It would be preferable for the board to be able to manipulate the source of supply of fruit in some cases, and bring it into line with the operations of the board. If small consignments and a great number of growers are involved, the operations of the board might become uneconomic. Therefore, I oppose the amendment.

The Hon. F. R. WHITE: If the board takes the trouble to advertise and to request applications, then it must have a proposed market and it must endeavour to satisfy that market. That is the crux of the matter. The board will not take such action unless it has a reasonable assurance that it will be able to market the fruit. The clause does not stipulate any time. I feel that if the board has a possible export market it should satisfy the growers who respond to its advertisement.

The Hon. I. G. MEDCALF: I am a little puzzled by the amendment and by the remark of Mr. White that if the board takes

the trouble to advertise it must have a market. I am not at all sure that would be so. The fact that the board advertises does not necessarily mean it has a market. It could well advertise and find it has not a market. I do not want to tamper with this because if the growers say in the referendum that they want the board, I think they must take it with all the risks entailed, and one of the risks is that there may not be a market for their apples.

If the word "shall" is inserted, the board will be forced to purchase apples for which it may not have a market. I think we are all speaking on the presumption that the growers will pass the referendum.

The Hon. W. R. WITHERS: Is not the grower protected by the use of the word "may"? If we do not amend the clause I think the grower would be protected by the use of the word "shall" in line 8 of subclause (3).

The Hon. F. R. WHITE: Referring to the comment of Mr. Withers, subclause (3) says that the board shall accept delivery of apples or pears if the grower has complied with the conditions laid down and, I presume, has been advised that the board wants his apples.

One of the possible weaknesses of the use of the word "may" is that it gives discretionary power to the board to grant quotas to certain growers and not to others. The use of the word "shall" would ensure that every grower who replies to an advertisement would be entitled to a quota. It would eliminate the possibility of preferential treatment.

The Hon. I. G. MEDCALF: I again take issue with Mr. White because I do not think the board is obliged to advertise at all. Subclause (1) says that the board may from time to time by notice in writing or by notice published in a newspaper specify the manner in which applications may be made. Therefore, there is no compulsion on the board to send out notices or to advertise. The board could easily get around the proposed amendment by not advertising. It need only send out notices to selected growers and that would be the end of it. Therefore, if Mr. White wishes to ensure that everyone has an equal chance he should move to amend subclause (1).

The Hon. F. R. WHITE: I moved this amendment for the purpose of provoking debate. I consider the amendment is of value, but I am not particularly concerned about whether or not it is passed. I will not call for a division.

The Hon. J. DOLAN: I ask the Committee to accept the point of view of the Crown Law Department.

Amendment put and negatived.

The Hon. F. D. WILLMOTT: I move an amendment—

Page 11, line 6—Insert after the word "may" the words "after consultation and agreement with the Apple Sales Advisory Committee".

The purpose of the amendment is that where the board has received apples and is not able to export them it must be able to sell them either within the State or within the Commonwealth. It is felt that if there is no consultation with the Apple Sales Advisory Committee the work of that committee would be complicated. I do not think the sale of apples will be inhibited in any way if the amendment is agreed to. The board would advise the Apple Sales Advisory Committee that the apples are to be placed on the local market. I think it is only reasonable that the committee should be consulted when the board has apples surplus to its export requirements and intends to place them on the local market.

The Hon. J. DOLAN: I rather feel that the board would be in the same category as a private individual should such a situation arise. It would, therefore, be subject to the requirements of the standards of the Apple Sales Advisory Committee and so in that regard there would be no problem.

Any person who opts to place fruit with the board for export does have a choice of selling on the local market. In providing for the export market the grower is doing a service and releasing the pressure on the local market, and he is to be commended in that regard.

I do not feel that a grower should be penalised in any way at all. If a situation does arise where apples could not be exported, they would have originally gone onto the local market anyway. Therefore, I feel they should so do.

As a consequence, the amendment seems unnecessary. It could have a penalising effect and, for that reason, I oppose it.

The Hon. F. R. WHITE: I am surprised at the Minister's statement. This amendment seeks co-operation between the two authorities controlling the sale of apples by export and on the local market. The committee is to be responsible for sales on the local market, and the board is to be responsible for the sale of apples for export. We should not oppose the encouragement of co-operation between the two authorities. The amendment is aimed at bringing about co-operation, so that one body does not act without the other body being aware of the action.

The Hon. J. DOLAN: The Minister for Agriculture is very unhappy about the word "agreement" and he cannot go along with it. He said that no grower should be penalised because, in good faith, he has lodged fruit with the board in the expectation of its being exported. I can see no

occasion for the Apple Sales Advisory committee affecting the operations of the board by withholding agreement.

The Hon. F. D. WILLMOTT: I am not entirely opposed to what the Minister has just said, and I am agreeable to deleting the words "and agreement" from the amendment as there may be some conflict.

The Hon. J. DOLAN: I move—

That the amendment be amended by deleting the words "and agreement" in line 3.

Amendment on the amendment put and passed.

Amendment, as amended, put and passed.

Clause, as amended, put and passed.

Clauses 17 to 22 put and passed.

Clause 23: Limitation on new plantings of apple and pear trees—

The Hon. F. D. WILLMOTT: I draw attention to the amendment standing in my name on the notice paper. It contains a typographical error and the word "three" should be "tree". I mentioned this amendment in the second reading debate. If the provision is retained in the legislation the penalty of \$100 will not mean very much. I do not agree with the proposal for the board to remove trees, because of the legal difficulties involved. I therefore move an amendment—

Page 15, line 13—Add after the word "dollars" the words "and a monthly penalty of one dollar per tree".

The Hon. J. DOLAN: I have no objection to the amendment.

Amendment put and passed.

The Hon. F. D. WILLMOTT: I draw the attention of the Clerks to the wording appearing in line 25. It should read, "The Minister may, from time to time, give directions to the Committee as to the principles to be applied to the Committee."

The CHAIRMAN: The Clerks will make that adjustment.

Clause, as amended, put and passed.

Clauses 24 and 25 put and passed.

New clause 26—

The Hon. F. D. WILLMOTT: I move—

Page 16—Insert after clause 25 the following new clause to stand as clause 26:—

Appeals.

26. A grower may appeal in writing to the Minister against any decision made by the Board or the Committee affecting that grower, and the Minister's decision shall be final.

This clause provides for an appeal, and I believe that the right of appeal in cases like this, where a board is given the authority that has been prescribed in the Bill, should be granted.

The Hon. J. DOLAN: The Minister for Agriculture has said—

I believe the provision of the proposed new clause is that any grower may appeal against any decision of the board. This could be administratively disastrous. If the board rejected fruit on the basis of poor grading, the grower would have the right of appeal and the board would be hamstrung to such an extent that it would be impossible to operate. Mischievous persons would take advantage of the provision if it were included.

I feel that if a person has a legitimate grievance and it is brought to the attention of the Minister that person would be provided with an avenue of redress. Certainly, it would not be difficult for him to apply to his local member to approach the Minister. The board will be subject to the control of the Minister and any legitimate grievance can be rectified. I point out that the Wheat Quotas Committee, the Land Board and the committee concerned with egg quotas have no provision for appeals. Such a provision could be most embarrassing.

This is a developmental situation and if it appears there is a need for the right of appeal, it could be inserted later. I cannot accept the proposed new clause.

This matter was considered at some length and, for the reasons I have outlined, it was considered to be too cumbersome. However, I undertake to have the legislation declared to be within the ambit of the Parliamentary Commissioner. I think that would provide the necessary safeguard.

Consequently I oppose the new clause.

The Hon. J. HEITMAN: I think the Minister is wrong because there is now an appeal concerning the Wheat Quotas Committee. The provision might not be in the Bill but an appeal board has since been constituted and an appeal can be made to the Minister who has a committee for this purpose.

The Hon. F. D. WILLMOTT: I think it is drawing the long bow to say that growers will appeal against a decision of inspectors, and so on, but I will leave the matter to the Committee to decide.

The Hon. A. F. GRIFFITH: Let us assume that the Minister's contention is correct and that appeals may arise in relation to substandard fruit. How would the Parliamentary Commissioner deal with such a matter?

New clause put and passed.

Title—

The Hon. F. D. WILLMOTT: I move an amendment—

Delete the words "to regulate the receipt of apples into cold storage" in lines 4 and 5, of the Title.

This is one amendment about which there will be no difference of opinion. Actually it must have been overlooked in another place when certain amendments were made there.

The Hon. J. DOLAN: Just to show how reasonable I am I indicate I agree entirely with what Mr. Willmott said.

Amendment put and passed.

Title, as amended, put and passed.

Report

Bill reported, with amendments, and an amendment to the title, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. J. Dolan (Minister for Police), and returned to the Assembly with amendments, and an amendment to the title.

TEACHER EDUCATION BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the alternative amendments made by the Council.

APPROPRIATION BILL (GENERAL LOAN FUND)

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. W. F. Willesee (Leader of the House), read a first time.

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [11.57 p.m.]: I move—

That the Bill be now read a second time.

This Bill provides for the appropriation from the General Loan Fund of funds required to carry out the capital works detailed in the Estimates. It also makes provision for the grant of supply to complete requirements for this year.

Supply of \$30,000,000 was granted under the Supply Act, 1972. Further supply of \$68,410,000 is now sought. Therefore funds totalling \$98,410,000 are to be appropriated for the purposes and services detailed in a schedule to the Bill.

In addition to authorising the provision of funds for the current year, the Bill seeks ratification of amounts spent during 1971-72 in excess of the Estimates for that year. Details of those excesses are also contained in a relevant schedule to the Bill.

I commend the Bill to the House.

Debate adjourned, on motion by The Hon. A. F. Griffith (Leader of the Opposition).

NOISE ABATEMENT BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 1 and 2, 4 to 9, 12 to 31 and 33 to 35, disagreed with No. 3, and agreed to Nos. 10, 11 and 32 subject to further amendments.

FIRE BRIGADES ACT AMENDMENT BILL

Assembly's Further Message

Message from the Assembly received and read notifying that the Speaker had ruled that the amendments made by the Council were beyond the powers of the Legislative Council to make for the reasons previously given and, therefore, were not considered by the Legislative Assembly.

The Bill was therefore returned and the concurrence of the Legislative Council desired therein.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [12.01 a.m.]: I move—

That the House at its rising adjourn until 11.00 a.m. today (Thursday).

House adjourned at 12.02 a.m. (Thursday)

Legislative Assembly

Wednesday, the 22nd November, 1972

The SPEAKER (Mr. Norton) took the Chair at 11.00 a.m., and read prayers.

SCIENTOLOGY ACT REPEAL BILL

Second Reading

Order of the Day read for the resumption of the debate from the 14th November.

Statement by Speaker

THE SPEAKER (Mr. Norton): I wish to draw to the attention of members that a writ has been issued in the Supreme Court by the Church of the New Faith against Dr. A. S. Ellis in respect of paper No. 469 laid on the Table of the House on the 2nd November, 1972.

Standing Order 2 reads, in part, as follows:—

but a debate on a Bill to amend the law arising in any pending case in any Court shall always be permissible.