

price to this firm which deliberately included two possible basic wage rises which had not taken place. Just where would we be if many more firms did the same thing?

So the worker has a constant struggle to get what we regard as basic wage justice, and opposed to him are employers such as the one I have mentioned who look after themselves by anticipating rises in the basic wage and making adequate provision for them; and that is the policy which this Government supports.

The change in the arbitration system was effected to enable the Government to ensure that that policy could be put into operation. I strongly support the motion moved by the Leader of the Opposition.

Debate adjourned, on motion by Mr. Court (Minister for Industrial Development).

House adjourned at 11.18 p.m.

Legislative Assembly

Thursday, the 8th October, 1964

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Figures for the previous six years are:—

| Year | General Loan Fund £ | Consolidated Revenue Fund £ |
|---------|------------------------|--------------------------------|
| 1952-53 | 19,027,004 | 39,392,119 |
| 1953-54 | 15,917,283 | 43,248,510 |
| 1954-55 | 16,524,755 | 46,203,889 |
| 1955-56 | 15,211,816 | 51,443,237 |
| 1956-57 | 18,468,160 | 56,243,302 |
| 1957-58 | 17,670,982 | 53,177,307 |

POWER BOATS

Penalties for Non-licensing

- Mr. GRAHAM asked the Minister for Works:
 - (1) How many power boats are licensed at the present time?
 - (2) What is the estimated number of such boats which are not licensed?
 - (3) What steps have been taken and are proposed to be taken in order to ensure as far as possible a maximum result?
 - (4) What action, if any, has been taken against owners of unlicensed boats?
 - (5) How many cases have been involved, and what penalties, if any, imposed?
 - (6) What is the maximum penalty that can be imposed on the owner of an unlicensed power boat?

Mr. WILD replied:

- (1) 8,660.
- (2) There is no way of ascertaining this with any degree of accuracy. The Harbour and Light Department considers that there are not many unregistered boats in use.
- (3) The department has achieved a very satisfactory result in the registration of nearly 9,000 boats which is many more than anticipated; and this has been achieved by publicity, the co-operation of boating clubs and organisations and patrols by departmental inspectors.
- (4) A few owners have been prosecuted for using unregistered boat and many hundreds have been cautioned and advised to register with satisfactory results.
- (5) Three owners have been prosecuted and fined on the average £ with £3 19s. costs.
- (6) A fine not exceeding £20 or imprisonment not exceeding one month with or without hard labour.

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

QUESTIONS ON NOTICE

STATE FINANCES

Expenditure from Loans and Revenue

1. Mr. GRAHAM asked the Treasurer:

What was the aggregate of moneys expended by the Crown and all of its instrumentalities under the jurisdiction of the State during the financial year 1958-59 and each financial year since respectively under the headings of—

- (a) loans;
- (b) revenue (including taxation, grants and receipts of every description)?

Mr. BRAND replied:

Figures in respect of all instrumentalities are not available and could not be supplied without lengthy research and analysis. Operations on the two main funds have been as follows:—

| Year | General Loan Fund £ | Consolidated Revenue Fund £ |
|---------------------|------------------------|--------------------------------|
| 1958-59 | 18,366,842 | 61,752,970 |
| 1959-60 | 19,525,519 | 65,793,726 |
| 1960-61 | 20,355,526 | 70,537,236 |
| 1961-62 | 21,531,209 | 75,889,798 |
| 1962-63 | 23,285,920 | 79,343,643 |
| 1963-64 | 24,135,681 | 85,340,415 |
| 1964-65 (Estimated) | 25,386,000 | 91,054,000 |

BORE WATER AT SHARK BAY*Salt Content and Rating Arrangements*

3. Mr. NORTON asked the Minister for Works:

- (1) What is the salt content of the bore water at Shark Bay (Denham) and what other minerals are also in the water?
- (2) Is it intended to meter all services in Shark Bay?
- (3) Will all services be rated in conformity with the proposed new country water supply rating?

Mr. WILD replied:

- (1) An analysis of the Shark Bay water is as follows:—

| | Parts Per Million |
|-----------------------------------|-------------------|
| Sodium chloride | 3,300 |
| Calcium | 192 |
| Magnesium | 109 |
| Flouride | 0.7 |
| Total iron (after treatment) | 0.2 |

- (2) and (3) These matters have not yet been determined.

WATER RATES IN NORTH-WEST*Effect on Rents of Government Employees' Homes*

4. Mr. NORTON asked the Minister for Works:

What effect will the new country water supply rating have on the rentals of houses provided for officers of the Public Works Department and Main Roads Department in the north-west?

Mr. WILD replied:

The rentals of houses provided for and occupied by Government employees in the north-west and the effect of the proposed rating will be considered when the proposals are being implemented.

5. *This question was postponed.*

TOTALISATOR AGENCY BOARD*Allocation of Operating, Administrative, and Financial Expenses*

6. Mr. CORNELL asked the Minister for Police:

Of the operating, administrative, and financial expenses of the Totalisator Agency Board for the year ended the 31st July, 1963, what amounts, if allocated on a cost basis instead of being directly deducted, *in toto*, would have been applicable to—

- (a) Eastern States racing;
 - (b) local racing;
 - (c) local trotting;
- respectively?

Mr. CRAIG replied:

No records have been kept that would give this information, but it is believed that if true figures were available they would show that—

- (a) Eastern States racing costs less than local racing, and
- (b) and (c) Local racing costs less than local trotting, but the difference would be very slight.

Gross Profit and Expense Margins

7. Mr. CORNELL asked the Minister for Police:

Is it not a fact that—

- (1) The gross profit margin percentage on turnover on local trotting is—
 - (a) slightly higher than on local racing;
 - (b) higher again than on Eastern States racing?
- (2) The expense rate percentage on turnover on Eastern States racing is much higher than on a local trotting?

Mr. CRAIG replied:

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

WATER SUPPLY FOR COLLIE*Financial Result of Scheme*

8. Mr. H. MAY asked the Minister for Water Supplies:

How does he reconcile his answer to my question asked on the 6th October, 1964, which was as follows:—

The Collie water supply is part of the great southern towns Wellington Dam scheme and separate accounts are not maintained for the various towns supplied.

with the statement in *The West Australian* newspaper dated the 28th May, 1964, as follows:—

| | Rate | Allowance 1,000 gal. for each | Excess domestic 1,000 gal. 2/0 to 5,000 then 2/- | Loss for year ended 30/6/1963 |
|-------------------|------|-------------------------------|--|-------------------------------|
| Albany | 2/0 | 4/- | | £12,188 |
| Bridgetown | 3/- | 4/- | 2/- | 21,571 |
| Boyup Brook | 3/- | 4/- | 2/- | 3,025 |
| Collie | 3/- | 4/- | 1/6 | .... |
| Pemberton | 3/- | 4/- | 2/- | 1,398 |
| Roebourne | 3/- | 2/- | 1/6 | 8,535 |
| Waroona | 2/- | 4/- | 2/- | 83 |
| Wittenoom | 3/- | 3/5 | 2/- | 15,416 |

Mr. WILD replied:

The answer given to the previous question is correct. Separate accounts are not kept for the individual towns in the great southern

towns Wellington Dam scheme. The towns for which the annual loss is quoted in the statement referred to are not connected to this scheme.

WHARF AT BUNBURY

Expenditure on Rail Access

9. Mr. DAVIES asked the Minister for Railways:

- (1) What is the total amount of loan expenditure authorised to date to provide rail access to the land-backed wharf at Bunbury?
- (2) What is the total amount expended to date?
- (3) When is it proposed to expend the balance?
- (4) What is the extent of actual progress made to date in the way of providing this rail access?

Mr. COURT replied:

- (1) £45,000.
- (2) £7,699.
- (3) The work is in abeyance pending a decision by the Government on the construction of the second berth.
- (4) Rails have been provided on the wharf structure of No. 1 berth.

HOUSING AT CLONTARF

Sewage Disposal

10. Mr. D. G. MAY asked the Minister for Water Supplies:

In connection with the 66 homes being built by the State Housing Commission on the ground formerly owned by Clontarf College, will he indicate the method of sewage disposal from this area?

Mr. WILD replied:

Septic tanks.

11. *This question was postponed.*

RACING AND TROTTING CLUBS

Receipts under Betting Legislation: Treasury Schedules

12. Mr. CORNELL asked the Premier:

- (1) When the Bill for the Totalisator Agency Board Betting Act was before the House in 1960 the Treasury prepared for the information of members a comparative schedule showing—
 - (a) the amounts which each individual trotting and racing club had received pursuant to the then betting legislation;

(b) the amounts which it was anticipated each trotting and racing club would receive when the Totalisator Agency Board became fully operative.

(2) Will he lay on the Table of the House copies of those schedules?

Mr. BRAND replied:

- (1) and (2) An examination of Treasury records reveals that whilst a comparative schedule of payments to individual clubs was prepared to illustrate the effect of the 1959 changes in betting legislation, no similar schedule was drawn up with respect to the legislation before the House in 1960.

TOTALISATOR AGENCY BOARD

Proposals for Establishment: Letter from W.A.T.C. Chairman in 1960

13. Mr. CORNELL asked the Minister for Police:

- (1) When the Bill for the Totalisator Agency Board Betting Act was before the House in 1960 the then Chairman of W.A. Turf Club wrote to *The West Australian* newspaper a letter in terms not favourable to the proposals at the time current for the setting up of the Totalisator Agency Board, which letter, however, remained unpublished.
- (2) Is the present Chairman of the Totalisator Agency Board aware of that letter and its contents?
- (3) Is a copy of that letter on record in the office of the Totalisator Agency Board and, if so, will he lay it on the Table of the House?

Mr. CRAIG replied:

- (1) Yes, I believe such a letter was written and withdrawn.
- (2) The chairman is now aware of such a letter having been written, but he has no knowledge of its contents.
- (3) No; there is no copy of such letter on record at the office of the Totalisator Agency Board.

Distribution of Yearly Surplus

14. Mr. CORNELL asked the Minister for Police:

- (1) What were the respective amounts of the distributable surplus returned by the Totalisator Agency Board in each of the following years:—
 - 31st July, 1962;
 - 31st July, 1963;
 - 31st July, 1964?
- (2) How were these surpluses distributed as between trotting and racing interests and what amounts respectively were received for each

of the three years mentioned by each individual trotting and racing club in the State?

Mr. CRAIG replied:

(1)

| | | | | |
|-----------------|------|------|------|----------|
| 31st July, 1962 | .... | .... | .... | £223,747 |
| 31st July, 1963 | .... | .... | .... | £330,384 |
| 31st July, 1964 | .... | .... | .... | £436,484 |

(2)

| | 1962 | 1963 | 1964 |
|----------|---------|---------|---------|
| | £ | £ | £ |
| Racing | 143,704 | 230,065 | 271,787 |
| Trotting | 80,043 | 136,319 | 164,697 |
| Total | 223,747 | 366,384 | 436,484 |

No records are maintained by the board of the amounts received by each individual trotting and racing club in the State, but these figures may be obtained from the Western Australian Trotting Association and the Western Australian Turf Club respectively.

Turnover on Eastern States and Local Events

15. Mr. CORNELL asked the Minister for Police:

(1) What was the turnover of the Totalisator Agency Board in each of the years ended the 31st July, 1962, 1963, and 1964 on each of the following:—

Eastern States racing;
local racing;
local trotting?

(2) What was the turnover for the three months ended the 31st July in each of the years 1962, 1963, and 1964 for—

Eastern States racing;
local racing;
local trotting?

Mr. CRAIG replied:

(1)

| | | | |
|-------------------------|-----------|-----------|-----------|
| Turnover for year ended | 31/7/62 | 31/7/63 | 31/7/64 |
| Eastern States racing | | | |
| turnover | 3,450,389 | 5,488,496 | 6,795,568 |
| Local racing turnover | 2,109,550 | 3,055,544 | 3,599,230 |
| Local trotting turnover | 1,753,803 | 2,877,393 | 3,567,191 |

(2)

| | | | |
|---------------------------------|---------|-----------|-----------|
| Turnover for three months ended | 31/7/62 | 31/7/63 | 31/7/64 |
| Eastern States | 970,680 | 1,146,490 | 1,565,327 |
| Local racing | 408,453 | 664,415 | 783,960 |
| Local trotting | 355,929 | 602,447 | 791,692 |

Operations in Eastern States and Western Australia

16. Mr. CORNELL asked the Minister for Police:

(1) On how many Eastern States race meetings did the Totalisator Agency Board operate in each of the following years:—

Year ended July, 1962;
Year ended July, 1963;
Year ended July, 1964?

(2) On how many Western Australian country trotting meetings did the Totalisator Agency Board operate for each of the same three years?

(3) On how many Western Australian country race meetings did the Totalisator Agency Board operate for each of the same three years?

(4) On how many Western Australian metropolitan—

(a) race meetings;
(b) trotting meetings;

did the Totalisator Agency Board operate for each of the same years?

Mr. CRAIG replied:

Figures are not readily available for the year ended July 1962, but efforts will be made to get them. In regard to the other years, records kept by the board show—

(1) Year ended July—
1963—177
1964—198

(2) Year ended July—
1963—50
1964—50

(3) Year ended July—
1963—42
1964—42

(4) (a) Year ended July—
1963—60
1964—59

(b) Year ended July—
1963—61
1964—59

SUPERPHOSPHATE

Use in Aerial Top Dressing

17. Mr. CORNELL asked the Minister for Agriculture:

(1) Has any study been made by the Department of Agriculture of the advantages of using superphosphate of higher phosphatic content for aerial top dressing?

(2) To what extent has the use of aircraft been employed for top dressing in the last four years?

(3) Is any information available from overseas sources pertaining to the economics of the use of more concentrated superphosphate for aerial top dressing?

(4) Would consideration be given to a study of the local economics of the use of more concentrated superphosphate for aerial spreading?

Mr. NALDER replied:

(1) No study of the use of high analysis fertilisers for aerial top dressing has been undertaken by the Department of Agriculture as these fertilisers are not commercially available in Western Australia.

| | Acres. |
|---|---------|
| (2) 1960-61 | 180,882 |
| 1961-62 | 371,325 |
| 1962-63 | 428,967 |
| July-December, 1963 | 525,404 |
| (3) and (4) The economics of the use of concentrated superphosphate compared with ordinary superphosphate for aerial top dressing could only be determined when the former becomes available in Western Australia and the price is known. | |

BRIDGE AT ST. JOHN'S BROOK, NANNUP

Source of Timber

18. Mr. ROWBERRY asked the Minister for Works:

- (1) What were the circumstances connected with the attempt by the Main Roads Department to take timber from private property adjacent to St. John's Brook, Nannup, for the purpose of rebuilding the road bridge over the said brook some months ago?
- (2) Was there no suitable timber on Crown land adjacent to the brook?
- (3) Where did the timber for the bridge come from eventually?

Cost of Transport of Timber.

- (4) What did the transport of the timber cost?

Mr. WILD replied:

- (1) The department required a quantity of round timber for the construction of a new bridge over St. John's Brook. On the 2nd April the Main Roads Department served notice of entry upon Mr. and Mrs. Savage indicating that it was proposed to obtain the timber from their property. Mr. and Mrs. Savage objected to this proposition and the department decided to obtain the timber elsewhere.
- (2) Suitable timber was available on the Crown land adjacent to the brook. However, the local forestry officer refused permission as the timber required would come from immature trees.
- (3) The Grimwade area.
- (4) £171.

WATER SUPPLIES AT NANNUP

Capacity of and Annual Draw on Tanjanerrup Brook Dam

19. Mr. ROWBERRY asked the Minister for Water Supplies:

- (1) What is the total capacity of the Tanjanerrup Brook Dam at Nannup?

- (2) What is the estimated total requirements of water for the Nannup area for the next five years?

- (3) What is the maximum annual draw on the water from the dam?

- (4) What margin of safety does this leave?

Supplies for Playing Areas

- (5) Would it be possible to allow Nannup Junior High School to draw from the town water supply without endangering the safety margin for the purpose of establishing grass on the playing area of the school?

- (6) What is the necessity for having an overall policy in the matter of providing water for purposes such as the above?

- (7) Could not each case be taken on its respective merits?

- (8) What are the possibilities of Nannup Shire Council obtaining Government assistance in the provision of water for playing areas for schools and other purposes?

Mr. WILD replied:

- (1) 26,700,000 gallons.
- (2) Up to 12,000,000 gallons per year.
- (3) In the two full years of operation the highest annual draw was 10,100,000 gallons, excluding evaporation losses.
- (4) Stream gauging records are not of sufficient length to be definite but it is considered that the scheme would withstand at least one bad drought year.
- (5) Surplus water is available at present, but as the town grows and in years of low rainfall this will not be the case.
- (6) Western Australia is a comparatively dry State and potable water must be used to best advantage.
- (7) It is considered that the overall policy is necessary and desirable.
- (8) A subsidy scheme exists to encourage local authorities to provide independent water sources for watering of sports grounds and ovals.

COMMONWEALTH-STATE RENTAL HOMES AT CARNARVON

Inspection and Assessment of Damage

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

- (1) Who, in Carnarvon, is the person responsible for inspecting Commonwealth-State rental homes when vacated by tenants?

- (2) Is the same person responsible for the assessing of any damage which may have been caused by a tenant?
- (3) Is there any person in Carnarvon who has the authority to authorise minor repairs and maintenance and, if so, to what extent?

Mr. ROSS HUTCHINSON replied:

- (1) The commission supervisor.
- (2) Yes.
- (3) Minor repairs are authorised by the supervisor during his regular visit. Urgent and essential repairs are arranged by the clerk of courts and carried out by local contractors.

ESPERANCE LANDHOLDERS

Preferential Treatment of American Nationals

21. Mr. TONKIN asked the Minister for Lands:

- (1) Is it a fact that American citizens who hold land at Esperance have been given preferential treatment as compared with our own people in relation to transactions with his department involving the payment of money?

- (2) If "Yes," what is the nature of the preference which is being shown?

- (3) What is the reason for the preferential treatment?

Mr. BOVELL replied:

- (1) Not that I am able to ascertain. However, if the honourable member can elaborate on his question by being more specific, I will have further inquiries made.

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

MURESK AGRICULTURAL COLLEGE

Employees and Cost of Establishment

22. Mr. JAMIESON asked the Minister for Agriculture:

- (1) How many people are employed at the Muresk Agricultural College?
- (2) What are their respective categories of occupation?
- (3) What has been the cost of running this establishment in each of the last five financial years?

Mr. NALDER replied:

- (1) 44.
- (2) Public Service Act Staff (18):
- Principal.
Assistant principal and senior lecturer.
Senior lecturer in agriculture.
Senior lecturer.
Lecturer, housemaster and sportsmaster.
Lecturer.

Farm manager and demonstrator.

Eight section instructors (carpentry, engineering trades, horticulture, piggery, poultry, dairying, sheep, field crops and pastures).

Clerk.

Clerk-typist.

Agricultural adviser (beef cattle research).

Farm Wages Staff (10):

Vegetable instructor.

Sub-foreman.

Leading hand.

Seven general farm hands.

Domestic Wages Staff (16):

Domestic supervisor.

Cook.

Relief cook.

Thirteen male domestics.

(3)

| | 1950-51 | 1951-52 | 1952-53 | 1953-54 |
|------------------|---------|---------|---------|---------|
| | £ | £ | £ | £ |
| Expenditure | 57,513 | 63,208 | 66,737 | 75,101 |
| Revenue | 19,542 | 23,242 | 26,367 | 26,002 |
| Net | 37,971 | 39,966 | 40,370 | 49,099 |

TRAFFIC LIGHTS AT HURLINGHAM HILL

Replacement by "Slow" Signs

23. Mr. GRAYDEN asked the Minister for Police:

In view of the fact that the flashing light signals at Hurlingham Hill, Canning Highway, are usually ignored by motorists, will he give consideration to the installation of "Slow" signs on the highway at this point or, alternatively, some other device for reducing the speed of the traffic?

Mr. CRAIG replied:

The flashing lights serve as a useful warning to traffic and it cannot be said that motorists usually ignore them.

Under the Standard Signs Code, adopted throughout Australia, there is no provision for the erection of a "Slow" sign in the location suggested.

The speed limit in this area is 35 miles per hour and the department does not have any proposals for reducing this limit by regulation.

FREMANTLE HARBOUR

Contamination of Prawns and Fish: Preventive Measures

24. Mr. FLETCHER asked the Minister for Works:

- (1) Relevant to *The West Australian*, of the 16th March, 1964, comment regarding 12 food poisoning cases attributed to persons having eaten sewage-contaminated prawns

taken from Fremantle Harbour area, what precautions are being taken to ensure that prawns and possibly fish are not again eaten in a contaminated form?

- (2) With contamination existing with present harbour installations, is it not reasonable to assume that contamination will spread proportionately further upstream with the installation of the upriver extension of the proposed new wharves?
- (3) With the approaching prawning season, what measures are being adopted to prevent ships' sewage disposal into Fremantle Harbour now and in the future?

Mr. WILD replied:

- (1) The Health Department has advised that the recent episode of illness attributable to prawns was considered to have been due to certain defects in cooking and storage. Recommendations have been issued to prawn dealers which will minimise the chance of a repetition.
- (2) There is virtually no contamination in the inner or outer harbour, nor will there be with any upriver extensions. The new upriver extensions when undertaken will promote even better cleansing of the river.
- (3) Answered by (2). Normal measures virtually eliminate contamination, but the subject is constantly under surveillance.

JETTY AT WYNDHAM

Provision of Mess and Changeroom

25. Mr. RHATIGAN asked the Minister for the North-West:

- (1) Is he aware of the inadequacy of the messing facilities for men working the ships at Wyndham and that their meals are cooked at the four-mile and transported to the jetty?
- (2) Is it true that the Harbour and Light Department made available £10,000 from its disbursements to provide a changeroom and mess?
- (3) If so, can he indicate to the House when the project will be started, bearing in mind that the Harbour and Light Department took over the wharf in March, 1963?

Mr. COURT replied:

- (1) Yes; but I presume the honourable member means the three-mile peg instead of the four-mile, to which he has referred.

- (2) A sum of £17,500 has been set aside for the provision of a new mess and changerooms at Wyndham.

- (3) The construction of this building has been delayed for technical reasons. These have now been resolved and tenders for the construction will be called in the immediate future.

POLICE OFFICES AND QUARTERS

Improvements at Broome, Derby, and Wyndham

26. Mr. RHATIGAN asked the Minister for Police:

- (1) Has the Government any plans for improvements to—
(a) police offices and quarters at Broome;
(b) police quarters at Derby;
(c) police offices at Wyndham?
- (2) If so, will he furnish a detailed answer?

Mr. CRAIG replied:

- (1) and (2) Provision has been made on the current Loan Estimates for the following works:—

| | Expenditure, 1964/65 £ | Total Estimate £ |
|---|------------------------------|------------------------|
| (a) Broome—Police station lock-up and quarters | 39,250 | 57,000 |
| (b) Derby—New lockup and quarters | 10,000 | 25,000 |
| (c) Wyndham—Additions | 3,300 | .... |

DENTAL UNIT

Provision at Wyndham

27. Mr. RHATIGAN asked the Minister for Health:

When will a Government dental unit be stationed in Wyndham to serve the East Kimberleys to relieve the pressure of work on the dental unit now stationed in Derby?

Mr. ROSS HUTCHINSON replied:

Steps are being taken to provide accommodation for a dentist in Wyndham and it is hoped that circumstances will be such as to enable one to be posted there in the near future.

BUSHFIRE CONTROL IN METROPOLITAN AREA

Confliction of Authority

28. Mr. JAMIESON asked the Chief Secretary:

- (1) Is he aware that there has been confliction of authority between the officers of the Fire Brigades Board and officers appointed by

local authorities under provisions of the Bush Fires Act in the metropolitan area?

- (2) In such cases, which authority is paramount?

Mr. ROSS HUTCHINSON replied:

- (1) No. Difficulties have been experienced in applying satisfactorily the provisions of the Bush Fires Act in the Metropolitan Fire District, but in the absence of other powers the measures taken have been satisfactory.
- (2) Answered by (1) above.

ADDRESS-IN-REPLY SPEECHES

Departmental Scrutiny and Cost

29. Mr. BRADY asked the Premier:

- (1) Are any officers detailed to scrutinise members' Address-in-Reply speeches to enable members to be advised as to what action is being taken on matters raised in such addresses?
- (2) What is the approximate cost of such advices to honourable members for this parliamentary session?

Mr. BRAND replied:

- (1) This is a matter for individual Ministers and departments. In regard to the Premier's Department, an officer regularly scrutinises *Hansard* with a view to having attention given to such matters pertaining to my portfolios.
- (2) Any such service would be performed by departments as part of their normal activities and would not involve additional cost.

TRAFFIC ACCIDENTS

Incidence on Midland and West Midland Pedestrian Crossings

30. Mr. BRADY asked the Minister for Police:

- (1) How many accidents have been reported in Midland and West Midland on pedestrian crossings in the last 12 months?

Prevention by Warning Signals

- (2) Is any action by warning signals, etc., being taken to avert further accidents?

Mr. CRAIG replied:

| | Deaths | Injuries |
|------------------|--------|----------|
| (1) West Midland | — | 5 |
| Midland | 1 | 7 |

- (2) Not at present, but the Main Roads Department will shortly carry out experiments into the general lighting of crosswalks.

FLASHING LIGHTS

Installation at Helena Street Railway Intersection

31. Mr. BRADY asked the Minister for Transport:

As the Midland Railway line over Helena Street, Midland, is now virtually closed to traffic, will he state the position in regard to the installation of flashing signals on the Helena Street intersection?

Mr. CRAIG replied:

A decision on this has been deferred until plans for the re-designing of this area have been finalised.

32. *This question was postponed.*

DOG SCALPS

Procedure for Payment of Bonuses

33. Mr. BURT asked the Minister for Agriculture:

- (1) Is it necessary for dog scalps, collected by country shire councils, to be sent to the Agriculture Department, Perth, for counting before bonuses can be paid?
- (2) If so, why is this necessary?
- (3) Was the previous system, in which shire councils handled the scalps locally, unsatisfactory in any way?
- (4) Would it not be more convenient for all concerned for a shire council to arrange to have scalps, etc., counted before a police officer or local justice?

Mr. NALDER replied:

- (1) No. Bonuses may be paid by local authorities and the scalps then sent to the Agriculture Protection Board for recoup.
- (2) Answered by (1).
- (3) and (4) When the uniform bonus system was introduced with the amending legislation to the Vermin Act in 1928, it was considered necessary to provide for central checking, accounting, and destruction of the scalps. Subsequent experience has shown that this provision was essential. Incorrect identification and shortages have been recorded in packages of scalps forwarded by local authorities to the Agriculture Protection Board.

34. *This question was postponed.*

SUPERPHOSPHATE*Railway Transport to Country Towns in 1963-64*

35. Mr. CORNELL asked the Minister for Railways:

What were the tonnages of superphosphate delivered to the stations and sidings listed hereunder in the year ended the 30th June, 1964:—

Collgar, Norpa, Koonadgin, Tandagin, Muntadgin, Cramp-horne, Wogarl, Wadderin, Narembeen, Emu Hill, South Kuminin, Billaricay, Ulva, Korbel, Belka, Jura, Bruce Rock, Yalbarrin, Ardath, Babakin, Eujinyn, Yarding, Erikin, Shackleton, Kwolyin, Pantapin, Yoting, Merredin, Nangeenan, Hines Hill, Baandee, Doodlakine, Woolundra, Kellerberrin, Bungulla, Tammin, Livesey's, Wyola, Cunderdin, Nokaning, Nukarni, Elabbin, Nungarin, Kweikan, Kununoppin, Trayning, Yelbeni, Nembudding, Korrelocking, Wyalkatchem, Booraan, Burracoppin, Walgoolan, Carrabin, Bodallin, Noongaar, Moorine Rock, Garratt, Southern Cross?

Mr. COURT replied:

The information requested by the honourable member is set out in the following schedule:—

| | Tons. |
|---------------|-------|
| Collgar | 362 |
| Norpa | 249 |
| Koonadgin | 473 |
| Tandagin | 376 |
| Muntadgin | 1,228 |
| Cramp-horne | 1,445 |
| Wogarl | 1,143 |
| Wadderin | 769 |
| Narembeen | 4,959 |
| Emu Hill | 225 |
| South Kuminin | 774 |
| Billaricay | 622 |
| Ulva | 267 |
| Korbel | 631 |
| Belka | 1,773 |
| Jura | 650 |
| Bruce Rock | 2,779 |
| Yalbarrin | 311 |
| Ardath | 1,621 |
| Babakin | 1,264 |
| Eujinyn | 898 |
| Yarding | 887 |
| Erikin | 536 |
| Shackleton | 1,085 |
| Kwolyin | 1,754 |
| Pantapin | 1,586 |
| Yoting | 1,465 |
| Merredin | 1,525 |
| Nangeenan | 752 |
| Hines Hill | 684 |
| Baandee | 1,245 |

| | Tons. |
|----------------|-------|
| Doodlakine | 2,160 |
| Woolundra | 212 |
| Kellerberrin | 3,507 |
| Bungulla | 1,041 |
| Tammin | 3,303 |
| Livesey's | 111 |
| Wyola | 803 |
| Cunderdin | 5,190 |
| Nokaning | 683 |
| Nukarni | 904 |
| Elabbin | 155 |
| Nungarin | 2,255 |
| Kweikan | 230 |
| Kununoppin | 878 |
| Trayning | 2,628 |
| Yelbini | 1,497 |
| Nembudding | 752 |
| Korrelocking | 1,244 |
| Wyalkatchem | 1,389 |
| Booraan | 306 |
| Burracoppin | 1,288 |
| Walgoolan | 1,525 |
| Carrabin | 1,351 |
| Bodallin | 1,671 |
| Noongaar | 380 |
| Moorine Rock | 1,541 |
| Garratt | Nil |
| Southern Cross | 2,577 |

Railway Transport to Country Towns from 1961 to 1964

36. Mr. CORNELL asked the Minister for Railways:

What were the tonnages of superphosphate delivered to the stations and sidings listed hereunder in each of the years ended the 30th June, 1961, 1962, 1963 and 1964 respectively:—

Benjaberring, Minnivale, Amery, Dowerin, Nambling, Goddard, Ejanding, Moonijin, Manman-ning, Cadoux, Kokardine, Kirwan, Burakin, Bunketch, Kalannie, Kulja, Jingymia, Mollerin, Damboring, Badgaling, Doornock, Bilbarin, Cor-rigin, Konnongorring, Notting, Elphin, Kulin, Karlgarin, Cleary, Marindo, Beacon, Dal-gouring, Wialki, Bonnie Rock, Gnuca, Nalkain, Cowcowing, Dukin, Koorda, Narkal, Gabbin, Mandiga, Bencubbin, Welbun-gin, Barbalin, Mukinbudin, Kondut, Pingaring, Dangin, Burabadji, Botherling, Bender-ing, Wongan Hills, Gnarnninc, Hedges, Federah, Lake Brown, Campion, Warralakin, Warra-chuppin, Boodarockin, Baladgie, Narla, Bullfinch, Perilya, Cor-inthia, Waeel, Meckering, Wubin, Nugadong, Dalwallinu, Courtlea, Pithara, Marne, Bal-lidu, Quairading, Goomalling, Nornakin, Bullaring, Kalgud-dering, Kondinin, Korraling, Hyden?

Mr. COURT replied:

The information requested by the honourable member is set out in the following schedule:—

| Station or Siding | For Year Ending the 30th June | | | |
|---------------------|-------------------------------|-------|-------|-------|
| | 1961 | 1962 | 1963 | 1964 |
| Meckering | 3,904 | 3,963 | 3,896 | 3,103 |
| Waele | 778 | 1,086 | 1,032 | 856 |
| Goomalling | 1,477 | 1,816 | 2,032 | 1,760 |
| Burabadij | 384 | 375 | 293 | 363 |
| Botherling | 703 | 714 | 816 | 489 |
| Dowerin | 3,213 | 3,835 | 3,783 | 2,743 |
| Nambling | 422 | 519 | 618 | 605 |
| Amery | 78 | 113 | 60 | 33 |
| Minnivale | 1,407 | 1,574 | 1,566 | 1,272 |
| Goddard | 350 | 416 | 354 | 332 |
| Eljandig | 1,271 | 1,204 | 1,403 | 1,114 |
| Moonijla | 1,435 | 1,523 | 1,611 | 1,503 |
| Manmanning | 1,220 | 1,530 | 1,515 | 1,182 |
| Cardoux | 1,497 | 1,715 | 1,679 | 1,667 |
| Kokardine | 914 | 806 | 1,018 | 965 |
| Kirwan | 1,033 | 1,202 | 1,352 | 1,306 |
| Burakin | 746 | 748 | 984 | 977 |
| Bunketch | 320 | 345 | 396 | 427 |
| Kalamie | 2,993 | 3,291 | 3,914 | 4,066 |
| Kulja | 461 | 499 | 682 | 977 |
| Jingymia | 551 | 541 | 624 | 550 |
| Mollerin | 595 | 661 | 712 | 731 |
| Cleary | 715 | 791 | 1,183 | 1,601 |
| Marindo | 389 | 524 | 366 | 388 |
| Beacon | 943 | 1,193 | 1,444 | 1,676 |
| Dalgouring | 268 | 282 | 412 | 386 |
| Wialki | 955 | 1,048 | 1,357 | 1,285 |
| Bonnie Rock | 304 | 501 | 542 | 730 |
| Benjaberring | 902 | 918 | 911 | 774 |
| Gruca | 371 | 399 | 318 | 258 |
| Nalkaln | 490 | 502 | 499 | 565 |
| Koordra | 2,017 | 2,005 | 2,072 | 2,132 |
| Cowcowing | 253 | 234 | 283 | 258 |
| Dukin | 631 | 688 | 568 | 640 |
| Norkal | 493 | 654 | 531 | 641 |
| Bencubbin | 1,432 | 1,725 | 1,890 | 1,855 |
| Gabbin | 895 | 913 | 1,061 | 1,017 |
| Mandiga | 782 | 868 | 685 | 844 |
| Wellbungla | 599 | 631 | 652 | 751 |
| Muktnuddin | 2,698 | 2,707 | 3,232 | 3,459 |
| Barbalin | 247 | 239 | 223 | 359 |
| Lake Brown | Nil | Nil | Nil | Nil |
| Campion | Nil | Nil | Nil | Nil |
| Warralakia | Nil | Nil | Nil | Nil |
| Bullfinch | 163 | 165 | 243 | Nil |
| Warrachuppla | Nil | Nil | Nil | Nil |
| Boodarockia | Nil | Nil | Nil | Nil |
| Baladjie | Nil | Nil | Nil | Nil |
| Narla | 37 | 55 | 48 | Nil |
| Perilya | 36 | 206 | 50 | Nil |
| Corinthian | 3,940 | 3,992 | 3,668 | 4,005 |
| Quatradig | 1,734 | 1,768 | 1,768 | 1,826 |
| Badjalig | 3,023 | 4,310 | 4,102 | 4,092 |
| Kulin | 1,780 | 1,568 | 1,473 | 1,327 |
| Dangin | 1,869 | 2,034 | 1,978 | 2,430 |
| Kondinin | 850 | 840 | 792 | 870 |
| Bendering | 3,879 | 4,233 | 4,355 | 4,584 |
| Corrigin | 2,076 | 2,352 | 2,385 | 2,792 |
| Bullaring | 734 | 798 | 770 | 843 |
| Normakin | 522 | 580 | 618 | 605 |
| Nedding | 1,120 | 1,254 | 1,248 | 1,240 |
| Blibbarra | 458 | 506 | 536 | 597 |
| Dorcock | 1,285 | 1,317 | 1,378 | 1,445 |
| Karlgarin | 1,080 | 1,192 | 1,354 | 1,188 |
| Phingaring | 298 | 436 | 473 | 421 |
| Pederah | 698 | 655 | 513 | 396 |
| Hedges | 119 | 222 | 155 | 229 |
| Hyden | 2,977 | 3,356 | 4,069 | 4,234 |
| Damboring | 1,205 | 883 | 524 | 614 |
| Konnongorring | 1,089 | 1,216 | 1,421 | 931 |
| Elphin | 922 | 923 | 868 | 626 |
| Kondut | 1,929 | 2,328 | 2,077 | 2,225 |
| Wongan Hills | 2,241 | 2,893 | 2,659 | 2,844 |
| Kalguddering | 872 | 1,061 | 1,127 | 984 |
| Korralling | 1,071 | 1,164 | 1,202 | 1,173 |
| Ballidu | 2,562 | 2,662 | 2,486 | 2,224 |
| Marne | 672 | 858 | 923 | 658 |
| Dalwallinu | 2,663 | 2,756 | 3,096 | 2,937 |
| Pithara | 2,164 | 2,065 | 2,120 | 1,930 |
| Courtles | Nil | Nil | Nil | Nil |
| Nugadong | 1,435 | 1,489 | 1,617 | 1,490 |
| Wubin | 3,033 | 3,330 | 3,547 | 3,689 |

TOTALISATOR AGENCY BOARD: CREDIT BETTING

Legal Advice

37. Mr. TONKIN asked the Minister for Police:

(1) When the chairman of the Totalisator Agency Board obtained from Parker and Parker, barristers and solicitors, under date the 24th May, 1961, their opinion on the "Appointment of Agents and Establishment of Credits," were all members of the board informed of the full text of the opinion?

(2) On those aspects of credit betting where bettors are enabled to make wagers as a result of loans made to them for the purpose by agents, and in connection with which there is conflict between the legal advice obtained from Parker and Parker and that subsequently given by the Crown Law Department, does the board follow the advice of the former or the latter in every instance where the conflict occurs?

Telephone Transactions

(3) Are the members of the Totalisator Agency Board aware of the procedures being adopted in connection with telephone betting and that between agent and bettor credit can be and is being extended?

Government's Assurance to Parliament

(4) Is he aware that when the Totalisator Agency Board Betting Bill was under discussion Parliament was given an assurance by the Government that when the Bill became an Act credit betting would no longer be legal?

(5) Is it because the giving of credit between agent and bettor "has played an important part in the extension of the system in Western Australia" as stated in the Tasmanian Report on Off-Course Totalisator Betting, that the Government has chosen to break its word to Parliament?

Mr. CRAIG replied:

(1) Yes.

(2) The board follows the Crown Law opinion which is the later opinion based on the Act as amended and the present regulations.

(3) The board members know of the procedures laid down and that the board is receiving payment for all bets accepted by the board.

(4) Yes.

(5) I have not seen the report referred to. However, it is considered that the Government has not broken its word to Parliament.

ERECTION OF HOUSES*Interest Rates*

38. Mr. GRAHAM asked the Treasurer:

- (1) In the matter of funds for the erection of houses in this State, what interest rates were charged as at December, 1963, prior to the commencement of the Commonwealth scheme of £250 housing grants, by—
 - (a) savings and trading banks (home building departments);
 - (b) insurance companies;
 - (c) building societies—
 - (i) for moneys made available under the Commonwealth-State Housing Agreement, and
 - (ii) for moneys raised elsewhere?
- (2) What are the current interest rates under the same headings?
- (3) What is the total increased cost to the borrower on a loan of £3,000 on a 28 years' repayment basis, incurred for an increase of one-quarter of one per cent. in the interest charge?

Mr. BRAND replied:

- (1) (a) Savings banks—from $4\frac{1}{2}$ per cent. to $5\frac{1}{2}$ per cent.
Trading banks—from 5 per cent. to $6\frac{1}{2}$ per cent.
- (b) $6\frac{1}{2}$ per cent.
- (c) (i) $4\frac{1}{2}$ per cent. plus $5\frac{1}{4}$ d. per £50 share per month management charges.
- (ii) Funds subject to Government guarantee, from $4\frac{1}{2}$ per cent. to $5\frac{1}{2}$ per cent. plus $5\frac{1}{4}$ d. per £50 share per month management charges. Funds not subject to guarantee, from 7 per cent. to $7\frac{1}{2}$ per cent.
- (2) (a) From $4\frac{1}{2}$ per cent. to $5\frac{1}{2}$ per cent.
- (b) $6\frac{1}{2}$ per cent.
- (c) (i) $4\frac{1}{2}$ per cent. plus $5\frac{1}{4}$ d. per £50 share per month management charges.
- (ii) Funds subject to Government guarantee, from $4\frac{1}{2}$ per cent. to $5\frac{1}{2}$ per cent. plus $5\frac{1}{4}$ d. per £50 share per month management charges. Funds not subject to guarantee, from 7 per cent. to $7\frac{1}{2}$ per cent.
- (3) Depending upon the interest rate being charged and the method of repayment adopted—from approximately £140 to £160.

QUESTIONS WITHOUT NOTICE**PIG INDUSTRY COMPENSATION FUND***Present Position and Claims Paid*

1. Mr. W. A. MANNING asked the Minister for Agriculture:

- (1) What is the present position of the Pig Industry Compensation Fund?
- (2) How much was paid out on claims for compensation last financial year?
- (3) What has been the total claims for compensation on the fund since its inception?

Mr. NALDER replied:

- (1) Position of Pig Industry Compensation Trust Fund as at the 30th September, 1964—£138,831 8s. 6d.
- (2) Total claims for the year 1963-64—£5,466.
- (3) Total claims from the 1st July, 1947, to the 30th September, 1964—£54,390.

Record of claims from inception in 1942 to the 1st July, 1947, is not available.

PEDESTRIAN ISLAND FOR HURLINGHAM HILL*Installation*

2. Mr. GRAYDEN asked the Minister for Police:

Arising out of his answer to question 23 on today's notice paper, will the Minister give consideration to the early installation of a pedestrian refuge on the Hurlingham hill in Canning Highway?

Mr. CRAIG replied:

Yes; consideration will be given as to whether such an island will be practicable, and I will advise the honourable member later.

MARBLE BAR SCHOOL*Tenders for New Classrooms*

3. Mr. BICKERTON asked the Minister for Education:

When will tenders be called for the new Marble Bar classrooms?

Mr. LEWIS replied:

I understand the plans are not yet complete for the additional classroom, but tenders are nevertheless expected to be called about the end of this month.

ELECTRICITY AT ROEBOURNE*Reduction of Charges*

4. Mr. BICKERTON asked the Minister for Works:

Last session the Minister told me he would give consideration to the reduction of electricity charges at Roebourne. I now ask whether he has given consideration to reducing those charges in that town; and, if so, what decision has he made?

Mr. WILD replied:

Consideration has been given to electricity charges at Roebourne, and it has been decided there will be no variation of such charges.

MT. LAWLEY SUBWAY*Congestion at Peak Periods*

5. Mr. OLDFIELD asked the Minister for Police:

Would he inform the House what steps, if any, it is proposed to take to relieve the traffic congestion at the Mt. Lawley subway during the afternoon peak period?

Mr. CRAIG replied:

I recall the honourable member raising this particular question some time ago during the course of one of his speeches. As a result, it was arranged that certain investigations would be undertaken, and the honourable member was to be informed as to what it was felt could be done to adopt the suggestion he proposed during the course of his remarks.

Apparently that has not been done, and I will follow the point up. But since he raised the matter originally he is, of course, aware of the work that is going on to the west of the Mt. Lawley subway with the channelisation and the installation of traffic lights. No doubt when this is functioning it will assist considerably the traffic flow through the Mt. Lawley subway. I will, however, follow up the points he has raised.

Police Control of Traffic

6. Mr. OLDFIELD asked the Minister for Police:

Pending the coming into operation of the proposed traffic lights at the corner of Walcott Street and Lord Street will he give consideration to having a police constable stationed adjacent to the Mt. Lawley subway in the afternoon peak period for the purpose of channelling traffic into the correct lanes?

Mr. CRAIG replied:

I would be under the impression that that particular function would be considered as occasion demands. However, I will arrange for attention to be given to it, if attention is necessary.

PETROL PRICES*Equalisation in Country Centres*

7. Mr. HALL asked the Premier:

- (1) Can he advise whether he has received advice from the Minister for National Development about the introduction in this State of plans for the equalisation of petrol prices in country centres and towns to a maximum of 4d. a gallon above city prices?
- (2) If the answer to (1) is "Yes," can he advise when the equalisation prices will be introduced into country centres?

Mr. BRAND replied:

- (1) and (2) The Prime Minister has been in communication with us on this matter and conferences are to be arranged. We understand that implementation of the scheme is rather difficult inasmuch as there is a great variation in the price of petrol throughout Western Australia.

GOVERNMENT OFFICES ON OBSERVATORY SITE*Protection of Construction Workers: Inspector's Report*

8. Mr. WILD: Yesterday afternoon the member for Perth asked me a question without notice apropos a letter he had received from an employee of the contractor building the new Government offices on the hill. I gave an undertaking that I would have an investigation made immediately. I have done this, and I would like to read the following report:—

Falling Objects at the Site of New State Offices—Old Observatory Site, Perth:

The above was investigated on the 7th October, 1964, by Mr. Inspector Arntzen, and he reports as follows:—

(1) There have, from time to time, been objects falling from the steel erection crew, and it has caused this Department great concern. A heavy chain with two shackles attached but no crane hook, did fall down as stated, but no workman was in the vicinity. Intense investigations failed to reveal anything about a chain falling

over the side, missing a labourer by about four feet. A bar did not fall, barely missing a Reinforcement Steel Fixer, but two only 3" x $\frac{3}{8}$ " bolts did in fact fall.

(2) On the 6th October, at about 1 p.m., 3 — 14" x 5½" x 22' long steel girders, weighing a total of 2,640 lbs. did fall down 70 feet, when the rope anchorage of the crane hoist rope gave way. This rope anchorage which gave way consisted of two only bulldog grips and the rope slipped through them. The cause of this was undoubtedly the fact that the grips were not tight, and in the opinion of my Inspector, who served for over eight years with the Department of Labour and Industry in New South Wales, this type of rope anchorage, although it has been allowed in W.A. in the past, is not suitable for running ropes.

(3) This is the first time to our knowledge that a P. & H. crane has been used in this way, but it is not dangerous to anyone as the crane is set up in a proper manner. My Inspector has inspected this crane, and is satisfied with its operation. A few earlier deficiencies, namely access to the crane, were pointed out by my Inspector, and were in fact rectified forthwith by the Steel Erection Contractors Structural Engineers Pty. Ltd. The previous crane driver, Mr. Millard, resigned last Friday, October 2nd, when his demand for increased pay was not met by his management. He was paid £20 12s. per week, plus merit allowance of £1 per week, plus height money of 2s. per day, to bring him into line with the pay entitlements of other tradesmen working at that height. In addition, a bonus was paid, and Mr. Millard received a total bonus of £20 6s. 3d. between the 23.7.64 and 16.9.64. In his letter of resignation to Structural Engineering Co. of W.A., he did not claim that his job was too dangerous. His reason for leaving was that his demand for higher pay was not met.

(4) Besides regular inspections, my officers have carried out safety lectures and shown safety films on the site on several occasions in an overall drive to apprise the workmen of the necessity for greater

care, and the Site Engineer for Civil & Civic, Mr. Snooks, has co-operated fully at all times; in fact, he borrowed Mr. T. Hope, Safety Engineer for Structural Engineering Co. Pty. Ltd., to give a concentrated safety course to all Foremen and Leading Hands on the site about two months ago. Structural Engineering Pty. Ltd. gave Mr. Hope's services to Civil & Civic free of charge as their contribution towards safety on the site.

The department is fully aware of the safety aspect of this job, and is giving particular attention to this project.

However, regardless of any efforts by the contractors and the department, complete safety can only be achieved when the workmen who are actually carrying out the job, fully realise their responsibilities and co-operate by taking proper care at all times.

PREVENTION OF TRAFFIC ACCIDENTS

Substitution of Flashing Lights or Overways for Pedestrian Crossings

9. Mr. BRADY asked the Minister for Police:

Early this afternoon I asked the Minister a question concerning accidents on pedestrian crossings and whether any action had been taken to avert further accidents. The Minister replied as follows:—

Not at present but the Main Roads Department will shortly carry out experiments into the general lighting of crosswalks.

In view of the fact that the majority of accidents occur in broad daylight will he try to have some urgent action taken to install flashing lights or overways instead of pedestrian crossings?

Mr. CRAIG replied:

The question of flashing lights is, of course, constantly under review. The matter of overways is still under consideration, and I have discussed this matter with the honourable member as a result of the reference he made to it during the course of his Address-in-Reply speech. I intend to make the information available to him just as soon as it is made available to me.

GOVERNMENT OFFICES ON OBSERVATORY SITE

Protection of Construction Workers: Tabling of Inspector's Report

10. Mr. HEAL asked the Minister for Labour:

I thank the Minister for the speedy inspection which was carried out. I would like to know whether the report which he read out was the full report of the inspector, or did he condense it? If so, will he lay on the Table of the House on Tuesday next the full report?

Mr. WILD replied:

To the best of my knowledge what I read was the report which had been submitted by the inspector. It came to me only a few minutes ago from the Secretary for Labour. If it is not the full report then I shall see that the full report is made available to the honourable member.

TRAFFIC ACCIDENTS

Action against Accident-prone Youth

11. Mr. GRAHAM asked the Minister for Police:

- (1) Is this the National Safety Week which was opened last Monday by the Premier?
- (2) What is the Minister's reaction to the report which appeared on the front page of yesterday's issue of the *Daily News* that a young man, aged 20 years, opened the accident-free day by being the driver of a vehicle involved in the first accident on that day, this being the fifth occasion in two years when a car of which he was the driver rolled over?
- (3) Does he not consider that some remedial action should be taken in the interests of this accident-prone driver, his passengers, other motorists, and the public generally?

Mr. CRAIG replied:

- (1) to (3). I must have anticipated this question, and the honourable member must have thought in the same way as I did. On reading the report in the newspaper last evening I took immediate action and requested the Deputy Commissioner of Police to check the report. It seemed rather amazing to me that—if credit can be given to the newspaper report, that this lad was involved in four accidents where the car rolled over—the lad should be in possession of a driving license. I have not received

the results of the inquiries, but as soon as I do I shall inform the honourable member.

BILLS (2): THIRD READING

1. Bellevue-Mount Helena Railway Discontinuance and Land Revestment Bill.

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

2. Police Act Amendment Bill.

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

FREMANTLE BUFFALO CLUB (INCORPORATED) (PRIVATE) BILL

Second Reading

MR. FLETCHER (Fremantle) [2.54 p.m.]: I move—

That the Bill be now read a second time.

I wish to thank the Premier for having given this Bill early priority on today's notice paper, and priority over Government business.

The reasons for the Bill can be found in the report of the evidence submitted to the Select Committee which inquired into the Fremantle Buffalo Club (Private) Bill on the 22nd September, 1964, by the legal adviser to the Fremantle Buffalo Club, Mr. Loris Clifton Wood, of 45 Market Street, Fremantle, and by the Secretary of the Fremantle Buffalo Club, Mr. Frank Stanley Maybank, of 11 Broome Street, Cottesloe.

I would like to quote in part from a resume of the reasons for the request for a private Bill. The club was registered in 1920 as a limited liability company under the then Companies Act of 1893. With the effluxion of time and the demise of original member-shareholders, a situation developed in which it became obvious that the business of the club could not, as a consequence, be conducted on the basis of a company.

The club was forcibly reminded of this fact, as paragraphs (r) to (x) on page 6 of the evidence submitted to the Select Committee will demonstrate. Those paragraphs read—

- (r) The position of the club was not realised by the secretary or the executive until early in 1963 when the Registrar of Companies through a circular, required that returns be lodged under section 134 sub-section (vii) of the Companies Act, 1961-1962.
- (s) This procedure of course is entirely foreign to the club because it had never acted as a company.

(t) This instituted enquiries and on the 28th June, 1963, the Registrar of Companies wrote to the club pointing out—

- (i) The club was not an association incorporated under the Associations Incorporations Act, 1895, but was a company to which the provisions of the Companies Act, 1961-1962 applied.
- (ii) On the 2nd March, 1951, the then Attorney General had pursuant to section 29 of the Companies Act, 1933, by license directed that the club be registered as a company with limited liability without the addition of the word "limited" to its name and thereupon the club became known as "Fremantle Buffalo Club".
- (iii) Registrar pointed out that the name of the club did not include the word "incorporated" as shown in the documents tendered by the secretary for filing pursuant to the circular previously referred to.
- (iv) The Registrar pointed out that the requirements of the license of the Attorney General was that the rules of the club must provide that all profits and other income should be applied in promoting the objects of the club and must prohibit the payment of any dividend or share or profit to any member or shareholder.
- (v) It was pointed out that an examination of the documents showed that such provision for prohibition was no longer included in the rules and that therefore the license should be revoked.
- (u) As a result of this the secretary sought legal advice on the instructions of the club committee.
- (v) Subsequent to this it was discovered by a search that the Westralian Buffalo Club in Perth had been in a similar position in 1949 resulting in a Private Act being passed known as the Westralian Buffalo Club Act of 1949.
- (w) Similar conditions leading up to the passing of the Westralian Buffalo Club Act apply to the petition relative to this Bill.
- (x) The committee of the club has authorised the secretary to present this petition.

Hence the Bill for an Act to resolve certain difficulties concerning the legal position of the Fremantle Buffalo Club, in which provision is made on page 2 to form and to register an association under the Associations Incorporation Act, 1895-1962, to be known as the Fremantle Buffalo Club Incorporated, in which the assets of the original company shall be vested.

The Bill further provides that all present financial members of the club shall become members of the association; and all property rights, assets, and liabilities, etc., shall pass from the club to the association. Provision is also made to ensure that the club, after becoming an association, shall—

- (1) Not be financially or otherwise liable for failure to comply with the Companies Act, or regulations applying thereto.
- (2) Be dissolved and struck off the Register of Companies.

Provision is further made on page 4 of the Bill to exempt the association from the payment of stamp duty associated with the transfer of property from the club to the association. I trust the Minister will be sympathetic to this provision, when I point out that the State's revenue will benefit to the extent of somewhere in the vicinity of £100 in costs associated with the passage of this measure through both this House and another place.

Another provision will ensure that any license issued under the Licensing Act or its amendments, which applied to the club, shall also apply to the association; and, further, that the club shall be permitted to function during the period of the passing of this Bill and the date of issue by the registrar of a certificate of incorporation, under that Act of 1895-1962; and from that date the then association shall enjoy the same privileges and liabilities as a registered club within the meaning of the Licensing Act 1911, and amendments thereto.

Debate adjourned, on motion by Mr. Court (Minister for Industrial Development).

LONG SERVICE LEAVE ACT AMENDMENT BILL (No. 2)

Second Reading

MR. WILD (Dale—Minister for Labour)
[3.2 p.m.]: I move—

That the Bill be now read a second time.

In 1958 Parliament approved of an Act to provide for the granting of long service leave to certain employees whose employment is not regulated under the Industrial Arbitration Act. The wording of that Act, No. 44 of 1958, followed closely the provisions which were included in awards and agreements of the Arbitration Court.

It provided, as did the awards and agreements, for long service leave of three months to workers after 20 years' continuous service. It also made provision for *pro rata* leave under certain circumstances. Recently there has been a variation in this prescription of three months' leave after 20 years' service, in both the Commonwealth jurisdiction and other States, particularly New South Wales.

The Trades and Labour Council recently requested the Government to amend the existing Act to bring it into line with the reduced qualifying period, which had been granted in both the Commonwealth and New South Wales; that is, by reducing the qualifying period of service from 20 years to 15 years. When that request was made, I pointed out that at the time of the introduction of the Long Service Leave Bill into Parliament in 1958, the Government awaited the acceptance by the Arbitration Court of the principles of long service leave, and the same procedure should be followed in this case.

I promised that immediately there was any amendment to the long service leave awards or agreements by our Industrial Commission, I would immediately recommend to the Government that the present Act be amended to conform to any alterations provided by the Industrial Commission. This action has now been taken. In fact, during the last few days, most awards and agreements have been amended.

There has therefore been no delay in fulfilling the promise given. The amendments contained in the Bill are in exactly the same terms as the amendments to the various awards. These amendments were by way of agreement between the Trades and Labour Council and the private employers.

The Bill therefore purports to amend the present Long Service Leave Act to provide for reduction of the qualifying period from 20 years to 15 years. It also provides for a period of 8½ weeks in respect of each 10 years' continuous service completed after the first 15 years. Honourable members will also find that the Bill provides for the payment of *pro rata* long service leave under certain conditions, and is in exactly the same terms as the agreement reached between the Trades and Labour Council and the employers. As previously pointed out, the Long Service Leave Act deals only with those employees who are not covered by awards and agreements of the Industrial Commission. I would say roughly that there would be approximately 6,000 persons plus those covered by Federal awards.

My attention has been drawn to the fact that because of the amendment to the Industrial Arbitration Act, there is an obvious anomaly in our present Long Service Leave Act in that the Act provides for an

appeal to the Arbitration Court only. Persons therefore covered by the provisions of the Long Service Leave Act have been denied the right of appeal. The Bill therefore seeks to right this anomaly.

Honourable members will no doubt be aware that the Long Service Leave Act provides for the appointment of a Board of Reference, whose functions include the determination in the first instance of all questions and disputes referred by a party from time to time concerning, or in relation to, or in connection with, rights and liabilities under the Act.

Generally the duties would include a decision as to whether the worker is or is not an employee or an employer to whom the Act applies. The Board of Reference also may grant exemption of an employer from the operations of the Act and the conditions of such exemption. The board shall determine to what extent an employee is or has become entitled to long service leave or payment in lieu thereof. The Board of Reference can also decide whether and when, and to what extent, a deceased employee's personal representatives are or have become entitled to payment; also as to whether the ending of a worker's employment by an employer was not justified because of illness or incapacity, etc.

It will be seen, therefore, that this Board of Reference has fairly wide powers, but any of its determinations are subject to an appeal. There is then a section which deals with appeals from the determinations made by this board, and here we find the present anomaly in that it provides that the appeal shall be heard by the court or by the Conciliation Commissioner if the court so authorises. Obviously this now needs correction.

Honourable members will note that to right the position regarding appeals a number of amendments are necessary, and this is caused by the definite prescription in the Industrial Arbitration Act of the jurisdiction of the Industrial Magistrate and the various industrial tribunals. Also included in the Bill is the deletion of the clause known as the "Offsetting Clause" which has been removed from the long service leave clause of the awards.

I can assure honourable members that there is nothing whatever in this Bill which is not in line with the recent agreement between the Trades and Labour Council and the employing interests. The Bill should not be controversial and I commend it to the House.

Debate adjourned, on motion by Mr. W. Hegney.

LONG SERVICE LEAVE ACT AMENDMENT BILL (No. 2)

Message: Appropriation

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

BANANA INDUSTRY COMPENSATION TRUST FUND ACT AMENDMENT BILL

Second Reading

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

That the Bill be now read a second time.

MR. TONKIN (Melville—Deputy Leader of the Opposition) [3.8 p.m.]: When the Minister spoke on the second reading of this Bill he gave as his reason for its introduction that the original intention of the Act was that no compensation would be payable for the first 20 per cent. of the banana growers' total crop. He went on to point out that that could result in the fund being in difficulty, and therefore he wished to amend the basis upon which compensation is paid.

It is a long time since I heard a more remarkable reason given in debate for the amendment of an Act. Let us follow carefully the Minister's words, "the original intention of the Act." What is the intention of an Act? Is it not what the Act says? How can we have the original intention of the Act any different from the existing intention of the Act? The intention of an Act is what it purports to do; what it does. So it is just nonsense to come here and ask us to amend an Act because the Act does not do what it was originally intended to do.

If the Minister means that the Act does not mean what the Government intended it to mean, then I ask why does it not? Whose fault is that? Is it the fault of the Crown Law Department, which did not properly interpret the Government's intentions? Or is it the fault of the Minister who instructed the Crown Law officers and gave them wrong instructions? And what was Cabinet thinking about when it subsequently authorised the introduction of a Bill which was contrary to the Government's intentions?

Those are questions which I think have to be answered; and, so far as I am concerned, no vote of mine will go to amend an Act until satisfactory explanations are given of these questions. There is too much experience of having Acts passed and then being told afterwards that they do not do what was intended.

Mr. Nalder: Has it ever happened in your experience?

Mr. TONKIN: Not to my knowledge; and not to the knowledge of the Minister, either.

Mr. Nalder: Yes.

Mr. TONKIN: The Minister will have an opportunity to give an example.

Mr. Kelly: He won't.

Mr. TONKIN: Listen to this most remarkable thing. Honourable members will probably smile when they hear me mention it, because I have referred to it so frequently. However, it contains so many examples that it is the best source from which I can obtain them. I intend to quote from a copy of the evidence given in the Supreme Court in Perth on Monday, the 23rd September, 1963, in the case of the Queen v. Ronald Claude Burden; and the case was one of stealing as a servant. On page 94 of the evidence the solicitor appearing on behalf of the Crown Law Department made the following remarkable statement:—

Mr. Dodd: I say firstly, but I say that there is a popular misconception that what the intention of Parliament may have been (I can see this freely) was to see that there was no credit betting, but I would submit that the draughtsman has achieved the opposite because he has used common terms—terms which are becoming almost a work of art in this modern society . . . credit account, and that of course is inconsistent with . . . one commonly understands the opening of a credit account as meaning "Well, we are going to get credit for the usual 30 days or 60 days by showing our bona fides and our assets".

Here is a statement from an officer of the Crown Law Department who tells the learned judge that the draftsman achieved the very opposite to what was intended. I want to know: Was it the fault of the draftsman that this present Act which we are asked to amend did not do what it was intended to do? Or was it the fault of the Government? Now the Minister for Agriculture said this—

It became apparent, when claims by the banana growers for compensation were being examined, that subsection (3) of section 27 of the Banana Industry Compensation Trust Fund Act was not worded in accordance with the original intention.

I ask: Whose original intention? There seems to have been a complete misunderstanding between the Minister for Agriculture in this House and the Leader of the Government in the Legislative Council—a complete misunderstanding if we are to take the word of the Minister for Agriculture that what was really intended here was that if there was a 60 per cent. loss of crop the grower would be compensated for only two-thirds of that 60 per cent. loss; because that was not what was said in the Legislative Council.

Let us get this clearly in our mind, and for that purpose I shall quote from page 2235 of *Hansard* No. 3 of 1961. Before I do so, I want to make a correction. I recall that I said a moment ago that it was

the Leader of the Government in the Legislative Council. I am sorry for that mistake; it was the honourable Mr. Logan who was acting on behalf of the Minister for Agriculture, and not the Leader of the Government. The Minister said—

The amount of compensation payable shall be assessed in relation to the number of cases of bananas ascertained and determined on a weighted average production basis; meaning the quantity of bananas expressed in cases per acre of land of the grower ascertained by dividing the total number of cases of bananas produced on that land during the period of five years immediately preceding the date of the loss suffered, by the aggregate of the number of acres of that land utilised to produce the total number of cases of bananas during that period. Compensation shall be payable at the rate of 20s. per case where total loss occurs, and *pro rata* where partial loss occurs.

Later on the Minister said—

Clause 27 sets out the amount of compensation payable. Total loss is deemed to have been suffered if the area is not less than a quarter of an acre and the destruction is not less than 75 per cent. of the bananas in course of production on that portion of the land.

That is perfectly clear in regard to a total loss. Then the Minister went on—

The extent of partial loss is to be assessed and determined in accordance with section 26 of the Act on an average basis in relation to the number of acres of the grower's land on which the destruction occurred. Should such area be less than an acre, then the extent of the destruction shall be so assessed and determined proportionately in relation to one acre. No compensation shall be payable if the area is less than one-quarter of an acre. Both total and partial losses will be taken into account in payment of compensation.

This is a most important part of the Minister's utterances—

When a grower becomes entitled to compensation in respect of any partial loss, only 80 per cent. of that loss shall be assessed for compensation.

And that is what the present Act says: that if a man's loss is, say, assessed at £100, then he shall get compensation for £80. That is what the Act says; and that is what the Minister in the Legislative Council said the Act was to do.

But the Minister for Agriculture would lead us to believe that we have got to say if a man's loss is 60 per cent. of his total crop, then he has got to carry 20 per cent. of that loss himself, and so he gets compensated for only 40 per cent. of the total area.

Now there is a vast difference between that interpretation of what the Government's intention was and what the Minister representing the Government told the Legislative Council; and is it not a strange thing that if a mistake were made the Minister in another place was not aware of it, the draftsman was not aware of it, and the Government was not aware of it, until some considerable time after the Act was in operation?

One can only come to this conclusion, if the Minister's statement is to be believed in connection with it: that Cabinet consideration of this legislation must have been very perfunctory. If a Bill can be drafted and not do what the Government intends it should do; can be brought here; can be explained in Parliament in accordance with its tenor; and then we are subsequently told it was a mistake, then the original consideration given to it must have been perfunctory.

Whose mistake was it? That is what I want the Minister to tell us when he replies. Whose mistake was it? Was the draftsman incapable of interpreting the Government's wishes? Were they given to him verbally, or were the instructions put in writing; and why was not the Bill checked when it came from the Crown Law Department to ensure it would give effect to the Government's intentions?

It does not give us much confidence in legislation that is brought here if there is the possibility that we will be subsequently told that it does not do what it was intended to do—and that is what we are being told about this legislation.

The Government made a good fellow of itself with this Bill, because it was introduced just a few months prior to an election on terms which, we are now told, were more generous than it was intended they should be. I do not think that is a justifiable approach: to give the impression that you are going to do something wonderful, get any possible advantage from it, and then correct it subsequently because it is not doing what you originally intended it to do.

Now I am informed that despite this supposed mistake the Government was called upon to find only £236 10s. up to the 30th June, 1963; and, in connection with the Bill, it anticipated the possibility of being called upon to underwrite any losses because it undertook to guarantee the losses. It expected there would be losses.

Let us examine the legislation. Let us have a look at section 27, subsection (3). This is the Act, which is completely in accordance with the explanation of it given by the honourable Mr. Logan in the Legislative Council—completely. Subsection (3) reads as follows:—

Where a grower is entitled to compensation under this Act in respect of any partial loss suffered by him,

twenty per centum of that loss as assessed pursuant to section 26 of this Act shall be borne by the growers. So, firstly, we have to assess the amount of the loss in accordance with section 26, and then, having assessed the amount of the loss, 20 per cent. of that amount is to be borne by the grower. That is what the Act says, and that is what the Minister in the Legislative Council said. So far as he was concerned the Act was doing exactly what he thought it was supposed to do.

It is a bit thin to come here, three years afterwards—three years afterwards—and say, "This Act, which has been in operation all this time, is a mistake. It does not do what was intended, and so we are asking Parliament to alter it." Well, I have never heard a weaker case.

The Government should have wakened up to the fact in a matter of weeks if the Act did not do what was originally intended, and it should have immediately taken steps to have it amended. But it has been allowed to operate, and now we are told we ought to amend it because somebody made a mistake.

I venture the opinion that the growers are not fully aware of the Government's intentions in regard to this alteration. They do not appreciate what is going to be done; and how honourable members of the Country Party, which purports to be a special growers' party, can accept an explanation like this, I just do not know.

If the Minister had come along and said, "When we brought this Bill to Parliament in the first instance we thought that we could pay compensation on this scale, but three years' experience has shown us that under existing conditions, without greatly increasing contributions, the fund cannot remain solvent, and therefore we propose to change the basis of compensation, and for that purpose we want to amend the Act," one could have accepted that argument. But to tell us that the Act does not do what it was intended it should do, after all this time, does not go down with me.

I have had some experience in the drafting of Acts, and I know what takes place. Firstly, the principles are discussed; then the Minister in charge of the proposed legislation has a talk with the draftsman and gives him a general idea of the things he desires to have enacted. Then the Minister is supplied with a draft of the Bill and takes it to Cabinet. He has previously supplied all Ministers with a copy so that they will have an opportunity to consider the Bill.

The Bill is then gone through clause by clause to make certain it does what the Government intends it to do. If mistakes in interpretation are made at that stage, the Bill goes back to the draftsman and he is asked to make the necessary corrections. If serious objections are raised to

some of the provisions in the proposed Bill, alterations are effected to meet the wishes of the majority. When the Bill is ready for introduction in Parliament one is entitled to assume that the Bill is framed in the way in which it was intended, in order to give full effect to the wishes of the Government.

The Banana Industry Compensation Trust Fund Bill finally arrived here in 1961; and the Minister in another place, when speaking in connection with the Bill, explained it exactly as it was drawn up. So did the Minister in this House, except for a portion of conflict in some of his remarks. I will refer specifically to that now. He said that any person entitled to compensation for partial loss would bear the first 20 per cent. of such loss. That, of course, is in accordance with the Act. But then he went on to say that this meant, in effect, that a 60 per cent. loss would drop to 40 per cent. for compensation purposes.

Of course, that laughs at his first statement. Both of his statements could not be correct; one of them was in error. The Minister in another place did not make that mistake. His statement is perfectly clear and puts it around the other way, fortunately for me. He said—

When a grower becomes entitled to compensation in respect of any partial loss only 80 per cent. of that loss shall be assessed for compensation.

Could anything be clearer? The grower becomes entitled to compensation for partial loss—a certain amount. But only 80 per cent. of that loss will be paid by way of compensation.

The Minister does not want to keep to that interpretation. He now wants the Act to state that if a grower becomes entitled to compensation for partial loss, and his partial loss is 60 per cent. of his total crop—in other words £600 in respect of a crop worth £1,000—he will not get compensation equivalent to 80 per cent. of £600 at all; he will get only 66½ per cent.

That is the proposition. Instead of getting what the Act states and being paid 80 per cent. of the total amount of the loss he sustained, under the new proposition he will get 66½ per cent. of it. I do not think that the explanation which was given to us would justify any action of ours in that regard unless we were given a satisfactory explanation as to how the mistake occurred; and how it came about that the Minister in another place did not know there was a mistake; and how it came about that the Minister here did not know there was a mistake and did not know that we were asking Parliament to pass a Bill which was not giving effect to Government policy.

We have to be told in plain language that a Bill which has now become an Act, and which we are asking Parliament to

amend, did not give effect to Government policy. Was it because the Government made a mistake and wrongly instructed the draftsman; or was it because the Crown Law Department was incapable of interpreting the Government's wishes? Which was it? I think everyone of us here is entitled to know, not only to determine our attitude with regard to this Bill, but so that we can give more careful thought to other propositions which are submitted from time to time, in order to assure ourselves that the same thing will not occur again.

Mr. Kelly: The growers won't be very happy about this, either.

Mr. TONKIN: I am satisfied in my own mind—although I have no definite evidence—that the growers have not the slightest idea of the Government's intention with the alteration, or of the effect it will have on those growers if we agree to it.

As the loss to date is so trifling, after three years—and there have been some bad cyclones up there—there is little or no reason for coming here now and wanting to amend the Act. The loss up until the 30th June, 1963, according to figures supplied to me, was only £236 10s.

We on this side supported the Bill when it was originally brought down. There was no opposition from us when the proposition to establish the fund on the basis set out in the Bill was put to Parliament. However, we are opposed to this alteration, and we give this assurance: If Parliament amends the Act in this way now, and we become the Government, we will ask Parliament to put it back to what it is now. We think that to do otherwise is to break faith with the growers, who were given an assurance that the compensation fund would operate on a certain basis. That basis is now to be completely altered.

I suggest that the Government should adjourn the debate when I have concluded my remarks and have another look at the Bill to see if there is any justification whatever for proceeding with the proposed alteration. If the Government decides that it must proceed, then it should make a full and frank explanation as to how the Act got on to the Statute book when it was completely contrary to the Government's intention. I oppose the Bill.

MR. NALDER (Katanning—Minister for Agriculture) [3.40 p.m.]: When the parent Act was introduced it was the intention of the Government to do certain things. I shall go right back to the beginning to prove that a genuine mistake has been made; and it is the intention of the Government to rectify that mistake. There are no suspicious circumstances surrounding the matter. A case was put forward by the banana growers, and the growers themselves in Carnarvon fully understand the position.

I have with me correspondence which I will read to the House to prove what I am saying; and if, after my explanation, honourable members are satisfied that a genuine mistake has been made it will be up to them to make up their minds accordingly. The Deputy Leader of the Opposition made mention of the fact that mistakes are made; and I admit in this case a mistake was made.

Mr. Tonkin: Who made it?

Mr. NALDER: When the Crown Law Department was given the information it was indicated in a letter which I will read—it has reference to the 20 per cent. of the total crop. The mistake was not found until the catastrophe occurred in Carnarvon and certain claims were made and sums paid out. When the Act was checked the mistake was found, and the whole purpose of the amendment is to rectify that error. This is in accord with the wishes of the growers at Carnarvon as I will show from the correspondence. Firstly I will read a letter dated the 3rd May, 1960, addressed to Mr. H. R. Powell, Superintendent of Horticulture, Department of Agriculture, Perth. I shall read only that portion of the letter which refers to bananas, because there was another section which dealt with beans, but it does not have any bearing on this discussion. I quote—

My committee of management discussed the direction of the W.A. Government for compulsory insurance of bananas at a recent meeting, and though it was agreed to give every support to the scheme, we are in need of your expert guidance.

It was suggested that a compulsory levy of 2s. per case on all bananas marketed should form the basis of the fund, and that it would be undesirable to include vegetables in the scheme.

It was also suggested that no compensation be paid at all, unless 20 per cent. loss had been sustained.

That was the principle involved in the original discussion and the letter which passed between the growers and the Government on this matter; and that, in the first instance, was the intention of the legislation. When it was found that a mistake had been made in the legislation, the growers were apprised of the position; and I have with me letters from the two organisations representing the banana growers at Carnarvon in regard to it. On the 9th July, 1964, a letter was written from the Market Gardeners Association (Carnarvon Branch), whose address is Box 44, Post Office, Carnarvon, and the portion of the letter which deals with this particular subject reads—

After a letter from the acting chairman of the Banana Compensation Trust Fund, the matter of claims on the first 20 per cent. of damage was

discussed at our general meeting, and members agreed that claims should be restricted to the damage over and above 20 per cent. of the crop. We recommend that the Act be altered to read as above.

That was a letter from the Market Gardeners Association, and the original can be found on Department of Agriculture file 1065/61. I should now like to read a letter from the Carnarvon Fruit & Vegetable Growers Association (Inc.), Post Office Box 156, Carnarvon. The letter is dated the 17th July, 1964, is addressed to Mr. J. P. Ekersley, Acting Chairman of the Banana Compensation Trust Fund, Department of Agriculture, South Perth, and reads—

At a recent meeting of the above association your letter concerning claims on the Banana Compensation Trust Fund was read and discussed at some length.

The association is agreed that the Act should be altered to provide that compensation should only be paid on damage in excess of 20 per cent. of a grower's crop.

I think that is quite clear; it is as clear as the original intention was in the first letter that was written. To continue—

However, as this association does not represent all banana growers it is considered that the chairman of the trust fund committee should call a meeting of all growers to get the necessary approval to alter the Act.

Mr. Tonkin: Was that done?

Mr. NALDER: I understand that all the growers know the whole of the implications and have agreed to the proposal.

Sitting suspended from 3.45 to 4.4 p.m.

Mr. NALDER: Just prior to the afternoon tea suspension the Deputy Leader of the Opposition interjected by asking whether a meeting had been called as was suggested in the reply to one of the letters. During the afternoon tea break I ascertained that when this letter was sent, the Carnarvon Fruit & Vegetable Growers Association was not aware that a letter had been sent to the other organisation, but when it found that the other organisation had been notified it was satisfied the majority of the growers had been informed.

I made inquiries as to the membership of both organisations, and I understand that all the growers in the Carnarvon area are members of either one or the other. Because of that, all the argument raised this afternoon that the Government and the Minister have been endeavouring to mislead Parliament is without foundation and completely incorrect. I said in the first place that I had made a mistake. I have admitted it; so what else can a Minister do when a situation such as this has

been discovered? I did not intend, in the first instance, to mislead the House. I have admitted that a mistake was made, and it was not discovered until officers of the department visited Carnarvon to assess the damage caused by the recent cyclones.

Mr. Tonkin: Where was the mistake made: in the instructions or in the drafting?

Mr. NALDER: I admit that a mistake was made.

Mr. Tonkin: That is very unsatisfactory.

Mr. NALDER: All right; if the honourable member is not satisfied I cannot be worried about that. I have admitted a mistake was made and every endeavour was made to correct it, and it has been brought before the House for that purpose. There is nothing more I can do.

Mr. Kelly: Except to say who made the mistake.

Mr. NALDER: Why are we here? To track down somebody who has made a mistake?

Mr. Tonkin: We want to know what is going on.

Mr. NALDER: I have admitted that a mistake was made, and I do not intend to involve the officers of my department or the Crown Law Department. If the Deputy Leader of the Opposition wants to go on a hunt such as this he can do so if he wants to further satisfy himself.

Mr. H. May: Relax!

Mr. NALDER: That is the position. Initially, the information was made available in all sincerity, but a mistake was discovered, and the growers now know about it. The matter was brought here with the object of informing Parliament what had happened.

Mr. Tonkin: When was the mistake first discovered?

Mr. NALDER: When the officers of the department went to Carnarvon to assess the damage.

Mr. Tonkin: In what year?

Mr. NALDER: In this year; a few months back. That was the first time it was necessary to invoke the Act; and when the departmental officers visited Carnarvon to assess the damage that had been done they found that a mistake had been made. I have admitted the mistake; and if the House does not accept the position as I have outlined it, it is up to the House to make a decision. I hope the House will accept the decision that has been made.

The scheme was introduced originally in an attempt to assist the banana growers of the Carnarvon area. They have agreed to this and have contributed to it, and the Government has contributed its share. There has been complete agreement between all parties, and there is no alteration to the situation except with respect to the 20 per cent.

I have quoted the situation, and it is as stated. There is no catch in it. It was originally agreed that 20 per cent. of the whole crop was the loss which the grower originally was to accept. If it was 5 per cent., 10 per cent., 17 per cent., 19 per cent., or 20 per cent., the grower had to accept that portion of the loss. But if, over the period, the loss was 25 per cent., he would be compensated for the 5 per cent.

There is no doubt that was intended, and that is the position. So I hope the House will accept the situation as outlined by me. I do not think it is necessary to enter into any further argument or explanation of the matter. The position is quite clear, and I hope the House will pass the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Nalder (Minister for Agriculture), in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 25 amended—

Mr. TONKIN: Before making any remarks I would like the Minister to explain the particular effect of this amendment on the legislation; because this is not the amendment which says that the grower shall carry the first 20 per cent. of the loss. What is the need for this alteration?

Mr. NALDER: There are two machinery amendments. The main amendment is in clause 4, which deals in detail with what will be paid in compensation. When introducing the Bill I pointed out that there were two machinery amendments, and the important one was contained in clause 4. I did this when we were talking about the percentage of the amount necessary to be paid to the growers.

Mr. TONKIN: If the position were as stated by the Minister—that a mistake had been made with regard to the percentage of compensation—then in my view there would be no need to interfere with this section of the Act. The need to interfere with this section of the Act causes me to have serious doubt about the explanation the Minister gave concerning the mistake which was supposed to have been made.

In the original Act it was deliberately intended that where there was a partial loss to be sustained, and that loss was assessed in a certain way pursuant to section 26, then whatever result was obtained was to be subject to subsection (3) of section 27. This amendment will mean that the assessment of compensation in accordance with section 25 will no longer be subject to section 27, and I want to know why. It is all very well for the

Minister to say it is a machinery amendment, but that conveys nothing to any of us.

It is desirable to know why, if this is a machinery amendment, where previously it was necessary to make the assessment under this section subject to section 27, it now becomes no longer necessary to do that when we alter the basis of compensation. I venture to say there is not an honourable member in the Chamber who has a clue about the reason for it.

Mr. NALDER: I would refer honourable members to section 25 of the Act which states—

Subject to the provisions of this Act, compensation is payable under this Act to growers in respect of the whole or portion of losses suffered by them while engaged in producing bananas for sale as the result of cyclones, storms or floods, or of any natural cause, pest or disease which in the opinion of the Minister constitutes a serious threat to the existence of the banana growing industry.

The first part of this section refers to the production of bananas for sale, and the compensation payable as a result of cyclones, storms, or floods. Section 27 refers to the growing of bananas; of the plants themselves. It refers to acres.

If a banana grower plants a portion of his crop and it is damaged by storm or flood before the banana fruit forms on the plant it is possible for the grower to be compensated, because the plant at that stage was not producing fruit. That is why the area is referred to in section 27. I think that explains the position clearly. There are two different types of growing. There is the growing of bananas in the fruit stage before any fruit is formed, and there is that stage where the bananas are already formed and ready to be sold in cases.

Section 25 refers to the actual banana in the fruit stage where it can be picked and assessed in cases; and section 27 refers to any areas where the banana plant has been grown and destroyed either by flood or storm. That is why the assessment is made at the two different periods of the growth of the banana plant. I hope that explains the position clearly.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Section 27 amended—

Mr. TONKIN: I want to make my position perfectly clear in this matter. I understand exactly what the new section means, and it is a very big departure from the existing Act. The explanation just given by the Minister does not help me in the slightest, because the point I raised has no reference to the aspect with which he dealt.

The alteration proposed in the Bill will mean that if a grower sustains a partial loss, then anything up to a loss of 20 per cent. of his total crop must be borne by himself, and he will not receive compensation; but if he should lose 25 per cent. of his total crop, then he will receive compensation for 5 per cent. of it only. In that event the grower will receive one-fifth of the loss he sustained as compensation; whereas under the Act he would, at present, only have to bear one-fifth of the loss and would receive four-fifths of the loss as compensation.

The proposal in the Bill is a complete reversal of the existing position. Up to the present the grower has to bear only one-fifth of any loss sustained; but under the Bill he will have to bear four-fifths of the loss if the loss should be 25 per cent. of his total crop. That is entirely different from the explanation which was given in this House and in another place when the fund was first established.

I would like to correct an error I made. I said earlier that I had been supplied with some figures. I did not extract them myself, and I misunderstood them as representing a deficiency in the fund. During the suspension an explanation was given to me, and I now understand the figure I mentioned does not represent an actual shortage in the fund, but is a short payment by the Government to the fund.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

YOUTH SERVICE BILL

Second Reading

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

That the Bill be now read a second time.

MR. W. HEGNEY (Mt. Hawthorn) [4.25 p.m.]: I would like to indicate immediately that I propose to support enthusiastically the second reading of this Bill. It sets up a youth council to establish a wider field of youth service, as envisaged in the report of the committee appointed by the Government about 2½ years ago.

There are 24 clauses in the measure, most of which are of a machinery or ancillary character. As in the case of many other Bills, there are in this Bill only two or three very important clauses which constitute the substance of it. The Bill contains provisions relating to meetings of the council, how meetings shall be conducted, leave of absence, remuneration, removal and resignation of members, the keeping of accounts, the submission of an annual report, power to make regulations, and power to co-opt the services of persons

engaged in the Education Department, the Police Department, and branches of the Public Service. It may be necessary to do these things when the activities of the council are in full swing.

There are further provisions covering the appointment of staff, the establishment of a fund, the power of the council to invest part of the fund, and the application of moneys within the fund. The three most important provisions are those dealing with the establishment of the council, the constitution of the council, and the powers of the council.

Because the National Fitness Council will eventually play a prominent part in the administration of this legislation, I would like to express appreciation to that council and to its subsidiary organisation (the Associated Youth Committee) for the splendid work they are doing on behalf of the youth of this State; although according to the report quite a substantial portion of the youth of the State are not at present encompassed by the activities of the National Fitness Council.

The National Fitness Council, which was established in 1945, is constituted of very able, sincere, and enthusiastic men and women, whose main object is to advance the cause of youth in Western Australia. The Associated Youth Committee does more detailed work, and it is doing a wonderful job in the interests of the boys and girls of Western Australia. It is very pleasing to note that these two organisations will be represented on the council proposed to be set up under the Bill.

The time and energy of members of those organisations have been given in a voluntary way, and the thanks of the people of this State should be extended to them, because without their services the proportion of youth in Western Australia which is receiving the benefit of their services would be smaller. The committee from which the legislation before us stems consisted of men such as Mr. McCall (Director of Child Welfare), and Mr. E. Halliday (Director of Physical Education). Those two men would have played a very important part in drawing up the recommendations on which this legislation is based. They are men with wide experience in youth matters, and I have no doubt that they will be very helpful in implementing the proposals embodied in the Bill.

In regard to the constitution of the council, I do not know at this stage that any better representation could be envisaged. It is true the council would no doubt seek the services of any organisation or any particular person if it thought that any such organisation or person would be able to help in the activities and advancement of the council's work as a whole.

It is proposed that two persons from the National Fitness Council will be on the council; two persons from the Associated Youth Committee; two persons from the Associated Sporting Committee; and two persons who are officers of the Education Department. I have no doubt they will be very carefully selected, having regard to their particular attributes in their field of activity in the department. In addition there will be a representative of the Child Welfare Department, and two persons representative of the larger country centres, being people who are interested in youth welfare.

Time will tell whether any alteration to the committee will be necessary; but, at the present stage, I think that committee is quite large enough and representative enough. I do not intend to read the functions of the council in detail; suffice it to say they closely follow the recommendations outlined in the committee's report, which contains a number of recommendations.

I hope that the council will be successful in seeking the co-operation of local authorities in the work that lies ahead, as I think the assistance of the local authorities will be very necessary, for reasons that are set out in the Bill. There will be the matters of playing fields, recreation grounds, financial assistance, and so forth. However, I feel that when the local authorities recognise the worthiness behind this Bill, they will give every assistance they possibly can.

The committee has made a number of other recommendations, and I would like the Minister, if he is in a position to do so, to give some information to the House in this regard. However, if he is unable to do so, I will appreciate his difficulty and know that he will obtain it as soon as possible.

On page 18 of the report are set out the proposed powers of the council, and I will read part of recommendation 6, as follows:—

The Council for Youth Service should be autonomous with executive powers, but the Minister may from time to time issue directions to the Council on any matters under its control and these directions must be put into effect.

I particularly draw attention to this portion of the recommendation—

It should be a body corporate and in addition to other powers mentioned should be authorised, with the approval of the Minister, to borrow money upon such terms and conditions as the Treasurer approves, not exceeding £50,000 in any one year and not more than £250,000 in all.

The Treasurer should be authorised to give a guarantee in respect of any such loan.

It is true that under the Bill the youth council will be a body corporate with perpetual succession, having a common seal, and power to hold and dispose of real and personal property; but as far as I know that would not permit the council to borrow money up to the extent mentioned in the report.

Further on in the Bill there is reference to a fund which would be constituted as follows:—

- (a) any money made available by Parliament for the purposes of this Act;
- (b) any money that is paid or payable to the Council or to the Fund by way of gift, bequest or otherwise;
- (c) the income derived from the investment of any money forming part of the Fund;
- (d) all money received by the Council for or towards the carrying out of the purposes of this Act; and
- (e) the proceeds of any gifts other than money made for those purposes.

Recommendation 8 of the committee is as follows:—

That initial provision be made for the financial backing of the Council for Youth Service to the extent of £300,000 spread over a five-year period, this allocation to be reviewed at the end of that period. The figure stated does not take into account present State Government expenditure on salaries of persons already engaged in facets of the work. Any subtraction of existing commitments from this total amount is not contemplated. The figure given is for new work.

I would like to know what the proposals are in connection with the financing of this project, and whether it is proposed to allocate from the Treasury an amount for the purpose of enabling the work to be carried on.

Another matter which is referred to in the report is, to my mind, very important; but the Minister may be able to explain why no provision has been made for it in the Bill. I refer to paragraphs 69 and 70, which appear on page 16 of the report; and I think all honourable members will agree with their importance after I have read them. Paragraph 69 reads as follows:—

The general public seems to confine its attention to an unhealthy focussing on the misdemeanours of youth, thus gaining a "nasty-nice" shock—mostly with entertainment value!

It is popular to ascribe this to the manner of Press presentation and news publicity, but the Committee is of the opinion that the newspapers, television and radio generally, would re-set favourably if there were sufficient demands for a more inspirational picture

of the nobler and more admirable side of the youth of the nation—an abundance of examples of which are in evidence. A more insidious influence, it considers, is the advertising appeal to the purses and pockets of youth, which by focussing on such things as clothing and sex to an exaggerated degree, is setting a completely false set of standards for the young people themselves.

Paragraph 70 reads—

The Committee recognises the commercial importance of the newly acquired spending power of this group and that much of the objectionable advertising is on a "national" basis. The Committee recognises that local firms and branches cannot resist this but points out that State legislation can do so.

I do not know whether the Minister, at this stage, is able to indicate whether any legislation of an appropriate nature is envisaged, but I presume that all the recommendations of the committee will receive due consideration as time goes on. I think every honourable member will agree that it is absolutely essential for Governments and the community to do everything they possibly can in the interests of the youth of the State; and I would say this youth council is going to have a very arduous duty in extending into broader fields the work in connection with the development of the character of the youth of Western Australia. The physical education branch of the Education Department can do a certain amount; other branches of the Education Department can do it; the National Fitness Council can do it; and the Associated Sporting Committee can do it.

The committee will find as it proceeds that it will be confronted with problems which it cannot be expected to entirely solve. I do not say this in any critical way at all, but I believe the responsibility rests with parents because the home is the foundation of all society. The State is made up of a number of homes and tremendous responsibility rests on the shoulders of parents. It is incumbent upon them, I suggest, to do everything they possibly can to channel their children into the right company; to do everything they possibly can to ensure the continuation of their children's education after they leave school; and to encourage their children to take part in particular sports to which they are adapted.

Parents must also take a personal interest in the welfare of their children. I know some parents who will go to any length at all and will put up with any inconvenience to attend the sports gatherings of their children so they might see them participate. That has a great bearing on a child's character. It creates a great impression on the child; and I think if parents were to put in more personal

time with their children, many of the difficulties with which we are faced today would not exist.

We all know that there are some parents who will give their children anything. They will give them any quantity of money they desire and will let them go wherever they want to. They will not let them go without anything. If they want 2s. or £2, the parents will give it to them. They will give them anything except their time, and there is no substitute for that. I believe if parents were to attend to their children in that way by helping them, encouraging them, and being present with them at these functions, the State would benefit.

I support the second reading, and what I have been saying in the last few moments might be summed up in a few lines I read many years ago. They are old-fashioned but, I believe, very apt. They are—

As long as there are homes to which men turn at close of day,

As long as there are homes where children are and women stay,

If faith and love and loyalty abound across those sills,

A stricken nation will recover from its gravest ills.

MR. BRADY (Swan) [4.44 p.m.]: I would like this opportunity to speak for a few minutes on this Bill, which I am going to support to the maximum because it is a step in the right direction. I am pleased the Minister has decided to abide by the advice of the committee of investigation and deal with this Bill on a more or less urgent basis, because there is no question that the youth of today are the adults and planners of tomorrow, and are those who are going to carry on our activities.

It is much better to spend money on youth to train them and bring them up through the various organisations than it is to pay for their incarceration at Fremantle where they graduate from being one type of criminal to being another. I am pleased also about this Bill and the committee which will be set up under it, because I happen to represent an industrial area in which reside big families.

A fairly intense interest in youth exists; but despite the activities of the voluntary organisations—these being church organisations and those run by the R.S.L., Rotary, Apex, and so on—the remarkable thing, as is pointed out in the report, is that only about 15 per cent. of the young people are affected. The problem we have to solve is as to what is happening to the other 85 per cent. and what we can do to induce them to pursue worth-while activities as they grow up and become adults.

My experience has been that once these young people are properly organised they become very worth-while units in the community. In my particular area, in which

there is a youth organisation now with a full-time instructor, as a result of the interest of the Minister, the young people are running projects such as Safety Week, and so on, and are helping to do a very worth-while job.

I have interested myself in youth work practically all my life, but I am not going to go into my early activities. I want to refer to the fact that approximately 20 years ago I met one of those people referred to by the honourable member for Mt. Hawthorn, and I refer to Mr. Halliday.

When he first commenced in National Fitness to organise the youth of the metropolitan area, he went to Midland Junction and spoke to half a dozen people. He did not receive much encouragement; but he came again the next year, and the next, and the next. Subsequently, after about 10 long years, he set up an organisation which is now developing along most desirable lines and is helping the district. I want to pay a tribute to Mr. Halliday for his continued interest, and his persistence, in trying to get something worth while established.

I believe this committee will have to realise the necessity for amalgamating a lot of activities at present undertaken. There are probably so many organisations that it is difficult for them all to do a worth-while job. As I said earlier, there are so many of these organisations, including those run by the churches, the police boys' clubs, Rotary, junior chamber, and so on. There are also the voluntary fire brigades and the sporting activities. They are all being run on their own particular lines, and no central organisation seems to be able to control or advise them. I have felt for a long time that the activities of these various bodies should be co-ordinated so that they focus on a central objective in more ways than one.

With regard to the time spent on these groups, there are too many people engaged in youth work who work enthusiastically and industriously for about 10 years, after which time they find they have wasted 10 years of their lives because they have done very little for the youth they have been trying to help and very little for themselves. Consequently they turn to material activities through which they can get on personally.

That brings me to the point I want to make in regard to the money the Government is making available. Over the years the Government has encouraged the youth education branch; it has encouraged the federation of the junior farmers; and it has encouraged the federation of the police boys' clubs, and a dozen and one other organisations.

I am of the opinion that of all those organisations the one that is doing the greatest amount of good for youth, and the one which has the most worth-while

activity, is the junior farmers' organisation. That organisation is doing a great job for the youth of Western Australia. The youth are getting that material benefit which I emphasised earlier they should get in consequence of their earlier youth activities. These young people are encouraged to travel interstate, intrastate, overseas, and so on.

That should apply with all the organisations; and I hope that the proposed committee—under the clause which says, "to carry on any other functions which may be prescribed"—will prescribe activities where youth can gain both spiritually and materially. If it does that, I am sure we will be on the right track.

The idea of asking young people to follow up something—and then the young people give up and simply walk out after devoting 10 or 12 valuable years of their lives to a particular activity—is not the right type of encouragement.

I would like to see sporting organisations co-ordinated with spiritual organisations, so that ultimately their activities could be channelled into something worth while. Just as junior farmers are encouraged to do something for themselves, and eventually for the State, I hope consideration will be given to encouraging apprentices and junior workers throughout the State to associate themselves with organisations where they can follow worth-while activities something like the junior farmers' organisation.

I would not be averse to encouraging organisations to give of their time voluntarily to charitable institutions, both locally and overseas, similar to what is being done by organisations in the United States of America and England.

So I hope all these things can come to pass as a consequence of the formation of this committee; because there are too many young people—too many of that 85 per cent. in our community—who today are likely to finish up at Riverbank, which is just outside my electorate, or in Fremantle gaol. Let me emphasise this: It is costing the Government twice what it would cost it to educate these young people through the medium of youth organisations.

Whilst I could speak at length on youth organisations, I want to say this: I do not see any reference to the valuable work done for youth in the metropolitan area by the soroptomist club. This organisation has come to my knowledge because on two occasions the soroptomist club made a presentation, through the Governor, to the youth of Bassendean. The soroptomist club thanked the youth in the Bassendean area for its work.

I would like to pay tribute to the foundation organiser of the youth club in my district—Mr. Derek Schock of the Education Department—for the work he did on a part-time basis. Mr. John Holland has

now taken over, and he is a full-time organiser. Mr. Peter Dean is chairman of the Bassendean youth who received the two valuable presentations by the soroptomist club. He has also been very helpful.

Some 10 or 12 years ago the *Daily News* came out one evening with an article on atrocities which were being committed by Bassendean youth. They had thrown tea over some boy scouts who were looking after a memorial on Anzac Day. That incident made headlines in the Press all over Western Australia. Even the Governor was so concerned about it that he mentioned it at a University function. I have travelled through Bassendean for 30 years and I have never seen one incident; yet the *Daily News* was able to play that incident up. I mentioned it on the night the Governor presented trophies donated by the soroptomist club, and he thanked me for doing so.

During the time that I was Minister for Police I was invited to attend an R.S.L. meeting at Bassendean. I was asked whether I as Minister for Police, could do something to control the Bassendean youth. There were approximately 11 people at the meeting, and 10 of them, one after the other, got up and condemned the youth. One woman there did not say anything.

I had this to say to the meeting: "I have listened to what you have had to represent to me. I want to say to you that I have travelled through Bassendean for 30 years and I have never seen anything done by the youth which warranted my interference. Let me say to the R.S.L. Branch that the best thing you can do for the youth of this district is to start a youth club and to take a personal interest yourselves. I am not going to do anything, as the Minister for Police, because if I start to do something to arrest the youth here, the first people who will come to me will be the branch to say that I should try to help this lad or that girl because he is the son or she is the daughter of a returned soldier. You do the job yourselves and help the youth."

I am pleased to report that the R.S.L. branch did exactly that, and Bassendean has a very worth-while youth organisation which does valuable work in the community. What can be done in my district can be done in others.

Before concluding, I should like to say that local government bodies should take a great deal more interest in youth than they are doing. In some districts there are inadequate playing and recreation grounds, and facilities. Some local government bodies do not bother to have representatives on those committees which are functioning locally. It might be necessary in the near future to amend the Local Government Act to ensure that in every district, and within the area of every local

government authority, there are ample grounds to enable the youth to engage in sporting activities.

Too many local government bodies could not care less, and the kids are neglected almost from the time they leave their cradles. I feel strongly about this matter, because too many young people go down the drain through being neglected by the general public, local government bodies, and, in many cases unfortunately, their own parents. That could be another aspect to which the Minister could give consideration when he is recommending activities for the proposed committee.

The committee, in conjunction with the Child Welfare Department, should look into the matter of environment, so far as children in the various areas are concerned, and it should also look into some of the activities of parents. I often see parents indulging in all sorts of recreations—and I am not going to mention them here—while their children are running neglected around the streets. The committee could do a good job in recommending to the Minister and the Child Welfare Department what might be done to help youth in such cases.

I commend the Minister for his interest in youth. I hope the Government will be able to make the necessary money available, and I am confident that ultimately we as individuals, and the State as a whole, will get the benefit of this far-sighted and desirable legislation.

MR. W. A. MANNING (Narrogin) [5 p.m.]: I wish to say a few words of commendation to the Minister for the introduction of this Bill, because I feel it is something which is very necessary. However, I consider the implementation of its provisions will be the most important part of the proposal, and it will be interesting to see how the committee which is to be established will set about its task. It is not directed along any lines, but certain proposals will be placed before it regarding its functions. I would particularly mention paragraph (b) of clause 15 (1), which reads—

To investigate and conduct research into ways and means of attracting young persons to participate in youth service.

That does not mean to conduct research into the participation of youth in youth clubs but to attract them to participate in youth service. I notice that the paragraph mentions "young persons." I think it would be just as well if it mentioned those who were not so young who could be trained as leaders in youth service.

If there is one thing lacking in our community today it is people prepared to assist in the promotion of youth work. The scouts, girl guides, and many other organisations throughout the State are always calling for leaders—people capable and worthy of leading the young

people—and there is very little response. There are too many people today who think only of themselves and of some selfish ideal or project they may have in mind, and not of rendering a service in the community by promoting youth activities. That sort of service is furthest from their minds. Therefore, I believe that by putting that paragraph into effect the committee will have a man-sized job on its hands.

The implementation of the provisions in the Bill and the setting up of the committee will be the most important aspects, and I am sure the rest will follow. If the committee can promote an interest among young people, and even older people, in youth welfare work, it will be doing a good job. How that will be done is too big a subject and too big a problem to be discussed at this stage, but the committee should prove of benefit to the community.

There is one other point which I think should be mentioned. I believe some recognition should be made by the community of those who have trained for youth service and who have done work in this direction. There should be some way in which we can give them credit for the job they have done; but, unfortunately, very little is done in our community to recognise these people who are rendering a public service.

Mr. Brady: Hear, hear!

Mr. W. A. MANNING: Those who have served in local government for 15 years get an award in recognition of their services, but there is nothing to which those who render a service for our youth can look forward, except perhaps a knighthood; and that is such a long way away—and even then many would not want it—that they have no thoughts in that direction. I think there should be an award of merit which could be presented to people who do work in this way, and it would be some recognition for their service to the community. I hope the committee which is to be appointed will give some consideration to that aspect.

Over recent years organisers have been appointed in certain towns by the Education Department, and adult advisory committees have been set up. To a degree these people have done a good job, but they have promoted clubs separate from those which already exist in the towns concerned and this, partly, has been the reason for their downfall. The youth who join the youth organisations associated with the schools or high schools more or less have to leave the other clubs to which they belong and in which they have taken an interest. These clubs which are established by the Education Department organisers probably do well for a time but then they seem to fail; and the adult advisory committees are advisory only to the youth clubs associated with the schools.

I think the original intention, both of the youth organiser and the adult advisory committee, was to promote youth activities in various towns; but they have not done this and their activities have been confined to promoting other clubs, and to a degree they have failed. Sometimes they rise and at other times they fall; sometimes they are successful and at other times they are down to nothing. It gets back to my original proposition that if this committee can get down to the basis of leadership in the community—and many people would be capable of playing their part, and others would have to be trained, and would be willing to be trained—we will have people who will be rendering a voluntary service and who will become active in youth work.

Also, I repeat that I think there should be some recognition given to the people who take on this work, and merit awards should be given for the services they have rendered to the youth of the community. I support the measure.

MR. GUTHRIE (Subiaco) [5.5 p.m.]: I would also like to support the Bill and commend the Minister on its introduction. I think it is always important to get things in their full perspective. There is a tendency these days to regard youth as something special, and therefore something special has to be done for them in the way of new and rather attractive pursuits. To my mind, people are inclined to overlook—and I think the honourable member for Swan to some extent did that when he quoted his figures of 15 per cent. and 85 per cent.—the part that is being played, and always has been played, in the community by, the legitimate and old-fashioned sporting bodies.

A tremendous number of boys and girls participate regularly in sporting activities throughout the year, and I think if one were to take a statistical record one would find that those who play regularly the recognised sports, and who train two nights a week, far exceed the number of youths who attend what one might call the newer sports or the youth clubs, such as the church groups, police boys' clubs, and the like. When one realises that this year, 1964, the Subiaco Football Club alone spent £1,094 on developing football in schools in its football district, and only in schools in the district, one realises what is being done. That is a lot of money and a lot of activity, and a great deal is done in that way.

I do not think we quite appreciate what is being done and just how many sporting clubs there are in various districts. These clubs cater for sports such as football, rugby, soccer, hockey, baseball, lacrosse, yachting, surfing, ordinary swimming, and many others. It is rather unfortunate, I feel, that the small group

which is left covers those who cannot be fitted in; and it is for them that the special groups have to be created. However, it must be recognised that more than 75 per cent. of parents do their job, and more than 75 per cent. of the youth of the community do take a part in ordinary activities such as have existed for years.

I agree with the honourable member for Swan when he says it is essential that local governing bodies create sporting fields so that sporting activities can take place in each district. However, I would also suggest to the Minister, as I have suggested before, that in his capacity as Minister for Education he should do something about increasing the sporting facilities for Government schools. There is a great need in this State for more sporting fields in our Government schools, and I think it can be said with certainty that there is an insufficiency of sporting facilities at most of our high schools and, as a consequence, we are not encouraging every boy and girl in these schools to be an active participant in the sport of his or her choice.

In too many instances, unfortunately, they are required to travel long distances to play on public grounds, whereas the facilities should exist at their own schools. If we started working upwards from the primary school and then to the secondary school, we would go a long way along the road towards solving the problem. I would say, with all sincerity, that the initial cost of increasing the area allocated to every Government high school to 60 acres and every primary school to 15 acres, at least, would be well worth while, and would, in the long run, save the community a tremendous amount of expenditure.

Mr. Tonkin: I agree with you absolutely.

Mr. GUTHRIE: I am glad to know that, and I thank the Deputy Leader of the Opposition for his comment; because apparently, I feel the same way as he does—that we must start at the very beginning.

We must not make youth feel they are something special. I do not want to draw any comparisons between church schools and Government schools, but I suggest to honourable members that they should sometimes have a look at the sporting facilities the church schools find necessary to accommodate a far smaller number of boys than is accommodated by the average Government high school. When I pass the average church school with its large playing fields, and the average Government school with its pocket handkerchief playground, I am able to realise the difficulties under which the Government school operates. I feel that the school is the starting point for youth work within the community. I have much pleasure in supporting the second reading of the Bill.

MR. LEWIS (Moore—Minister for Education) [5.11 p.m.]: I thank the honourable members who have spoken for their contributions to the debate on this Bill. Their remarks have emphasised the importance of this aspect of society to a degree that has not been so obvious in the past. Some honourable members raised different aspects of this problem. First of all, I thank the honourable member for Mt. Hawthorn for his complimentary remarks about the National Fitness Council, and its associated committees, such as the Associated Youth Committee, the Associated Sporting Committee, and others. They are all doing a very good job indeed.

The honourable member for Perth is, I think, a member of the National Fitness Council, and the former member for Stirling is also a member. Further, many of our prominent citizens, both men and women, who are all very busy people in other aspects of public life, are very active with their contributions to this great work; and, in view of their many activities, they could be well excused from it. However, they continue to make a contribution to the work of the National Fitness Council at the expense of a great deal of time and money to themselves.

Indeed, I had great difficulty in deciding whether this youth service should be vested entirely with the National Fitness Council, or whether a separate organisation should be established. However, appreciating the many responsibilities of the National Fitness Council, I considered, parallel with the committee's report, that, at least in the early stages, a separate council should be formed. On this council the National Fitness Council itself will be strongly represented, and I hope that with the assistance of the youth as represented on the Associated Youth Committee and the Associated Sporting Committee, together with the experience of representatives from the National Safety Council and the various Government departments that have been mentioned, we will have a worth-while council which will be able to submit some worth-while recommendations.

In the early stages the function of this council will be more or less exploratory. Although the committee met regularly every week for a period of over 12 months and heard a great deal of evidence, I feel there is much more to be learnt about this problem before the Government can, with confidence, channel off the substantial amount of money that the committee recommended. In the Bill honourable members will notice a provision for the committee to submit a report; and the Minister, from time to time, will be able to make recommendations based on the committee's findings.

I agree entirely with the remarks made by the honourable member for Mt. Hawthorn that greater emphasis must be

placed on the parents' responsibility in this scheme. I could not agree with him more, and I am sure that what he had to say is endorsed by every honourable member in this Chamber. Of course, we live in a new day and age. We live in a day of modern transport and modern roads, where there are all sorts of counter attractions; and the desire of youth to get away from the family fireside to seek new fields of excitement is greater today than perhaps ever before, and this brings with it its own attendant problems.

No matter how responsible a parent may be, the problem of youth is undoubtedly complex in these times in trying to meet and keep abreast of the excitement of youth. So we hope that this youth council will be able to recommend ways and means of getting the minority of youth who are becoming wayward back on to the rails as it were. I know the committee, in its investigations, found that only 15 per cent. of the youth that had just left school—that is, that group from 14 years to 19 years—were directly associated with one or another of the excellent youth clubs that are in existence.

I was perhaps remiss in my second reading speech in not expressing sufficient acknowledgment of the great work that is being done by youth clubs, church clubs, sporting clubs, and various other clubs. There are many of them and their names are legion, and we know that collectively they are doing excellent work.

We also know that some youth clubs commence with a burst of enthusiasm. Often a club is formed with a very enthusiastic leader who is dedicated but who, perhaps, in too many instances, does not possess many other qualifications. Such an organisation travels along for a certain distance until the ideas of the leader are exhausted, or perhaps he is transferred to another district, and then the youth club founders for want of a successor.

This has happened too often, and one of the responsibilities of the proposed youth council will be to find ways and means to train potential youth leaders and channel them off to these youth clubs which now need direction. Many clubs are functioning quite successfully, and the honourable member for Swan referred to the great work that is being done by clubs in the Bassendean-Midland district. I had the privilege of attending one or two club functions with the honourable member for Swan, and I acknowledge the excellent work that is done by them in that area. This is not an exceptional instance, because there are others, too, which are doing very good work.

I think it was the honourable member for Mt. Hawthorn who mentioned that not all of the recommendations of this committee have been adopted, and that there were recommendations concerning the amount of money to be expended. I have already touched on this aspect; and I consider

that when the youth council, which is to be constituted under this legislation, makes its investigations and explores the possibility of gaining more interest in youth clubs by local authorities; stimulates greater interest by parents themselves; and returns to the Minister with a report on what further work should be done, the Government will not be unsympathetic. Until the proposed council does carry out some of this work it is too early to say whether all the money the committee has recommended will be needed, or whether more will be required for the council to carry out its work successfully. When the proposed youth council makes further inquiries and is, perhaps, able to assess what support can be gained from outside Government sources, that will be the time to make an assessment of the amount of money that is required.

At this point I would like to say that the responsibility for this scheme does not lie solely with the Government, whether it be this Government or a succeeding Government. There is a responsibility on the parents, on local authorities, and, indeed, on the youth themselves. I am of the opinion that when one receives something for nothing one does not value it as highly as one would if one earned it or paid something for it; and I feel that if this can be made attractive enough to youth, then the youth of today and the youth of the future will not hesitate to make their contributions towards it.

Mr. H. May: How will this affect the police boys' clubs?

Mr. LEWIS: I do not think it will in any way detract from the value of the police boys' clubs. The purpose of this council is not to destroy the autonomy of any of the existing clubs; its purpose is to co-ordinate, to advise, and to supply youth leaders, and so on, to the existing clubs. At this stage it is not intended in any way to interfere with the autonomy of the clubs.

Mr. H. May: Don't you think they would be better in an association?

Mr. LEWIS: It could be; but I think it is advisable to leave this to the clubs themselves. If they feel that they would prefer voluntary amalgamations then that should be encouraged.

Mr. H. May: Would they be recognised as youth clubs?

Mr. LEWIS: Yes. I feel there is perhaps more scope for co-ordination and co-operation between the police boys' clubs, the proposed youth council, and, indeed, other clubs.

Some clubs have facilities now which are not being used to the fullest extent, while other clubs are languishing because they have insufficient facilities to conduct their operations. With co-ordination and co-operation we could get much more out of the existing facilities than is the case today.

I would emphasise that the activities of this council will be directed towards the 14 to 19-year-old youths. I daresay it is the publicity that is given to the wayward activities of a very small minority of youth that sometimes leads one to believe that this is the general rule; that it is the trend of youth; that it is predominant. I would point out, however, that it is only a very small proportion of youth that becomes wayward.

Mr. Toms: I think publicity helps to encourage a lot of it.

Mr. LEWIS: I will go along with that; it is caused by the undue publicity that is given to the matter. This week we are celebrating national safety week in an endeavour to inculcate in people's minds the need to save lives in a physical sense. I think it is perhaps not inappropriate that this legislation should seek to try to do something to save people's lives in a moral sense.

Mr. Hawke: What we need is a national safety year every year.

Mr. Craig: Every day.

Mr. LEWIS: We certainly do; and we need more for our youth. I feel that with the formation of this council all the attention necessary can be given to publicity and the need to create in parents an awareness of their responsibilities to this very important aspect of our society.

I would like briefly to refer to a comment made by the honourable member for Subiaco, with particular reference to his remark about the playing fields that are provided in our schools. We know, of course, that nowadays greater areas are provided for the activities of our youth, both in the primary and in the secondary schools, than was thought to be necessary at one time. The area provided is much greater now than it was before. The honourable member, however, mentioned a minimum of 60 acres for a high school and 15 acres for a primary school. Such an acreage is not readily obtainable except, perhaps, in the outback areas or in the outer suburban areas; and, of course, the cost would be very considerable indeed in the more densely populated areas. It would be financially impossible, for instance, to enlarge the playing area near, say, the Hollywood High School to 60 acres. It would cost a very substantial amount of money which the State could ill afford at the moment.

Mr. Guthrie: I will concede that. I am thinking of looking ahead and making provision for the future so that history does not repeat itself.

Mr. LEWIS: We need larger areas, and these are being provided wherever possible. Whether the area provided should be as much as 60 acres is a matter for further research. Some comparison was drawn between the area provided by the State and that provided by certain independent

schools. I do not propose to be drawn into that argument, except to say that I have no evidence—and I doubt whether anybody else has—to show that the smaller areas it is claimed the State provides for its schools produce any less worthy citizens than the independent schools produce with their allegedly larger areas for playing purposes.

Mr. Guthrie: I did not suggest that. I only pointed out it was necessary to have an area sufficient for sporting activities within the school.

Mr. LEWIS: I do not know whether there is any arbitrary acreage that should be provided; but it is an aspect that is being examined, and will continue to be examined, by the Education Department when selecting sites for new schools.

I thank honourable members generally for their support of the Bill. It is breaking new ground. So far as I know, this sort of thing has not been attempted anywhere else in Australia. As the honourable member for Narrogin said, the implementation of the functions and powers of the council will be most difficult; but if this council is set up I am sure we will all look forward to making real progress in this very great field of responsibility which rests on society today.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Clauses 1 and 2 put and passed.

Clause 3: Interpretation—

Mr. W. A. MANNING: I would like to see the word "cultural" added after the word "social" in line 23 of the clause. I realise that the word "cultural" is included in paragraph (h) of subclause (1) of clause 15 on page 8 where it refers to cultural training, etc. But in the definition of youth service there is no reference to cultural activities. This is an important aspect, because in this State there are youths who are interested in music, art, and drama. For that reason I move an amendment—

Page 2, line 23—Insert after the word "social" the word "cultural."

Mr. LEWIS: This is new legislation, and I am prepared to accept reasonable amendments. The honourable member for Narrogin fears the definition of "youth service" would not cover cultural activities, but I would point out that the definition refers to intellectual and recreational activities. I think that music, art, and drama are covered by intellectual and recreational activities.

Amendment put and negatived.

Clause put and passed.

Clause 4 put and passed.

Clause 5: Constitution of Council—

Mr. HEAL: I have two suggestions to make on this clause. The first concerns the chairman of the proposed council and his appointment. No qualifications are prescribed in the clause for the chairman. I do not think the Minister will appoint a chairman who is not fitted for the position, but I think a qualification, such as a person who has demonstrated his interest in youth activities and played an active part in the youth movement, should be included. That would be a safeguard against the appointment of a person unsuited for the job. Regarding the appointment of the 11 members of the council, I wish to move an amendment to delete the word "larger" in line 35, page 3.

I do not know what is regarded as a larger country centre. As a member of the National Fitness Council I am aware that Mr. Fellowes from Mt. Barker has been very active in the youth movement of this State, and if Mt. Barker is not regarded as a larger country centre he will not be eligible for appointment to the proposed council.

Mrs. Leslie Craig was also a member of the National Fitness Council, and she resided in Dardanup, which cannot be termed a larger country centre. Similarly, Mr. Kelly, who resides in Pemberton, is also very active in the youth movement. By our including the word "larger" some country centres could be excluded.

Mr. DAVIES: There is no mention of the inclusion of women in the constitution of the proposed council. I am not aware of the members who comprise the Associated Youth Committee, or the other sporting committees, from which some members of the council are to be selected. It would be desirable to mention specifically in the clause that some members of the council shall be women, because many of them are playing an important part in the youth activities of the State.

Mr. Heal: There are many women on those committees.

Mr. DAVIES: But there is no guarantee that women will be appointed to the council proposed to be set up under this legislation.

I draw attention to subclause (7) which provides that a member shall cease to hold office when he ceases to be an officer of the Education Department, or the Child Welfare Department. It should be noted that the other members of the council are to be appointed for terms of three or six years, but I am not aware of any provision which states that when such a member ceases to take an active part in the committee he represents, he shall resign from the council. A member of the council could cease to have close liaison with the body he represents; yet, under the terms of his appointment, he is to hold office for three or six years.

Mr. LEWIS: I think the honourable member for Perth raised the question of the chairman and his qualifications. At the moment I have no specific person in mind for this position; but I appreciate it will be necessary to appoint a suitable person, who has proved by his past actions that he is interested in youth and has the ability to cope with the responsibilities attached to the office of chairman of this council. I can assure the honourable member that when the appointment is made due regard will be had to these matters.

The honourable member also mentioned the appointment of persons who reside in the larger country centres of the State. The term "larger" is only relative. One might or might not include towns the size of, say, Northam.

Mr. Hawke: But if you leave it in it restricts your choice.

Mr. LEWIS: I am prepared to agree to its being taken out, because the purpose is to appoint two persons with outstanding qualities, irrespective of the size of the town in which they live. I think this is actually drafted from the committee's report, and is the term it used; but I am prepared to have it deleted if it will be more acceptable to the Committee.

Mr. Graham: Spoken like a statesman!

Mr. LEWIS: The honourable Mr. Davies raised the question of representation by women on this council. I would say that the council would not be a balanced one if it did not have adequate representation by women on it. Two persons are to be appointed from a panel of five to be nominated by the Associated Sporting Committee, which consists of representatives from many sporting bodies. I think there are 54—I could be wrong—sporting bodies in Western Australia. Some of them are purely women's organisations, while others are purely men's; and between them both men and women are represented on the Associated Sporting Committee. We will have to rely on the good sense of the Associated Sporting Committee in submitting its nominations; but I hardly think it would be such a happy band as it is now if it did not nominate a woman in a panel of five. The same arguments apply to the Associated Youth Committee.

If either of these committees does not submit the name of a woman in its panel of five, the position will be safeguarded in the fact that there are representatives of the larger country towns. I, as Minister, would certainly endeavour to see that women were adequately represented; because, while the problem of our youth—if it is a problem—concerns more our young men than our young women, nevertheless it includes both, and both sexes should have representation.

Mr. HEAL: Before moving to delete the word "larger" I would like to point out that I omitted to put forward a suggestion to the Minister in relation to the constitution of the council. I am not a great believer in large committees, but I realise the youth organisations throughout Western Australia encompass a large body of people.

I would like the Minister to consider urgently the inclusion of one or two delegates from the Guild of Undergraduates of the University. It is wholly and solely a youth organisation and represents some 3,000 to 4,000 students at the University. This organisation plays a very active part in the field of social, sporting, political, and youth welfare activities. If the Minister were in favour of this representation on the council he could have the measure amended in another place.

The present council is to consist of 11 members, and I do not know whether the Minister would prefer the addition of another one or two members. If one were appointed the council would consist of 12 members and there could be a deadlock with six voting either way; but no doubt the chairman would have a casting vote. I hope that by the time this Bill reaches another place the Minister will have been able to give this matter serious consideration and will have a suitable amendment made there.

I move an amendment—

Page 3, line 35—Delete the word "larger".

Amendment put and passed.

Mr. DAVIES: The Minister did a good job in answering points that had been raised, but he overlooked the last one I mentioned. Does he consider it necessary to insert in subclause (7) a safeguard that any of the other members of the council who are no longer associated with the bodies they represent should automatically lose their place on the council?

Mr. LEWIS: In the case of departmental officers, there are other officers who can readily take their place; whereas, in the case of the voluntary organisations, outstanding representatives should not have their term on the council terminated simply because they cease to be members of the organisations that originally nominated them to the council. Nevertheless, the point made by the honourable member is worthy of consideration; and although I would not like to accept an amendment at this stage, I will have a look at it so that, if necessary, amendments can be introduced in another place.

Mr. D. G. MAY: Now that we have deleted the word "larger" from paragraph (f) I am wondering whether the Minister will give consideration to deleting all words after the word "service" in line 37.

My reason for mentioning this is the fact that the honourable member for Perth raised the point that a person interested in youth services may live at Dardanup, but his interest may be in Bunbury. Because of his employment he may live in a smaller centre, but actually the service in which he is interested is in a larger area. I think it would be sufficient to appoint people who are interested in youth service.

Mr. LEWIS: I do not think the deletion of the words is necessary. Nor do I think that the deletion would achieve anything. The provision is clear in its intention.

Mr. D. G. May: Don't you think the words are redundant now?

Mr. LEWIS: I do not know. I do not think they are redundant. They may not add anything, but at this point I would not care to agree to their deletion.

Clause, as amended, put and passed.

Clause 6: Appointment of Deputy of the Chairman—

Mr. HEAL: I desire to add after the word "Chairman" in line 26 the words "with the approval of the Minister". I desire this as a safeguard. Under the previous clause the chairman is to be appointed by the Minister, which is logical; and I think it is equally logical that the appointment of the deputy chairman should be approved by the Minister. Some controversial matter could come before the council and the council could be divided upon it, and could easily move that the deputy chairman be removed, and then appoint someone else in his place. I am not saying that will happen; but it could, and I hope the Minister will agree with me. I move an amendment—

Page 4, line 26—Insert after the word "Chairman" the words "with the approval of the Minister".

Mr. LEWIS: At this stage I do not consider this is a power which should rest entirely with the Minister. The Minister will be responsible for the appointment of the chairman in the first instance, and I think we should have sufficient confidence in the council set-up in the appointment of its own deputy. If with the passage of time we find it is necessary to make this amendment, we can do so; but I do not see any reason why the Minister should encroach upon the responsibilities of the proposed council any more than is necessary.

Mr. HEAL: I am sorry the Minister will not agree; because, as I pointed out, it does not take the responsibility away from the committee. It will still have the responsibility of selecting its deputy, and all I am asking is for the Minister to approve the recommendation of the council. I feel this would be a safeguard; because, as we know, factions do arise in

large committees. I sincerely hope the Committee will approve of the amendment.

Mr. LEWIS: In further reply to the honourable member for Perth I would say that to be consistent we should provide in subclause (2) for the termination of the appointment of the deputy chairman to be made with the approval of the Minister. However, I do not feel that either is justified, because it is undue interference with the autonomy of the council. Give it a trial! I cannot see any reason to believe that this will not go along happily; but if, with the passage of time, some amendment is found necessary, consideration can be given to it. However, we should not express a lack of confidence in the proposed council by imposing restrictions at this stage.

Amendment put and negatived.

Clause put and passed.

Clauses 7 to 16 put and passed.

Clause 17: Appointment of staff—

Mr. DAVIES: I would like the Minister to explain to the Committee why the staff are not to be appointed under the Public Service Act but are to be subject to decisions of the Public Service Commissioner. It seems an anomaly to me. It would be far better to have them appointed as public servants, subject to all rights of appeal and employment rights enjoyed by public servants, rather than have them subject to the whims of the commissioner. Would the Minister please explain this provision?

Mr. LEWIS: Here again I have to confess that this was taken from the committee's report. As honourable members know, the chairman of the committee was Attorney-General and Minister for Education for some years. He gave a lot of consideration to the report, and this recommendation has been taken from it. I am not in a position to answer more specifically the comment made by the honourable member for Victoria Park, but I will have his remarks examined to see whether an amendment should be made.

Clause put and passed.

Clauses 18 to 24 put and passed.

Title put and passed.

Bill reported with an amendment.

USED CAR DEALERS BILL

Second Reading

MR. CRAIG (Toodyay—Minister for Transport) (6.3 p.m.): I move—

That the Bill be now read a second time.

I have previously stated the Government's intention of removing from the Traffic Act what are considered to be extraneous sections, in order that this Act would eventually deal only with traffic matters.

Some action has already been taken in this regard, and with this Bill it is intended to remove from the Traffic Act those sections dealing with used car dealers; and, at the same time, opportunity will be taken to amend the present provisions in order that stricter and more desirable control can be exercised in the operation of the sale of used motor vehicles.

The principal features of this Bill deal with—

- (i) licensing of premises;
- (ii) licensing of dealers;
- (iii) inspection of vehicles;
- (iv) inclusion of "wreckers" as dealers.

It is considered that many premises used for secondhand car dealing are sub-standard; but, unfortunately, as the legislation exists at present little can be done; hence provision for defining suitable premises is considered essential. In many cases it is expected that the "backyard" unlicensed dealer will be eliminated by the application of this new Act. I think honourable members can recall instances of used cars being handled, literally speaking, in the backyards of some premises.

In the Bill the Commissioner of Police has been given power to refuse a license where premises are not deemed to be suitable for the purpose required. He is also given power to cancel the license relating to actual premises where sufficient grounds apply.

This is done in an endeavour to eliminate a "dummy" being put in premises where a used-car dealer's license has been cancelled, whilst the guilty party still operates the business as before.

Certain provisions have been included in regard to the issue of used-car dealers' licenses, and all used-car dealers' premises shall be individually licensed, with provision for a responsible person to be nominated in each case and with prescribed books and registers for every yard.

At the present time the arrangement is most unsatisfactory, as one license covers almost any number of premises of any one firm; and, as these premises may be miles apart, records are extremely difficult to check, and officers endeavouring to police the provisions are often given the "run around."

Every dealer will require to be the holder of a license for each of the premises at which he deals. The license will, therefore, be in respect to the dealer and the premises from which he operates. For instance, if the dealer is a firm or company, the license will be issued in its name to a member of the firm.

An applicant for a license must be at least 21 years of age and of good character, whilst the applicant on behalf of a company is required to supply the names of the directors of the company.

"Dummying" has been a vexed question with the police for many years, and it is hoped that this legislation will eliminate this practice. At least it will provide for the full disclosure of interested parties connected with used-car dealing.

Consideration has also been given to the definition of "dealer." The provisions now to be found in the Traffic Act define a dealer as one who, among other things, sells 15 vehicles in the space of a year. However, it appears on inquiry that this provision was incorporated not because of the policy of allowing a limited amount of dealing without a license but rather as an evidentiary provision. However, as an evidentiary provision, this is valueless as in any prosecution it is necessary to prove two ingredients; namely, that the defendant—

(a) is engaged "in the business of acquiring, disposing, or exchanging used motor vehicles"; and

(b) in the course of that business acquired, disposed of, exchanged, or sold 15 vehicles in the space of a year.

Thus, far from lightening the burden imposed on the prosecution, it, in fact, increased it.

In the Bill the provisions contained in (b); namely, "in the course of that business, acquired disposed of, exchanged or sold 15 vehicles in the space of a year" has been omitted.

While the present provisions do provide for the Commissioner of Police to refuse a license on the grounds of bad character, there is no control over employees. This in itself is most unsatisfactory; but when there is the possibility that a person with a bad character has only to nominate a "dummy" as a responsible person, and he is then able to operate the business of trading in used cars quite openly, the position is alarming, as such an owner, although not mentioned in the license, can in effect, completely run the business even to the extent of constructing his "dummy" and other employees and salesmen on the premises. As previously mentioned, the Bill attends to this; and, although it does not completely eliminate "dummying", it brings it into the open.

The inspection of motor vehicles is most desirable, and the Bill allows a police officer or traffic inspector to enter a used-car dealer's premises for the purpose of inspecting vehicles; and, above all, allows him to affix unroadworthy notices if considered necessary, and in just the same manner as he has the authority to do if a suspected faulty vehicle is being used on the roads. Such power will, I feel sure, largely eliminate unroadworthy vehicles being offered for sale, and also will largely combat misrepresentation. No genuine dealer should fear the inspection, and I feel that the greater majority will welcome it.

It has been considered for some time now that "wreckers" should be brought within the interpretation of "dealers", and the Bill does this. The reason is that although used vehicles may be chiefly bought by wreckers for the specific purpose of wrecking and the sale of parts, many firms do resell complete vehicles when the opportunity offers.

In addition, it is felt that there will be very obvious advantages, both from a traffic and a C.I.B. point of view, if returns are required of all vehicles acquired by wrecking firms.

In an effort to eliminate much of the inquiry work which is now so time-consuming, and also to reduce the possibility of unlicensed vehicles being sold to purchasers as licensed vehicles, a requirement is included to enforce either the renewal of used-car licenses held by used-car dealers, or the return of number plates within 15 days of the date of expiration. I am sorry to have been so hasty with the introduction of this Bill, but it was because of the time.

Mr. Hawke: Could you give us some detailed information about the middle part of the Bill?

Mr. CRAIG: The Bill has the support of all connected with the industry and I commend it to honourable members.

Debate adjourned, on motion by Mr. Brady.

House adjourned at 6.11 p.m.

Legislative Council

Tuesday, the 13th October, 1964

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