regarding the debate on division No. 59, Metropolitan Water Supply, Sewerage, and Drainage Department. He suggested I should have a look into the position. This department is mentioned on page 110 of the Estimates but no vote is provided from Consolidated Revenue for the department for this financial year. This is a Committee to consider the Estimates of Expenditure from Consolidated Revenue for this financial year; so it is obvious that if no expenditure is provided for it there can be no debate.

Mr. Tonkin: Another assurance that is worth nothing.

The CHAIRMAN (Mr. I. W. Manning): The only opportunity any honourable member will have to discuss this department's activities will be during the general debate.

Motion put and passed.

Progress

Progress reported and leave given to sit again.

LICENSING ACT AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

House adjourned at 11.18 p.m.

Legislative Council

Thursday, the 5th November, 1964

CONTENTS

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

QUESTIONS ON NOTICE

LAND BETWEEN YELLOWDINE AND BULLABULLING

Availability for Selection

1. The Hon. J. J. GARRIGAN asked the Minister for Mines:

   In view of inquiries from local and interstate people seeking land south of the Kalgoorlie-Perth railway line, between Yellowdine and Bullabulling—

   (a) Is it the intention of the Government to throw the land open for selection either for farming or pastoral purposes?

   (b) If the answer to (a) is "Yes", when will this be done?

   The Hon. A. F. GRIFFITH replied:

   (a) and (b) It is proposed during 1965 to commence investigations into the pastoral potential of the land southward of Bullabulling.

CLAY DEPOSITS

Testing at Dalyup

2. The Hon. R. H. C. STUBBS asked the Minister for Mines:

   With reference to my question on Thursday, the 27th August, 1964, and owing to the large usage of bricks, and the necessity of transporting them long distances to Esperance, will the Minister have the clay deposit at Dalyup tested as to its suitability for making bricks, having in mind an

industry that could be carried on to provide employment for native persons in the Esperance area?

The Hon. A. F. GRIFFITH replied:

Yes.

SCHOOL AT KOOLYANOBBING

Number of Classes, Septic Installation, and Housing for Staff

3. The Hon. R. H. C. STUBBS asked the Minister for Mines:

With reference to the proposed building of school premises at Koolyanobbing—

(a) How many classes will be accommodated when the school is first occupied?

(b) Will the toilet block be a septic tank installation?

(c) Will housing be provided for teaching staff?

(d) If the answers to (b) and (c) are in the negative, what are the reasons?

The Hon. A. F. GRIFFITH replied:

(a) Two classrooms are being provided. The number of classes will depend on the ages of students enrolling.

(b) Toilets will be connected to the town sewerage scheme.

(c) An application has been made by the Education Department to the State Housing Commission for a government employee's home for use by the teacher.

(d) See answers to (b) and (c).

4. *This question was postponed.*

STATUTE LAW REVISION BILL

Report

Report of Committee adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Justice), and transmitted to the Assembly.

NATIVES (CITIZENSHIP RIGHTS) ACT AMENDMENT BILL (No. 2)

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [2.39 p.m.]: I move—

That the Bill be now read a second time.

Prior to 1958, children whose names appeared on the certificate of a parent lost their citizenship rights when they turned 21. In 1958, an amendment to the Act rectified this anomaly. Unfortunately, however, Parliament neglected to provide natives (citizenship rights) boards with power to issue these people with a certificate in their own right. Citizenship, of course, is of little practical value to a native if he does not possess evidence of it.

This omission was not appreciated at the time so regulation 3A was promulgated making it mandatory for a natives (citizenship rights) board to issue a certificate on application. Senior legal advisers of the Crown Law Department have subsequently examined the position and are in agreement that regulation 3A is an assumption of power not authorised by the Act and, consequently, has no legal force. Already, there have been two moves made in Parliament this session, one in another place and one in this Chamber, to rectify the position.

Last month in another place, Mr. Brady, the honourable member for Swan, moved in the House that regulation 3A made under the Natives (Citizenship Rights) Act be amended to provide for a certificate of citizenship to issue automatically to children whose names appear on the certificate of citizenship of a responsible parent when those children come of age. That motion has not yet been debated.

The other move made to rectify the omission came in a Bill introduced, as you will recall, Sir, by the honourable Mr. Strickland on the 14th October, which has been explained in this Chamber. I do not think it would be proper, nor is it my intention, to make further reference to that Bill at present, as that is not the Bill upon which I am addressing myself to honourable members at this point of time.

Nevertheless, I think I should remark that it will take something more than a simple expedient to rectify the omission made by Parliament in neglecting to provide natives (citizenship rights) boards with power to issue to the children whose names appear on the certificate of citizenship of a responsible parent, a certificate in their own right on reaching the age of 21 years.

The Government's legal advisers in the Crown Law Department express as their opinion that a certificate can only be issued in those instances when an applicant has satisfied the board that he can fulfil the conditions required of an applicant who does not have citizenship rights.

The *Hansard* report of the debate on the 1958 amendment leaves no doubt that this was never the intention of Parliament, but rather that a certificate should issue as a right to those who come within the ambit of that amendment when they turn 21; for citizenship is of doubtful practical value to a native if he does not hold evidence of it in the form of a certificate. This Bill has, therefore, been introduced to give practical effect to the original intention of Parliament. It provides for the insertion of a new section into the Act which will enable a child whose name appears on the certificate of

a parent and who is not less than 21 years of age to apply for a separate certificate. Once the native welfare superintendent is satisfied as to his identity, he shall issue a certificate without further inquiry.

The amendment also provides for the names of the children of whom he is the responsible parent to be entered on his certificate. Considerable thought has been given to the proposal of Mr. Brady, made in another place, that the certificate should issue automatically. It was concluded, however, that this would involve too many difficulties both administrative and practical.

In regard to the administrative aspect, the department does not keep a systematic record of the information which would be necessary for these certificates to issue automatically. A record would have to be kept of the name, age, and current address of each surviving child, and whether a certificate had already been issued. This would involve considerable work which would be hard to justify, particularly in a department keen to devote as much of its resources as possible to field work, where the tangible results are obtained.

At present, before a certificate is valid, it must contain a photograph of the holder. With this requirement being dispensed with in respect of natives able to write their own signatures, it is believed the certificate will lose little of its value since there will still be some means of identification. It is easy to imagine such certificates being used illegally by other than the holders, however.

Though it is accepted that a photograph is not necessary for identification purposes in all cases, there will still be a need for contact with the superintendent by the natives concerned so that all of the necessary information can be immediately available and a certificate issued forthwith. The need for setting up a comprehensive record system at head office is thus eliminated and the matter dealt with at district centres. The Minister for Native Welfare, when explaining this Bill in another place, assured honourable members that formalities would be kept to a bare minimum.

I would point out further that this amendment will have no material effect on the natives in the South-West Land Division, who already have all the rights of full citizenship. The only restrictions applying throughout the rest of the State are those pertaining to liquor, and when these are lifted the Natives (Citizenship Rights) Act will be redundant.

THE HON. H. C. STRICKLAND (North) [2.45 p.m.]: Having listened to the Minister explain this Bill, I am disappointed at the Government's approach towards the assimilation and uplifting of our native population. For some reason or other the Government has decided to be adamant that children of native citizens should be classed as natives. A native who holds a citizenship rights certificate is a citizen for the duration of his life; and therefore I say that these children are the children of citizens.

The Government's attitude is absurd. The Bill means that natives are citizens until they reach the age of 21 and then they are classed as natives by law. Many of us in this House are natives of Western Australia, but for some reason or other this Government intends, adamantly, to persist in declaring that a certain class of citizens, on reaching the age of 21 years, shall no longer be classed as citizens but shall be classed as natives according to law.

Surely that is a most ridiculous situation to tolerate, and a most inhuman attitude to adopt towards decent-living people and good family people. If there is an argument in favour of defeating this measure, it is in the last words spoken by the Minister. He said that citizenship rights no longer applied in the South-West Land Division. The South-West Land Division covers a tremendous area, commencing well north of Geraldton and extending to Albany in the south. Later on I will read some statistics on the number of natives living in the South-West Land Division who, the Minister says, are not affected by citizenship rights, and who do not need them. The Minister for Native Welfare, in another place, adopts the same attitude.

If certificates are absolutely unnecessary in the southern portion of the State, what is the objection to extending them to those Christianised and good living citizens in the northern part of the State? It is so ridiculous! In 1958 Parliament agreed without opposition to a Labor Government Bill to make these children citizens for the duration of their lives.

The Minister had a lot to say about an anomaly in the 1958 Act because there was no provision for natives to apply for certificates when they reached the age of 21. We say, "Why should they?" Parliament declared that they should not have to apply. If they are citizens until they are 21, they are citizens for life. That was the very last phrase of my recorded speech when I introduced the Bill and when I replied to the debate in this House in 1958. That measure was accepted, without any division, in both Houses of Parliament.

I would have expected the Minister to tell us what has happened to some of these children. Can the Government cite a case which warrants these restrictions being reimposed upon them, and which warrants the indignity which is being imposed upon these children who have become adults and who are people with native blood? I have not heard of one

case, and surely the Minister, or the Government, is obliged to tell Parliament if any cases are known.

I had a look through the 1963 report of the Commissioner of Native Welfare but I could not find anything in it which warranted the action being taken under this Bill. The 1964 report has not yet been presented to Parliament. I do not know why. We have the Auditor-General's report for the year ended the 30th June, 1964, and that was tabled by you, Mr. President. Because the commissioner's 1964 report is not available we are unable to be apprised of the latest figures in relation to these urgent matters. It may be that the Government Printer is very busy and unable to cope with the flood of printing that is being sent to his establishment these days. But surely a typed copy for our information could be tabled and the printed copies made available at a later date!

However, there is nothing in the 1963 report, or any other report that I have seen, and nothing has been said by the Minister for Native Welfare in another place, for the Minister handling the Bill in this House, regarding some specific instances that have caused the Government to reimpose restrictions upon this unfortunate section of the community. It must be remembered, too, that the only children affected by this legislation, as the Minister said, are those now living outside of the South-West Land Division. It must also be remembered that the principal Act has been in operation for 20 years, and a great number of these children, or in fact almost all of them, have been born since the Act was first passed in 1944.

Each and every one of the children covered by the Act has attended school; they are all educated children; they are not children running loose in the bush. The only children living under tribal conditions these days are those living with the few odd families to be found in Central Australia—some of them were discovered in recent days. Those people come under mission control, and it would be doubtful if one could find a dozen families these days living under tribal conditions.

I cannot emphasise too much that this Act does not affect those children in any way; it affects only the children whose parents have citizenship rights—decent, good living citizens and their children are classed as citizens until they reach the age of 21. Then, the Government says, they become natives. The Labor Party's objection to the Government's approach to this matter is the same as it was in 1958 when we as a government successfully introduced and had passed through Parliament legislation making them all citizens.

In regard to the Minister's assertion that a certificate of citizenship is of no use to a native unless he has something to show for it, we say that that matters little. That is the wrong attitude to take. Under the law the people who are classed as natives are those who have half or more aboriginal blood in them. Any person with only a quarter aboriginal blood is not classed as a native under the law and he does not need a certificate. He does not have to carry a certificate with him but, so far as colour is concerned, many such people are darker than those who are classed as natives.

How the Minister can be supplied with information that it is not practicable for the department to administer this Act without persons having to make application for a certificate I do not know. Such statements will not bear investigation. I say they are absolutely untrue, because the Department of Native Welfare has a record of every native and part-native known throughout the State. I would say that even the few women and children who were brought in from the desert last week are now recorded in the files of the Department of Native Welfare. I do not say that that record is held at head office, but I am sure a record of those people is now held in the district office of the department.

In our job as representatives for the north—and the north is a big area—we come in contact with several native welfare officers, and we know from experience what we are talking about when we say what the department is and is not capable of doing. The Minister said our proposal would create a lot of work in the department. But what is the department for? It is called the Department of Native Welfare, and its policy, and the Australian policy agreed to by all States and the Commonwealth, is assimilation.

I am not saying that the department would not undertake the work, if there is work to be done to keep control of the people who come under this Act. If the department has not enough officers to do the work then more should be appointed. However, I am certain the department has enough officers, and I am certain it has all the information required. If one studies the 1963 report of the commissioner one will find practically everything that one desires to know about natives because all the information is embodied in that report.

The Government now brings down a Bill which places restrictions on the citizens of this State. These people are citizens while their names appear on their parents' certificates, until the time they reach 21 years of age when they can apply for certificates of their own. Yet they are to be persecuted when they reach adult age.

The Hon. A. F. Griffith: Don't you think it is an exaggeration to say they will be persecuted?

The Hon. H. C. STRICKLAND: I say they are persecuted.

The Hon. A. F. Griffith: Don't you think that is an exaggeration?

The Hon. H. C. STRICKLAND: All of us here are fortunate in that we are not born of native blood. Let us put ourselves in the position of a native lad who comes down from the north and serves his time at the Midland Junction workshops. After qualifying as a fitter and turner he returns north to work for one of the government departments in his home town, but when he reaches the age of 21 years he is classed again as a native. There have been dozens of such cases.

We should realise that it was only in recent years that the Commonwealth Government extended social service benefits and child endowment to people of mixed blood. Some honourable members in this House would know people of native blood who come under the provision of the Act, and who are working and living in the metropolitan area, some in professional offices, and others in the nursing profession. These people are just as good living as the average European. It is absolutely incomprehensible to me that a government which talks of helping these people should deal them a body blow by insulting them and saying to them, "When you reach 21 years of age you will have to apply for a certificate to show that you are a citizen."

I agree to some extent that it might be necessary for some of these people to have citizenship certificates while they are in this State—these certificates are not required anywhere else in Australia—or outside of the South-West Land Division. Certificates might be necessary in order to satisfy officialdom. What is officialdom in this instance? It is the Department of Native Welfare and the police.

It is not right to say the department does not know when a child in this category will turn 21 years of age. The department knows, and the police also know, the ages of these people. It would be no trouble to them to prepare certificates and present them with goodwill to the young native people when they reach 21 years of age, in the same way as naturalisation certificates are presented to aliens who become naturalised. There is no cause for calling on these native people to make application for citizenship when they reach adulthood.

The position is that they are regarded by the Government as citizens until they reach 21 years of age, but after that they are regarded as natives again. Very many of these people will *not* apply, as they consider it to be below their dignity to do so. Why should they have to degrade their status by applying for what is commonly known in the native community as a "dog license"? It is absolutely unfair and wrong to expect them to do that.

There is another class of children who are in an unfortunate position, because they have no parents. Therefore they are unable to have their names endorsed on any certificates. Under the law they must wait until they reach 21 years of age, when they can make application for citizenship certificates. I am speaking of this class of people who live outside the South-West Land Division, because the Minister assured us that certificates are not required in that area. There must be a great number of these children living in missions and government hostels. When we refer to the population figures for these people we find there are 2,785 full-blood natives under 16 years of age and 6,109 mixed bloods under 16 years of age, or a total of almost 9,000 children in that age group. Of that number, 4,147 are attending school, but the total number whose names appear on the certificates of their parents is 1,304.

The Hon. R. C. Mattiske: What is the total native population in the State?

The Hon. H. C. STRICKLAND: The following figures include adults:—

Full bloods	9,205
Mixed bloods	11,249
Total	20,454

That figure does not include quadroons—persons with less than half native blood. They are not classed as natives, and they are well able to look after themselves.

Of the 4,147 children attending school, 3,814 are attending primary schools, and 333 are attending post-primary schools. I have just remarked that the number of children whose names appear on the certificates of their parents as at the 30th June last is 1,304. There seems to be something wrong, because the number of certificates currently in force in this State is 1,961; yet only 1,304 names of children are endorsed on them, and we know that natives have very large families.

What happened was that the parents did not approach the various boards to present their certificates for endorsement with the names of their children; that is, in respect of children born after the certificates were issued. A large number of these children do not appear on the certificates obtained prior to 1950.

The Act came into force in 1944, and in 1950 it was altered to provide that the children's names be endorsed on the certificates. Therefore there was a vacuum of six years when the endorsement on the parents' certificate was not required. Consequently a large number of children are involved, including the one at Port Hedland I mentioned recently. Surely to goodness it is not beyond the capacity of the officers of the Department of Native Welfare throughout the State to remind these parents! They record the birth of the baby so they know all about the child.

Why cannot they request the native concerned to render up the certificate in order that the child's name and date of birth be endorsed on it?

It seems absurd to me. These officers are posted right throughout the State in all the remote areas and towns, including Halls Creek. Therefore there is no problem attached to the matter at all. The records of the males and females are segregated, and these officers can furnish the vital statistics. They have a record of every hostel and mission operating in the State, and they visit them very frequently. They keep records of the mileage which the officers travel; and some of them travel 20,000 and 30,000 miles a year to cover their area.

These officers do a good job, but it seems that somewhere along the line they have missed out by not helping the natives along by recording the names of the children on their certificates. As I have said, nothing can be done for quite a number of the children who are entitled to have their names on the certificates. Because of the vacuum between 1944 and 1950, they have not been so recorded and their status is now somewhat of a problem.

They do not know anything about it until they reach 21, as in the case at Port Hedland. That man did not know he was classed as a native until told by an officer in Port Hedland that he could not celebrate his birthday because he was not the holder of a certificate and was therefore not entitled to drink liquor. That was quite a shock, and unfair to a reputable citizen.

We are in the position now where we have two Bills before this Chamber dealing with the same question. The Government's Bill states that the children are natives when they become 21, and the Bill I introduced last month states that the children are citizens from the day they are born—that they do not become natives when they reach 21. That is the vital difference in the two Bills.

The Minister has advised us that these certificates have no force in the South-West Land Division, and so we have a most ridiculous situation. However, Standing Order 176, on page 58, covers the case when two Bills dealing with the same subject are before the Chamber. This Standing Order reads—

> If more than one Bill dealing with the same subject appear on the Notice Paper, the Council may decide that any one or more of them shall be withdrawn or deferred, or that they shall be consolidated.

It all rests on the word, "may." However, my solution to the problem is that we should attempt to consolidate the two Bills, and for that reason I have placed some amendments on the notice paper. If I have your permission, Mr. President, I will discuss the consolidation. The effect of the amendments is to bring the legislation into line with the position which obtained in 1958.

Some quaint and curious action has been taken by the Government in relation to this question. The Minister has told us the regulations were brought down in 1959, 12 months after Parliament had declared that these people should be citizens for life. Those regulations reimposed the restrictions.

Although Mr. Brady in another place moved some months ago to amend the regulations to bring them more into line with the intention of the legislation passed in 1958, the Government has not considered the motion. It has been adjourned and put low down on the notice paper.

Since then I have been told that those regulations were, as I said in this House, *ultra vires* the Act and really had no force. However, this is the type of Bill which the Government has now presented for approval. I do not know whether the Bill contains any provision regarding action already taken under the *ultra vires* regulations. I do not think so. What is likely to happen in connection with any such action?

The Hon. A. F. Griffith: You know I spoke on your Bill; and when I did so, I explained I did not want to delay your Bill but that you would appreciate I had to wait for the Government Bill to come up here.

The Hon. H. C. STRICKLAND: I am not raising any complaint in that direction.

The Hon. A. F. Griffith: You said I left it at the bottom of the notice paper.

The Hon. H. C. STRICKLAND: I was talking about Mr. Brady's motion in another place.

The Hon. A. F. Griffith: I beg your pardon.

The Hon. H. C. STRICKLAND: The Minister did deal with my Bill; but of course, in my opinion, his was a token speech; and, as the Minister has stated, it was, I suppose the Government's prerogotive to have its Bill considered with some priority. No doubt all governments would endeavour to take the same step, but there is only one type of government that has been able to be assured of taking it in Western Australia.

The Government is adamant in reimposing restrictions on a class of people who are educated and Christianised, and who live in the community with citizens and as citizens from the day of their birth. I feel that the Government's attitude is absolutely wrong and unfair to the people concerned, and the House should not for a moment tolerate this Bill which the Minister has explained to us.

I hope that honourable members will give serious consideration to the principle involved; to the effects involved; and to

the small number of persons that it will cover. Because the natives living in the South-West Land Division are now outside of the Act, as the Government has told us, there will be only a small number of people affected, and they live mostly in the north-west; and most of those people in the north-west own their own homes and properties and work in government and semi-government employment. They are not out on the stations. There are very few away from the ports and towns in the north; and their behaviour leaves nothing to be desired. We have never had any trouble at all in the north with these people.

It is interesting to note that in the past 20 years only about 40 of them—certainly no more than 40—have had their citizenship rights withdrawn; and those instances occurred in the early days of the Act. In recent years there have been no signs of any trouble from these people. Therefore it is my hope and wish, and the wish of the Labor Party, that when they reach adult age they will be treated as citizens the same as they are treated in their earlier years.

The Hon. A. F. Griffith: Before you conclude, and before anyone else who wants to speak to the Bill rises, I would like to adjourn the debate so that consideration can be given to what you have said.

The Hon. H. C. STRICKLAND: I have no objection whatever; the Minister is in charge of the House. But we will be here for another week or two. I am not raising any objection, but I point out that there has been dillydallying over the past months in connection with this matter. Since I spoke to an ex-Minister for Native Welfare (Mr. Brady) in August about the position, there has been a lot of dillydallying and in the meantime citizens are turning 21. What is occurring is wrong. The young man I have mentioned absolutely refuses to apply for a certificate of citizenship, and he has been a citizen all his life.

The Hon. A. F. Griffith: I had no obligation to say to you that I would like to adjourn the debate. I said it purely as a matter of courtesy to let you know that I would like to have time to consider what you have said.

The Hon. H. C. STRICKLAND: I am pleased that the Minister will give some consideration to the proposals.

THE HON. N. E. BAXTER (Central) [3.25 p.m.]: Honourable members will, in relation to this amendment, have to decide what the intention of Parliament was when it amended the Natives (Citizenship Rights) Act in 1958. Was it the intention of Parliament then that the child whose name was placed on the certificate of a native who had been granted citizenship rights should become a full citizen within his own right and be granted citizenship on attaining the age of 21 years; or was it the intention that such a person should apply for a certificate when reaching 21 years of age?

After examining the amendment of 1958 and the debate that ensued in this Chamber—and only one honourable member opposed the measure, which was accepted by the House; there may have been a dissentient voice but no division was recorded—I have come to the conclusion that it was the intention of Parliament that such a child should, without making application, automatically be granted a certificate of citizenship on reaching the age of 21 years; and I base my findings on the way the amendment was phrased in 1958.

Section 6 of the principal Act was amended to read as follows, taking the whole of the provision, including the amendment:—

> Notwithstanding the provisions of any other Act the holder of a certificate of citizenship whether granted before or after the coming into operation of the Natives (Citizenship Rights) Act Amendment Act, 1958) and any child shall have all the same rights, privileges and immunities and shall be subject to the same duties and liabilities of a person who is of the same age as the holder or as the case may be as the child and who is a natural born or naturalised subject of His Majesty.

In addition to this amendment made in 1958, the proviso to section 6 was deleted; and the proviso which existed at that time was as follows:—

> Provided that a certificate of citizenship in so far as it concerns children shall be deemed to include those persons only so long as they are under the age of twenty-one years.

The amending Act of 1958 was passed in this Chamber on the 26th November of that year. It was not proclaimed until the 6th November the following year, 1959. During that year regulations, apparently, were framed and gazetted to deal with this matter. They were gazetted on the 13th November, 1959, some seven days after the Bill was proclaimed, and regulation 3 provided as follows:—

> 3. The principal regulations are amended by adding after regulation 3 a regulation as follows:—
>
> 3A. (1) A person whose name has been included in a certificate of citizenship as a child not of full age shall, upon application, be granted a certificate of citizenship by a Board on reaching the age of twenty-one years.
>
> (2) The application shall be in Form 1 in the Appendix to these regulations and be supported by a statutory declaration in Form 2A in the Appendix.

I maintain to quite a degree that that regulation was framed and gazetted to override the intention of Parliament.

This Bill, more or less follows the lines of the regulation. In other words, it provides, despite the amendments introduced in 1958, that the children whose names appear on the parents' certificate of citizenship have to apply for a certificate of citizenship when they reach the age of 21 years.

The Hon. R. F. Hutchison: Can you think of anything more stupid?

The Hon. N. E. BAXTER: It is not a question of being stupid; it was not, in my opinion, the intention of this Parliament which was written into the Act by the amending Bill of 1958. I believe the intention of Parliament was that, automatically, certificates of citizenship should be granted to those children whose names appeared on the certificate of citizenship issued to the parent.

In drawing a comparison, I point out that the children of parents who become naturalised do not have to apply for a naturalisation certificate when they reach the age of 21 years; automatically they become citizens. I know there is a slight difference in regard to the people we are dealing with under this legislation. The reason that the names of children are set out in the certificate of citizenship issued to parents is to prove that those children are citizens. This is done on account of their colour and in order to provide that if they wish to enter licensed premises they have a certificate to prove they are citizens.

The point arises as to why the department could not enter the name of a child on a certificate of citizenship from its records, because it is provided that the age of a child must be shown on the records when a certificate of citizenship is issued to the parent. Therefore when a child reaches the age of 21 years, the department could, on checking the record, automatically issue a certificate of citizenship to that child. One of the differences which apply under this Bill is that an applicant "upon attaining the age of twenty-one years" is entitled to a certificate of citizenship under the Natives (Citizenship Rights) Act and "may in writing request a Board having jurisdiction in the district in which he ordinarily resides to issue to him a Certificate of Citizenship."

I ask honourable members to note the words "may in writing." Further down page 2 of the Bill, in lines 25 to 28, appear the words "which Certificate shall have affixed thereto a photographic likeness of that person in the manner of a passport." One can understand an applicant making an application in writing, which could be done for him by another person because he cannot sign his own name. Therefore, if the applicant could not write, what value would the application in writing be if it were not signed by the applicant? The clause does not provide for the applicant to make a mark. It merely says that the application shall be signed by the applicant. Therefore any native who is unable to write is placed in an impossible position; he cannot make out an application for citizenship because he would be unable to sign it.

The Hon. A. F. Griffith: That is not right.

The Hon. N. E. BAXTER: I do not know how the Minister makes out it is not right.

The Hon. A. F. Griffith: I am not trying to make out anything. I am just advising that you are not right in that assertion. Do you think a document would be invalid because a person could not sign his name, but, instead, made his mark? Of course it would not!

The Hon. N. E. BAXTER: That mark may be construed as being a signature. If that be so, we are taken back to the previous clause, and therefore, of what value is a certificate unless it is signed by an applicant? It could quite easily be a forged signature.

Then there is another point in regard to affixing a photographic likeness to the application for citizenship. If a native who is anxious to apply for citizenship is working on a station where it is impossible for him to have a photograph taken, he will have a great deal of trouble in trying to obtain a photograph to affix to his application. I think the Bill is going too far in asking these people, who are citizens in the same way as a child belonging to a naturalised person, to supply photographs with their applications for citizenship. Such applicants are entitled to have certificates forwarded to them after the department has made some inquiry from its records as to their addresses and ages.

The department would know the last known address of the parents whose certificate of citizenship would be recorded with it, and so would be able to ascertain if the child applying for citizenship had reached the age of 21 years. On satisfying itself in this respect the department could then forward a certificate of citizenship to the applicant to the address supplied to it, or hold the certificate in the department pending further inquiries regarding the address of the person to whom the certificate should be forwarded.

As I said at the beginning, it is the duty of this House to decide whether the intention of Parliament in 1958 was that the certificate should be automatically issued to a native child when he reached the age of 21 years. In my opinion, it should be. Therefore at this stage I am not prepared to support this measure as it stands. I agree with the suggestion put forward by the honourable Mr. Strickland; namely, that a consolidation of the two Bills which we now have before us would clarify the position and provide what Parliament intended in 1958.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [3.37 p.m.]: I consider that the expressions of the last speaker on the definition of citizenship rights following the passing of the 1958 Act is straight thinking. There is no doubt about what Parliament intended at that time. There is also no doubt that, if challenged, the regulation gazetted following the 1958 Act, which was totally opposite to the intention of that Act, would be *ultra vires*. I fully support the sentiments expressed by my colleague, the honourable Mr. Strickland. I do not think the Government is in order in stating that this Bill is designed to correct an anomaly that was brought about by the 1958 law. There is no anomaly, because the 1958 law is clear in its intent. It is the regulation casting upon natives the responsibility which they should not have to bear which was gazetted following that Act, and which is foreign to any policy of assimilation and decent treatment of these people, that is anomalous.

The Act of 1958 was framed realistically. It expressed, I repeat, what was intended by this Parliament; and what this Bill proposes to do is to relapse to the pre-1958 position in law, or to rectify what the Government expresses as an anomaly, and to have as the law the regulation and what it intends. I would point out that there is a very serious flaw in the thinking of the Government on the sort of people affected by the Statute as it exists and by this Bill. That serious flaw lies in relation to the sort of native; the sort of person formerly a native, who now holds citizenship rights.

These people are not the people who carry boomerangs and who wear nargas. These are not the people living in wurlies in the creek. These are not the children of parents who hunt lizards and live from the grain of grass or from trees. These are people who live in communities which exist; people who are children of parents who, in some cases, occupy State homes.

These are people who are naturalised because of their assimilability, and their own natural qualities, which have been proved and improved. They have been accepted as citizens. These are people of parents with certificates who live side by side and work side by side with the whites; people who work the ships, and drive the trucks. These are not the Myalls. We are dealing with the children of people holding certificates of citizenship—these are the people we are dealing with solely in this Bill. The children have attended school with white children—indeed some of them went to school with my own children—and we seek to impose on these people an offensive attitude. It is a matter on which the Government is thinking, I suggest, most loosely.

A limited number of people hold citizenship rights, and the children of such persons are referred to in the annual report of the department. As the honourable Mr. Strickland said, they number 1,304 children who belong to those who now hold citizenship rights. We are very close to the way of life of these people. They are people whom we, as members of Parliament, have helped; they are people in whom we have much confidence. It is obvious however that the Government has no confidence in the children of today who are reared by their parents perhaps at mission stations to lead Christian lives. Perhaps they are children of parents who are attending schools both public and private in our towns in the north. Those are the people being dealt with in this Bill—the children of parents who hold citizenship rights.

So we are starting off on a very wrong premise if we suggest that these children are unworthy to have citizenship rights at once; that they must wait until they are 21 years of age at which time they must apply as natives for relief from the stigma which this Bill casts upon them. That is what it is all about; and that is why we are so concerned. That is the reason why the other Bill was introduced. It was introduced because the illustration given by my colleague defies contradiction. It concerned a boy who was serving his time as an apprentice. He was a son of worthy parents—coloured people with citizenships rights. On his return to his home town he must, when he turns 21, apply for a citizenship rights certificate. That is what this Bill proposes to perpetuate as a principle and as a policy, and I hope this House, not merely in its present form but in Committee, will vigorously object to that principle.

I hope we will incorporate within this Bill—the only one we are dealing with at the moment—the principles contained in the other measure on the notice paper. In case it may be amended I am forced to support it, much as I dislike the sentiment within it.

THE HON. D. P. DELLAR (North-East) [3.45 p.m.]: I rise to support the honourable Mr. Wise and the honourable Mr. Strickland in their remarks. At the outset I wish to say that I went to school with natives, and I think it is a great pity that children with whom I went to school, and with whom a number of other people have gone to school, should have to wait until they are 21 years of age before they, as natives, apply for a certificate of citizenship. That is what they must do before they become one of us.

Only last week I had a very pleasant duty to perform in the town of Leonora, when I had to judge a marching parade of three schools; namely, Laverton, Leonora, and Mt. Margaret Mission. The Leonora

school consisted of 70 per cent. native children; the Laverton school comprised 90 per cent. native children, and the Mt. Margaret Mission consisted of all native children. It is a great pity more people did not see that parade, because those children mingled with a few of our white children and were a credit to this country. I would say that the children from the Laverton school who led that parade could, as leaders, have taken part in any parade not only within this State but outside it.

Those children I saw last Saturday were proud children; they were children whom we could look up to, and yet they must wait until they become 21 years of age before they can become citizens. At the moment however, they are classed as citizens with our children. In other words, we call them natives when they reach 21 years.

Only a month ago I visited the Laverton school where there are 66 children attending, 60 of whom are natives. There was a lad of 12 there who was sitting out in the sun with a number of native children around him. The teacher had given him the job of teaching a certain subject to the children during that hour of school. That lad would have been a credit to anybody. He was standing there with his chest out as proud as he could be in the confidence that was reposed in him by the teacher. He did a mighty job.

As the honourable Mr. Wise has said, we have people coming down from the north and the north-east and undertaking an apprenticeship to learn a trade. But when they return home and become men they are classed as natives, because they have not got citizenship rights. It is a great pity that a Bill like this should have to come before Parliament.

It was only last session that we dealt with Bills in this House to give citizenship rights to natives. At that time I also voiced my disappointment and disapproval at the discrimination against natives in the South-West Land Division—the natives I look after. That Bill was well worth proclaiming for the whole of Western Australia; indeed to my way of thinking that was the purpose of the Bill.

The Hon. A. F. Griffith: What do you think of the 1958 legislation?

The Hon. D. P. DELLAR: I am speaking on this one at present. I did not rise with the intention of criticising anybody.

The Hon. A. F. Griffith: Since this is correcting the 1958 measure I wondered whether you could tell us something about it.

The Hon. D. P. DELLAR: I do not wish to get into any argument with the Minister, because I am sincere in what I say. My main reason for speaking is to say something for the children of the people with whom I have had a lot to do recently —particularly in the last couple of years. I have the honour to represent those children. I feel very disappointed that they must wait until they reach the age of 21 years before anything can be done for them.

Sitting suspended from 3.52 to 4.8 p.m.

The Hon. D. P. DELLAR: Before the suspension I was saying that my main concern in this matter is for the children; and the measure should be again looked at from that angle.

I think we all appreciate that the greatest problems in rearing children are encountered from the time they leave school until they are old enough to more or less look after themselves. We say that a lad becomes a man when he turns 21; and in the case of a girl, she becomes a woman at the age of 18. It is the gap between those years that should receive more attention in order to assist the children instead of placing restrictions on them. We should find some way to guide coloured children during that period.

They attend State and mission schools; and when they leave they return to the tribe as they have nowhere else to go. Therefore it is only natural that they revert to their tribal ways under tribal law, and the good that has been done for them while they have been attending school is lost.

I think it would be an excellent thing if we had in the metropolitan area, or somewhere else, factories built in which these children could be taught trades. This is something that could be looked at by the Government. I strongly recommend this idea to the Government because it would be a means of keeping the children concerned in touch with our ways, and they would be a part of us during those years.

I previously referred to a parade held last Saturday at Leonora. Unfortunately Leonora is a small town, but to the children who marched it is their town—their home. It was quite obvious the kiddies had put a lot of work into the parade beforehand; and it was also obvious that the teachers had put in a lot of work with the children. I think the teachers as well as the children are to be congratulated on the way the children turned out last Saturday.

My only wish is that the Government will have a second look at this Bill before bringing it in as an Act.

Debate adjourned, on motion by The Hon. R. F. Hutchison.

GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

USED CAR DEALERS BILL

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

IRON ORE (HAMERSLEY RANGE) AGREEMENT ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [4.14 p.m.]: I move—

That the Bill be now read a second time.

This Bill is one which I foreshadowed when explaining other iron ore Bills, and it amends the Iron Ore (Hamersley Range) Agreement Act, which was ratified last year. The companies directly concerned in the Hamersley Iron Pty. Ltd. venture are Conzinc Riotinto of Australia Ltd., 60 per cent; and Kaiser Steel Corporation of California, 40 per cent.

By way of introduction, I would point out that the Mount Newman agreement already before the Chamber has, for all practical purposes, the same objectives and requirements as the Hamersley iron agreement. In the course of negotiating the former agreement, it was made clear that there were some provisions which should be expressed in a different form, however.

At this juncture, I would inform honourable members that it was the intention of the Government, under the understanding in its original agreement in respect of Hamersley, that the method of interpretion now clarified in these amendments would have been applied. It is thought that would have been the wish and intention of any State government. Therefore, when negotiating regarding the Mount Newman deposits, it was emphasised that these things were not expressed in terms which would be clearly understood by successive administrations, and the Government readily agreed on that point.

As a consequence, it was established by agreement that should such variations be contained in the Mount Newman agreement it would be only fair and proper to give Hamersley Iron Pty. Ltd. an opportunity to consider these variations and, if necessary, amend the Act in an appropriate manner. This has been done and the supplementary agreement for which ratification is now requested is the result.

The amendments cover the following points:—

(1) Change in definition of "export date" to provide for any extended period beyond three years following the "commencing date" which is agreed to under the terms of the agreement.

(2) An additional definition, namely, "processed iron ore" to be added to facilitate drafting.

(3) If the company is unsuccessful in securing iron ore contracts at an early stage—and in this we have in mind the current round of negotiations taking place between the companies and the Japanese steel industry—but demonstrates its *bona fide* attempts to get contracts on a competitive basis, they may be granted such extensions of time as the circumstances warrant, as provided for in the Mount Newman agreement.

(4) Other amendments deal with extensions of time in certain circumstances to accord with the other agreements.

(5) Clause 12 extends to Hamersley Iron Pty. Ltd. the same privilege for supplying personnel in the operation of their port for the use of others, as has been accorded to the Mount Newman company. The importance of this single system of control in a port such as this will be evident on a study of the agreement.

(6) Clause 15 allows some flexibility if circumstances prevent the company from economically processing quantities of iron ore suitable for treatment under the original agreement. The flexibility proposed does not mean that the company will not have to provide the same ultimate volume of production of secondary processed material as the orginal intention stated. It does, however, allow some flexibility if, in the course of opening up its facilities, the material produced in a natural way from its operations does not prove economic for processing in quantities at certain stages.

(7) The final clause enables the Government to give some relief against the rigidity of the original agreement, which prohibits the company from exporting a tonnage in excess of 5,000,000 tons a year in certain circumstances. This again accords with the provisions of the Mount Newman agreement.

Honourable members should be advised also, I think, that just as it was thought fit that these provisions, which appeared in the Mount Newman agreement, should be brought to the notice of the Hamersley iron concern, reciprocal action was taken to make sure that the Mount Newman Iron Ore Co. Ltd. would know of the amendments that were being incorporated by this supplementary agreement, because of the objectives in the two agreements being approximately the same. They have acknowledged that they consider these

amendments are fair and reasonable and that they have not introduced any new material.

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

CHEVRON-HILTON HOTEL AGREEMENT ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [4.19 p.m.]: I move—

That the Bill be now read a second time.

This Bill has reference to the ratifying Act of Parliament, No. 20 of 1960, passed as a consequence of the agreement between the Government, the City of Perth and Chevron-Hilton Hotels Ltd., concluded as a result of negotiations with Chevron-Hilton Hotels Ltd. for the construction of a high class hotel in Perth.

Under the agreement, the Government was to sell to the company an area of Government land adjacent to the Christian Brothers College. The Perth City Council was to purchase the Christian Brothers College site and, after excision of certain portions for street widening, make the area available to the company as part of the proposed hotel site.

A start was made on this project and, in point of fact, considerable expenditure was outlayed on plans and specifications, site preparation, and foundation construction. It transpired, however, that the company was unable to provide finance to proceed further and the project was suspended. Eventually, the deposit of £22,500 paid by the company was forfeit to the Crown and the land previously owned by the Crown reverted.

Through the availability of the hotel site being made known throughout the world, a number of inquiries have been received but no reasonable proposition has been placed before the Government to further proceed with the original intention to construct this hotel.

Representations were accordingly made by the Perth City Council to the Local Government Department with a view to obtaining permission to sell the former Christian Brothers College site to the Commonwealth Government for the construction of Commonwealth offices to house the taxation and other departments.

As a consequence, the Government decided to appoint a departmental committee to report on the future use of the whole of the area between Victoria Avenue and Government House. On receipt of the committee's report, Cabinet decided to adopt a comprehensive plan for the utilisation of the whole of this area of land. The plan includes an approval to the sale by the Perth City Council to the Commonwealth Government of the old Christian Brothers' site for the construction of the Commonwealth offices to which I have previously referred.

Even though the Chevron-Hilton Company failed to fulfil its obligations and has no further rights to the land set aside for the hotel site, our legal advice throws doubt upon the legal capacity of the Perth City Council to dispose of its portion of the land to the Commonwealth Government. It may be recalled that by Act No. 20 of 1960, the agreement with Chevron-Hilton Hotels was given statutory force and the council was required to sell and transfer the subject land to that company after the excision of certain strips for street widening purposes. The purpose of this Bill then is to remove any doubt that the council, as the legal owner of the land, may now dispose of it to the Commonwealth Government instead of to the company.

Having made some earlier reference to a comprehensive plan for the utilisation of land in that area of the city, it may be of interest to honourable members if I were to pass on for their information a little more detail of what the plan envisages.

It provides for the reservation of the land between the Christian Brothers College site and Government House as a site for future Supreme Court buildings and for garden and park treatment. Until the land is required for this purpose, consideration will be given to the possibility of converting the unused portion into public open space. Inquiries have already been made regarding the best means of disposing of or covering up the hotel foundations to enable this to be done.

While the plan will initially cover the area down to Terrace Drive and between Victoria Avenue and Government House, it is hoped that in the distant future the treatment can be extended right through to Barrack Street, taking in Stirling and Supreme Court Gardens and incorporating a co-ordinated layout with the highest standards of civic design.

The first step in the plan is likely to be the construction of the Commonwealth buildings required for the Taxation Department, and during the course of its inquiries, the committee held discussions with appropriate Commonwealth officers in this respect. They agreed they would be very willing to co-operate with the State authorities to ensure that the design of the Commonwealth buildings would harmonise to the fullest extent possible with what the State had in mind.

It is intended that further consultation will take place to ensure the co-ordination of any Commonwealth development design with plans for the eventual use of the adjoining State land. These plans

will follow the recommendation in the Stephenson-Hepburn Report to incorporate the layout of the grounds as verdant squares or rest gardens so as to introduce open spaces into the office areas of the city.

Debate adjourned, on motion by The Hon. H. C. Strickland.

PHARMACY BILL

Second Reading

Debate resumed, from the 3rd November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [4.24 p.m.]: There has been a change in the form of the Statutes dealing with pharmacy and poisons. We have passed a law dealing with poisons, and we are now dealing with a law relating to pharmacy matters generally and the registration of chemists and pharmacies. In this document we have presented something which is new, and something which is old; but in general it is designed to meet the circumstances obtaining today.

We have dealt with the Poisons Act in its new form. In 1954 we had a compilation or consolidation of the then existing laws; laws compiled and composed into one document and into one Act known as the Pharmacy and Poisons Compilation Act. In the 1954 Statute there was provision for the repeal of the Acts of 1894, 1899, and 1903. In the present measure there is provision for the repeal of Acts of 1910, 1937, 1948, 1952, 1954, and 1962. In recent days we have had some discourse on the repeal of laws; and in connection with this measure we find that all the Acts I have mentioned will be repealed on the proclamation of this new presentation.

Since the 1954 compilation there has been an amendment regarding the qualifications of apprentices and pharmaceutical chemists. Little has been done since then, and it is now proposed to change the principles of the former Statutes. It is worth mentioning that there is contained in this Bill a saving clause specifying the limits of the effect of the previous law and particularly in reference to the regulations made under the previous law, which will stand even though today's law is repealed.

In the case of new regulations—which I will deal with later—there will be an early need to prepare, and have operative, regulations under the new Act, because some very important things could happen which might be prejudicial to all interests asociated with pharmacies unless the regulations are prepared, introduced, and gazetted very early after the proclamation.

To attempt to analyse this Bill in a short period of time is not easy. When we pass quickly from one clause to another we find that there are some alterations in the definitions compared with those in the old Act. They are mainly alterations affecting clarification. My examination of the Bill indicates that in some clauses almost complete sections have been lifted from the old Pharmacy and Poisons Act, but there are no marginal notes to give us the background or the history of the new clauses.

I regard this—and I have mentioned it on more than one occasion—as a very serious drafting flaw; a very serious omission. Marginal notes are necessary for reference purposes and for the careful study of Bills. They help the endeavours of honourable members as they make an effort to align the present reasons for changes with the principles of other years. Marginal notes are not part of a Bill; we all know that. They have no bearing on its authority but, in addition to defining the clause, they form a very important part of the background of our laws. If honourable members are sufficiently interested, and they have the Act before them, I ask them to look at the Pharmacy and Poisons Act. In the marginal notes they will find the background of every section and the occasion when the parent Act was amended.

I am wondering what is the reason for this new approach in the presentation of a Bill; because it certainly will not help the legal people in their researches, and it certainly will not help parliamentarians in their study of the existing law if they do not know the origin and background of the parent Acts. So I raise this matter very deliberately, because the work involved in the meticulous checking of new Statutes—as the one we are discussing will be—would be considerably eased if the side reference or marginal note gave some clue as to the origin of the clause.

I present that thought to the Minister in a kindly fashion and I ask him to suggest to the draftsman that Bills submitted in the form in which this Bill has been submitted are not helping the work of Parliament, of parliamentarians, of the legal profession, of a library staff, or of officers of the House.

The Hon. A. F. Griffith: I do not mean to interrupt you but I take it you mean that the marginal notes should refer to the principal Act?

The Hon. F. J. S. WISE: If the Minister will pick up the reprint of any Act, or a bound copy of the Reprinted Acts, or even the Act with which we are now dealing, the Pharmacy and Poisons Act, he will find, without exception, in the

marginal note of every section, the history of that section showing where it is amended and the particular portions of sections amended subsequent to the first reprint.

I draw attention to the matter because in my view it is something very deficient in the presentation of new Bills which are not only incorporating and consolidating old Statutes, but which are also presenting in a new form similar proposals and principles intermingled with new amendments.

The Hon. A. F. Griffith: It would be different if it were a section to be repealed and re-enacted.

The Hon. F. J. S. WISE: Exactly. I suggest to the Minister he turn the pages of any volume of our Statutes and he will find what our trained and skilled legal people look for to assist them to know where to refer for the origin of our laws. The parent Act of the measure we are now dealing with is an outstanding example of the value of marginal notes.

This Bill contains some very interesitng amended principles. In its provisions, in clauses such as from clause 16 onwards, we find new principles associated with the raising of funds, the control of funds, and the prescribing of fees, as well as operative clauses dealing with the management of the council which, in the main, are administrative provisions affecting the new set-up under the new council. In addition to continuing some of the old principles it will be found, in clauses such as clause 21, there is the bringing forward of the responsibility for training—because in this industry, as honourable members know, the apprenticeship system expired in 1963—of our future students who will be required to have 2,000 hours of formal instruction and practical training with chemists.

Clause 21 is really part IV lifted from the parent Act. It certainly creates an exacting demand on the trainees in this profession and places a very important responsibility on the principals in this profession. It is something which the general public are entitled to have in a profession where specialists are the rule and where people who have the lives of others at stake in the carrying out of their professional duties are involved. In the clause to which I refer will also be found a demand for pride in the profession; and demands of an exacting kind will be enforced in the matter of hygiene and the like. Rigid conditions are set out regarding equipment and so on, all of which, I would suggest, are very important and necessary in a profession of this nature.

On page 12 of the Bill there is something I would like the Minister to have a look at. Although the marginal note will not tell us from where this clause was taken, I can tell honourable members that it is really section 21 (c) of the parent Act. The only amendment that has been made to the section in the parent Act is the changing of the word "that" from the word "which." As a person very interested in the use of English words I am wondering whether the Minister can explain to us the need for that very minor alteration.

The Hon. L. A. Logan: Where is that?

The Hon. F. J. S. WISE: On page 12, line 19, after the word "standard." The word "which" appears in the Pharmacy and Poisons Act and it has been altered to "that." The use of a pronoun of that kind is very clearly defined in the works of Fowler's *Modern English Usage*. Whether the word has been changed because of a pernickety attitude, and simply because the word "that" is repeated two lines afterwards, or because the word "which" occurs in the Bill three or four lines before, I do not know. I would like the Minister to get a ruling on the reason for changing that word.

The Hon. J. Dolan: The draftsman has probably been to see "Macbeth."

The Hon. F. J. S. WISE: There must be a reason.

The Hon. L. A. Logan: The honourable Mr. Dolan might be able to give us the reason for it.

The Hon. F. J. S. WISE: Clause 22 contains some new principles and I think it is an excellent provision. It deals with the requirements of persons who apply to the council to be registered, and in the following clause, which also contains a new principle, provision is made for the registration of pharmacies which otherwise conform to the law. That is a very important principle in the Bill. It is new, it is not in the old Act, and it is something which I believe is a very good requirement.

The Hon. H. K. Watson: What clause was that?

The Hon. F. J. S. WISE: I was speaking of clause 23. It is a clause which, I am told, has given concern to some people in this profession. At this stage I want to state quite clearly that I know honourable members have been approached by representatives of organisations in connection with this Bill; and honourable members know my attitude to these things. I do not hold with any sort of lobbying or any sort of pressure, whether by correspondence or in person. However, I understand that some such thing has been going on.

In clause 24, which is really the old section 15 amended, and which now includes the registration of pharmacies, we will find that with registration, plus the statutory requirements, there should be some improvement in the operation of certain types of premises. I think it could be said in general that pharmacists are very proud of the display within their premises. As a rule they are most meticulous in the way their goods are presented

and in the way in which their staff deal with the public. I am sure there will be no objection, except from those who may be erring, to the requirements of this clause.

There is an interesting provision in clause 27 dealing with the right of appeal. That is new and is not to be found in the old Act. It is always a good thing to provide for a right of appeal so that no person will be subject to the whims or caprices of a council. The right of appeal will ensure that there will be no unfair dealing with or treatment of an individual or a professional person.

Subsequent clauses, particularly clause 32, deal with offences by chemists. The provisions are quite specific and are set out very clearly. It means there will be a continuation of the rigidity which applies under the present law—and those who are of the profession and in it will be proud of the record which they possess—and under the clause in the Bill that will be properly policed.

There is also a very interesting paragraph in that clause which deals with advertising. This is a new provision. It is the only new part of clause 32. The rest of it, except for a few words relating to the variation of a fine, is lifted completely from the existing Act. It provides that if a pharmaceutical chemist is guilty of a breach of the regulations relating to advertising, the council may serve upon him a notice and may take action.

When one thinks of the great variety of chemist lines which are sold, the scope for unscrupulous advertising is almost limitless. The scope for unscrupulous advertising of many other commodities is, to say the least, disgusting. Many of those concerned who, by the nature of their business, are forced to handle proprietary lines will be quite agreeable to a principle such as I have referred to being included in the Bill. This provision will deal with TV advertising, and advertising in the printed form in newspapers. I might suggest that in respect of some chemist lines the people concerned are skating along the borderline in their compilation of present-day advertising.

I presume clause 36 is regarded as a contentious provision, if there is one in the Bill. It clearly sets out the rights of friendly societies as to their future operations. It is designed to remove any possible doubt about the authority which was given to friendly societies in the past. Those are the intentions of the provision in clause 36. It is designed to clear up misunderstanding, and to clarify the situation of the four new premises which have been constructed since 1956. There is no doubt that two of these were absolutely in the clear with regard to full approval to trade; it may be that the other two are in doubt. That was the contention of the Minister and of the Public Health Department. The provision in this clause will clarify the position. The six old ones will be beyond doubt as regards approval, and the four new ones—making 10 in all—will, on the passing of this measure, be able to trade fully, without prejudice, with the public.

I do not know whether that does, in the minds of some, sort out what has been regarded as unfair trading benefits. I think we must give some consideration to the background which has prompted the altered circumstances applying to a chemist, and to a chemist associated with a friendly society. In the past, before the introduction of social service benefits, hospital benefits, and the free drug list, concessions had to be provided to assist trading in certain circumstances; and lodges and friendly societies were very effective. The law was therefore amended with the intention of doing away with any adverse circumstances and of placing fairly friendly societies on a proper footing. That was the intention. Whether or not it wholly and justly rectified the position is open to some doubt.

The Hon. L. A. Logan: You are referring to the 1956 amendment.

The Hon. F. J. S. WISE: Yes. It certainly was proposed in the best interests of all concerned. One of the interesting clauses in the Bill is that dealing with the regulation making power. The proposed new section differs from the existing one, and incorporates many of the existing regulation making provisions. The new provisions are referred to from paragraph (k) onwards of clause 47. There will be need to draft the regulations not only with care, but also with an attitude of fairness in their application.

I am sure that all who are engaged in this profession are very conscious of how regulations apply—not merely as supplements to the Act. In almost every sense they dominate the administration of the Act. The regulations which could be made under this law would be enforced when Parliament was not in session. They would become the law for many months before Parliament met again. Therefore I urge the Minister and the Government, in respect of these new regulation making provisions which are so far-reaching, to produce something which will be beyond doubt, and which will be acceptable to all.

The powers conferred by paragraphs (k) to (p) in clause 47 of the Bill are very wide. They prop up the council in every particular where decisions are made by regulation. The provisions which relate to conditions, to the facilities and services, and in some instances to the conduct of the business in excess of the equipment to be provided, can be very wide. An attempt has been made to meet justly the position which exists today. I support the measure.

THE HON. J. G. HISLOP (Metropolitan) [4.53 p.m.]: This is a very interesting Bill to one who has been associated for some years with pharmaceutical bodies. In my lifetime pharmacy has gone through various stages. In the early days the practice of pharmacy was a very restricted one, and no pharmacy would think of displaying anything in the window other than two large bottles—one green and one red. The pharmacies in those days did not display any advertising at all.

After a certain time this practice broke down, but there always was a limitation. The pharmacies relied almost entirely on the dispensing of mixtures, lotions, pills, ointments, liniments, and so on, together with the sale of a limited number of products which slowly were put on their shelves by the wholesale and manufacturing chemists.

I remember the sudden change which appeared in my father's pharmacy when Nyal's produced a host of preparations and displayed them in the shop. From then the pharmacy looked very different to what it did in the past. In more recent times the pharmacy has taken on a completely new front. With the ability of the public to handle the large number of drugs which are prepared by the pharmaceutical companies, and with the introduction of the national health services, thus reducing the cost of prescriptions to 5s. each in the main, the practice of pharmacy became attractive to many people. There is no doubt that in the early stages of the national health scheme a considerable increase in the number of individuals who desired to practice pharmacology occurred.

It was about this stage that we began to see all sorts of goods being displayed in chemist shops; and one wonders whether a principle should be drawn between a pharmacy, and a store which runs a pharmacy. Some of the difficulties which arose created a good deal of confusion and discussion even among the profession itself.

Last year a move was made to dispense with the apprenticeship system of training pharmacists, and replace it with a course of training in the technical colleges. To the course was added 2,000 hours of training within a pharmacy. This practical training in a pharmacy will increase the status of the qualified pharmacist. I personally hope that the amount of time spent in a pharmacy during training will not be spent profitlessly; and I said so last year when I spoke to the measure.

To a large extent the art of dispensing has disappeared. I have been told that I am one of the very few doctors who write prescriptions. One of the city pharmacists told me that he had retained a set of my prescriptions, in order that he might show his staff what a prescription looked like. We are able to see the difference which has crept into the field of pharmacology. I would like to see pharmacies do away with their ancillary trade, and get rid of the books, toys, and Christmas gifts which they now sell.

The Hon. F. J. S. Wise: I have not seen any chemist shops selling crackers yet.

The Hon. J. G. HISLOP: That is about the only thing they do not sell.

The Hon. G. C. MacKinnon: To be fair, you would then have to prohibit the sale of medicines by other establishments.

The Hon. J. G. HISLOP: Yes. This Bill very nearly does that. I told the House yesterday that I thought the provisions in the Poisons Bill would enable cough mixtures manufactured by certain companies to be sold even though they contained a certain amount of ephedra. The Minister said these could not be sold except in chemist shops. If that is the case the sale of cough mixtures by some of the big firms will be destroyed, while the sales by the pharmacies will be increased considerably; that is, if the contention of the Minister is maintained by the advisory committee proposed under that Bill.

The Hon. F. J. S. Wise: Some make quite a song about it, don't they?

The Hon. J. G. HISLOP: Yes. I think the public and we will hear more about that at an early date. This Bill provides a great deal of interest to all those concerned—both pharmacists and those outside pharmacy. One clause which is of particular interest to me concerns the registration of pharmacies. I wonder what it means? Let me put it this way: the companies are those which own a pharmacy within their premises and employ a pharmacist to carry on the occupation.

The Hon. L. A. Logan: What clause are you dealing with?

The Hon. J. G. HISLOP: It is clause 23 on page 14. That is what actually constitutes a company under this Bill; and five of them, all told, exist in the city. They actually own the territory in which the pharmacy is established and they employ a trained pharmacist. They had that right given to them a number of years ago.

However there is another situation of a similar nature which is likely to occur where big organisations, usually emporiums, lease the territory for the pharmacy to a qualified pharmacist. This simply means that the pharmacist, instead of having premises in an open street, as it were, has his pharmacy within an emporium. He still obtains the profit of the business and is still in total charge of it. Therefore that situation does not come under this legislation where it deals with companies.

Just what happens, however, when the emporium leases this site to a pharmacist, and then decides to open up another emporium? All the emporiums are doing this and spreading out into the various areas. What happens when an emporium wishes to lease premises for a second pharmacy under the aegis, shall we say, of the company? That could occur. There is one in sight in Fremantle. I wonder whether this clause would prevent that.

The Hon. F. R. H. Lavery: What is the number of the clause?

The Hon. J. G. HISLOP: It is clause 23, subclause (2), appearing on page 14, as follows:—

> (2) The Council may upon the application of a pharmaceutical chemist, or of a company or friendly society referred to in subsection (1) of this section, register in his or its name any pharmacy in which the Council is satisfied that the pharmaceutical chemist practises or carries on, or intends to practise or carry on, business as a pharmaceutical chemist, either as principal or manager for a principal, or the company or friendly society carries on or intends to carry on the business of a chemist.

The Hon. H. K. Watson: I suggest that the subject you are discussing comes under paragraph (a), not paragraph (b).

The Hon. J. G. HISLOP: He is neither a principal nor a manager.

The Hon. H. K. Watson: He is a principal.

The Hon. J. G. HISLOP: But not a manager. He conducts his own pharmacy and is renting the territory from the emporium. This is what I think is going to happen to a large extent in all the new areas being established. The Grove at Cottesloe practically belongs to the emporium which has established it. This sort of practice will continue and the businesses will be taken out into the suburbs. Shops will be rented by the emporiums. This has happened in Victoria and elsewhere quite freely; and I wonder what interpretation can be put on that type of pharmacy under clause 23?

The Hon. F. J. S. Wise: They will have to be approved premises.

The Hon. J. G. HISLOP: The person concerned has to be a registered pharmacist and he will pay rent to the emporium. He will have no shop window to the street. More often than not he will be totally inside the building.

The Hon. R. Thompson: He would not come in under the roster system to give service to the public.

The Hon. J. G. HISLOP: No. He could not be open. Myers, in Melbourne, and I think the same applies to Buckleys, rent quite big areas to various organisations. Myers has always had a chemist; and beauticians' bars are alongside one wall. They all pay rent and conduct the businesses themselves; they do not operate as part of Myers business. This practice will, I believe, increase in the future.

I am not going to traverse the Bill in the same way as the honourable Mr. Wise did, because he did it so successfully. However I do want to draw attention to certain aspects. I was very glad to hear the honourable member say that this control of expansion by companies and by friendly societies was not in the best interests of pharmacy. Those of us who have been in this Chamber for a long period will remember that we have registered a dental mechanic as a dentist. When doing so we registered him as a dentist purely for his lifetime. It was not a gift which could carry on to his progeny, but finished with his existence. I feel that in time this legislation should contain something of the same character —that the right held by the friendly societies and the companies should have a limited life so that evenutally pharmacy will be a purely professional organisation.

If this Bill were to include a provision giving these companies 10 or 15 years, or whatever was decided as just, we could look forward to the time when the whole of the therapy of the public was known to be in the hands of persons directly responsible not only for the handing out of the therapy but for the whole procedure of pharmacy.

The Hon. G. C. MacKinnon: Would you apply that to those company type of premises you talked about?

The Hon. J. G. HISLOP: Yes. I would apply it to the lot so that everyone was qualified exactly the same as in my profession. We cannot hire out work to other people and become a company. We have to go into partnership, possibly in order to meet the present-day conditions. However there is no organisation whereby some lay person can hire four or five medical practitioners, pay them a salary, and run the organisation.

The Hon. H. K. Watson: Dr. Peate made a valiant effort to do that.

The Hon J. G. HISLOP: Yes. I think the same principal will eventually apply as far as pharmacy is concerned.

The Hon. F. R. H. Lavery: You would like to socialise it?

The Hon. J. G. HISLOP: No, the very reverse. I would like to put this business into the hands of individual pharmacists and not have them employed by a company or any other organisation.

The Hon. F. J. S. Wise: You have looked at clause 36?

The Hon. J. G. HISLOP: Yes. I do not think that can possibly do what I feel should be done, because these people have been given the right under clause 36 to

carry on. I feel this is a point which might well be looked at, and it would be very fair to do so.

Quite frankly, Victoria is a very pure State so far as pharmacy is concerned. There are no companies or friendly societies to my knowledge practising in that State, because the Victorian Pharmaceutical Council, right from its earliest days, was adamant that only a chemist could conduct a pharmacy. Even if the pharmacist is away for a certain time he has to have another qualified pharmacist on duty in his shop.

The Hon. F. J. S. Wise: Are there no friendly societies there?

The Hon. J. G. HISLOP: They have no chemist shops.

The Hon. F. R. H. Lavery: There are 60 of them.

The Hon. J. G. HISLOP: Sixty chemist shops?

The Hon. F. R. H. Lavery: Yes.

The Hon. J. G. HISLOP: They must have started since I was there. However, they do handle pharmacy in a purer way than any other State in Australia. I am sure we would have to search a long time to find those 60 shops. Many are joined together in a group like Amscol, and so on. They are joined, but I doubt very much whether they have expanded in the same way as here.

When we passed the amendment in 1956, I am sure most of us believed we had limited the friendly societies to the number in existence at that date, but then we suddenly saw the expansion taking place. It is quite obvious that some action of this sort had to be taken.

One other clause to which I wish to make reference concerns advertising by a pharmacist. I would like the Minister in charge of the Bill and, later, the Pharmaceutical Council, to give consideration to granting to each registered pharmaceutical chemist at the date of his qualification some diploma which he could use and which would be recognised by the public.

Many pharmacists put on their premises the sign "Ph. Ch. M.P.S." This does not mean anything. It simply means they are pharmaceutical chemists, and it gives an inherent qualification by indicating that if they are chemists, they are recognised by the society. "M.P.S." means they are members of the Pharmaceutical Society.

I could put up a notice to say I was a member of all sorts of societies, if it came to that.

The Hon. F. R. H. Lavery: You could not be a member of the Pharmaceutical Society if you were not qualified.

The Hon. J. G. HISLOP: This Bill is interesting because under the old Act a person could be registered if he was a member of the Pharmaceutical Society.

The Hon. F. J. S. Wise: That's right.

The Hon. J. G. HISLOP: So he would get his M.P.S. That was the first provision in the previous legislation. I do not think it is in this Bill. I think he has to show his qualifications, but I doubt whether provision is made requiring a pharmaceutical chemist to be a member of the Pharmaceutical Society.

The Hon. F. J. S. Wise: Clause 21 provides for the registration of a pharmaceutical chemist.

The Hon. J. G. HISLOP: The first qualification mentioned in the old Act was that the individual had to be a member of the Pharmaceutical Society.

The Hon. F. J. S. Wise: Part III of the Bill at page 10 deals with the matter.

The Hon. L. A. Logan: Section 4 of the Act is somewhat similar to clause 20 (4) on page 11 of the Bill.

The Hon. J. G. HISLOP: Getting back to what I was saying, it would be much better if the diploma was conferred upon the pharmacist at the date of his registration; and a diploma should be presented to all those who are now registered as pharmacists. It would be something earned by them rather than just recognition of having joined a society. A chemist could then legitimately display his qualifications.

To me there seems to be a flavour of advertising when a person shows that he is a member of a certain society. I think this provision should be deleted from the Act altogether. There is no reason why a chemist should join the Pharmaceutical Society in order to be registered. Doctors do not have to join the A.M.A. to be registered; they become registered because of the qualifications they gain in their training; and a pharmacist should be registered in the same way, and not because he is a member of some society.

In the main I regard the measure as an excellent one. It will help to improve the standard of the pharmacist and give him real standing in the community. It will do a lot for him, too, from the point of view of engendering confidence. I support the measure, which may be further discussed in Committee.

THE HON. J. DOLAN (West) [5.18 p.m.]: I had prepared quite a speech on the measure, but having heard the honourable Mr. Wise and the honourable Dr. Hislop dissect it I do not think there is much left for me to say. I might, however, comment on some aspects of the measure which might not have been touched on as fully as we would desire. I was interested to note in the Bill the change that has been made with respect to qualifications. In the old days it was possible for a student to become qualified by serving an apprenticeship and taking lessons at the technical school, and then passing the prescribed examinations. It is pleasing to

note that there is to be a tightening up in regard to registration, and the qualifications will be more rigid. This will mean that the public can have greater confidence in the profession.

I understand the apprenticeship system finished last year. I do not think the Bill in any way interferes with those people who were apprentices when the apprenticeship system went out of vogue. They will be able to continue their apprenticeship and become qualified.

There are some aspects of the measure with which I am not very happy, and others that I feel require some understanding. I consider that those responsible for dealing with the Bills in regard to the Pharmacy and Poisons Act, and in regard to bringing down two Bills, had a most difficult task. I feel they were in the position of trying to please two groups and of endeavouring to effect a compromise. In that regard I think they have done an excellent job, and the two groups most vitally concerned in the Bill should be reasonably satisfied that those who were responsible for framing the clauses in these measures have tried to be fair.

I was not too happy with the Bill when I first saw it, but it has since been amended and I now support it fully. There are many new provisions in the measure. It will now be necessary for two licenses to be issued. First of all the premises will have to be licensed, and then the chemist himself will be required to be licensed. The licensing of premises is a wise provision because it will provide control over the premises and ensure that they will be of the highest possible standard. So far as cleanliness is concerned, I would say the standard of cleanliness in pharmacies would satisfy anyone. I have been into many chemist shops and they are scrupulously clean. The conditions under which chemists work leave nothing to be desired.

The Bill will prohibit the use of automatic vending machines in chemist shops, and this provision is to be commended.

The Hon. L. A. Logan: Do you know what came out of some of those machines in England?

The Hon. J. DOLAN: Yes; and I know the dangers in which young people, in particular, can be involved if there is no control of this sort.

I think that to a certain extent the Bill has been modelled on the Queensland Act which, in its application, has been most successful. Some views were expressed as to what was meant by improper advertising, and I took the precaution of looking at the Queensland Act to see what it provided. Even so I could not get details of the type of advertising that was objected to. I have seen circulars and samples of advertising that should certainly not be encouraged. This is what the Queensland Act has to say on the question of advertising—

> A pharmaceutical chemist is guilty of misconduct if he advertises, either directly or indirectly, or sanctions advertisements or employs or sanctions advertisements or employs or sanctions the employment of agents or canvassers for the purpose of advertising by any means whatsoever in a manner which is immoral or obscene, or which brings discredit on the profession of a pharmaceutical chemist, or which misleads or is likely to mislead the public.

That appears to be a dragnet clause. If anybody offends, it is possible for the controlling body to call upon the person concerned to explain what he has done.

The Hon. F. J. S. Wise: I believe most chemists would strongly support that provision.

The Hon. J. DOLAN: I would think so. It is necessary at this stage to say a few words about friendly societies. When I was a young man I was a member of a friendly society, and I feel that friendly societies played a magnificent part in the community in those times. Most societies consisted of groups of individuals who were there to help themselves and to promote, very often, social intercourse between themselves; and they obtained real benefits. I forget just what I used to pay each quarter to the lodge to which I belonged, but I had the privilege of going to the friendly society dispensary and having my prescriptions made up; and I had a family doctor who attended my wife and children. Friendly societies were a real boon to the community.

I feel that in one respect friendly societies are on the wane because in 1953-54 they had a membership of 22,207, and in 1962-63—the latest figure—the membership was 16,976, which represents a decrease of 23 per cent. in 10 years. I feel that state of affairs has been brought about to a large extent because of the advent of social services. When I joined a friendly society there were no social services as we know them today.

The Hon. H. K. Watson: The friendly societies were the social services.

The Hon. J. DOLAN: Yes, and they did a magnificent job. They are to be commended for what they did in those times. Because of the decline in membership, I feel this Bill is doing the correct thing by recognising that they have served their real purpose in the community. They should be recognised for what they have done, and I feel they are being recognised because the 10 friendly society shops will have exactly the same privileges as any other chemist shop. The preventing of the establishment of further friendly

society dispensaries is wise and has my support. I am on the side of the pharmaceutical chemist who has been properly trained and who is prepared to go to a country centre and set himself up in a shop and render service to the community.

The Hon. F. R. H. Lavery: You are not suggesting that the chemists employed by the friendly societies are not properly trained?

The Hon. J. DOLAN: I would not debate the point, but I feel the case mentioned by the honourable member is very involved. I prefer to have the personal touch between the man who runs his own chemist shop and the patient. In recent years I have frequently gone to a chemist to have a prescription made up and he has looked at it and said, "I will check this with the doctor. I think there may have been a mistake." That was no fault of the doctor; it was just that the chemist felt that in the particular case something else might be necessary. That was because of the personal relationship existing between the chemist and his customer. I feel that we get a better result in those circumstances.

The honourable Dr. Hislop referred to the use of the letters M.P.S. after a person's name. That seems to be the custom and it cannot be avoided. Some people make a practice of gathering these letters and getting as many as they can. Some people get degrees. They start off with one and then get another, and then they obtain a diploma, and when it is all boiled down, three-quarters of the old original degree is mixed up with the others.

I have seen on a land agent's office the letters R.E.I.W.A. Someone seeing those letters after the person's name might think he was a pretty smart sort of a fellow, but then it transpires that the letters are the initial letters of the Real Estate Institute of Western Australia, so that it means that the man who uses those letters is only a member of the organisation. I would hate to write all the letters I could add after my name. I could put M.F.C.; E.F.C.; W.A.N.F.L.; and many others. A stranger seeing all those letters might think, "This fellow is clued up"; and I would leave him with that impression.

The Hon. G. C. MacKinnon: Would it take a stranger to think you were clued up? I feel you do yourself an injustice.

The Hon. J. DOLAN: I consider a real attempt is being made to tighten up a state of affairs which has existed in the community for a long while. I commend the framing of the Bill and the way it has overcome difficulties. I think we can look forward to the public being served in all respects by all groups. I think the chemists will continue the excellent service they have always given, and that the friendly societies, which, from now on, will have the same rights as chemists, will also give the excellent service they have done in the past and uphold the good name they have in the community. I support the Bill.

THE HON. H. K. WATSON (Metropolitan) [5.31 p.m.]: I support the statement made by the honourable Mr. Wise that, when a Bill such as this is brought before us, the parliamentary draftsman is failing in his duty if he does not state, in the marginal notes for the information of honourable members of this House and, indeed, for the members of the legal profession, the sections of the hitherto existing law from which the clauses in the Bill were culled. Checking through the Bill I cannot find one clause where any reference is made to the Act which is being repealed, even though many of the clauses have been taken intact from the Act which this Bill seeks to repeal.

The clause which has been taken practically intact from another Act, except for that profound alteration of which the honourable Mr. Wise made mention, reminds me of my school days when we had to put the commas in the sentence, "That which is is, that which is not is not, is not that so?" On the point raised by the honourable Dr. Hislop, and speaking as a parliamentarian and not as a chemist, I suggest the answer to his question is that the five companies referred to by him are quite outside the question asked. The honourable Dr. Hislop drew the distinction which applies to the company which is carrying on business itself under the special provisions of section 44 (1) (ii) of the old Act—and I think there are five such companies; and, as I have said, they are quite outside the question raised by the honourable member.

Then there is the other class of chemist who is a sole trader carrying on business on his own account. He may carry on that business at any shop, or by obtaining a license from an emporium to carry on business in the premises occupied by that emporium. However, as an individual, it is still his business. The answer to where that person stands, under this Bill, will be found in clauses 28 and 38 (1) (a). I suggest that an individual chemist, whether he be carrying on business on his own account in a Hay Street shop of which he has exclusive possession, or whether he be carrying on business exclusively on his own account but within a prescribed area in a departmental store, or some other approved place, may carry on business in Fremantle, as well, subject to clause 28. That is, he may have two pharmacies.

The Hon. L. A. Logan: No, not more than two.

The Hon. H. K. WATSON: I see; no more than two. The question is not governed by the fact whether he is carrying on business in a store: it is governed by the fact of what the individual can do. Can he carry on more than one business? Regardless of whether a chemist is entitled to carry on two businesses, whilst clause 28 is expressed negatively, presumably it is implicit, positively, that he can carry on two pharmacies.

The Hon. F. J. S. Wise: It is identical with section 17 of the old Act.

The Hon. H. K. WATSON: So in that case I think so long as the second pharmacy was carried on by the chemist under his personal supervision, or under the supervision of a person who is a qualified chemist, he would be in order.

The Hon. J. G. Hislop: He must be.

The Hon. H. K. WATSON: Reading the clause quickly, that is my impression. Section 36, which clause 7 seeks to amend, is the section which refers to the five companies which have been carrying on business in this State for many years as chemists; and the honourable Dr. Hislop expressed the opinion that the time had arrived to tell those companies that within a period, which he considered should be stated in the Act, their right to carry on business as chemists should be terminated. There is probably room for difference of opinion on that statement. Under the old Act the companies were granted the right to carry on business as chemists, and section 44 (1) (ii) of that Act provides—

> Every company now carrying on business as aforesaid under the authority of this Act shall be and is hereby limited to the carrying on of such business at one place or shop, or premises, and no more.

I point out that that provision in the old Act does not appear, in express terms, in this Bill. In the Bill the position of companies is merged in clause 36 (2) (b), and the effect of the limitation is that whereas in the past a company could carry on its business anywhere in Western Australia—presumably it could carry on business in the City of Perth and if it desired to shift to Wyndham or Esperance, to take two extremes, it could do so—under the Bill the company will be restricted to carrying on business at the place where it now carries on business, and if for any reason it is unable to carry on business at that place—in the event of, say, the lease expiring, or for some other reason—it may transfer its business to such other place in the immediate vicinity of the place so vacated as the Minister may approve.

It has been suggested to me that this may act adversely in one or two cases, and since the second reading of the Bill I have had a discussion with the Minister for Health on this point. He undertook to examine the question thoroughly in the intervening period to ascertain if he could, without unduly distinguishing between a friendly society and a company, meet the point to which I drew his attention. I would be obliged if the Minister, in his reply, could advise me if the Minister for Health has concurred in my representation, because he said that if he did agree he would prepare an appropriate amendment to be moved in the Committee stage.

The Hon. J. G. Hislop: Did you have a look at section 44 (2) in the old Act? Under that section a company shall be limited to the carrying on of its business at one place, and not two.

The Hon. F. J. S. Wise: Look at clause 26 (2) (b).

The Hon. H. K. WATSON: Clause 26 (2) re companies provides for one, and clause 28 re individuals provides for two.

The Hon. J. G. Hislop: It is countered by section 44 (2).

The Hon. H. K. WATSON: I do not have the parent Act before me at the moment. I hope the Minister in charge of the Bill appreciates the great effort I am making to save him answering these questions.

The Hon. L. A. Logan: You are doing a very good job.

The Hon. J. G. Hislop: It is section 44 (2).

The Hon. H. K. WATSON: No, that refers to the company again. The question raised by the honourable Dr. Hislop in his speech has nothing to do with companies. The honourable member must look to the provision relating to the individual and not to the company. We are considering two different cases. Subject to those remarks, I support the Bill.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [5.43 p.m.]: I thank honourable members for their generous support of the measure. Without exception, every honourable member who has spoken has been in favour of it. I think I can go further and sum up the discussion by saying that this is the third measure we have dealt with in this category. It certainly seems to me that the department, and the officers and draftsmen who have been responsible for the drafting of these four Bills have done a very good job, with the exception of the omission of the marginal notes from the Bill, as referred to by the honourable Mr. Wise and the honourable Mr. Watson.

I must agree with those honourable members that that is an omission that should be rectified. I have already spoken to my colleague, the Minister for Justice, who has jurisdiction over the Parliamentary Draftsmen, and he has promised me he will discuss with the Crown Law

officers this matter, together with the other point raised by the honourable Mr. Wise in regard to the changing of the word "which" to "that." It is the Chief Parliamentary Draftsman whose duty it is to lay down the usage of words for all the draftsmen in the section.

Before receiving some information on this a few minutes ago, my answer would have been that we are dealing with the English language and that the Parliamentary Draftsman preferred to use the word "that" instead of the word "which"; and that is exactly what the position is, because I have had a reply from Mr. Walsh in which he says it is purely a personal matter. He has laid it down that he prefers the use of the word "that" to "which." I hope that answers the point raised by the honourable Mr. Wise.

I think the honourable Dr. Hislop has a point so far as diplomas are concerned, but I quite agree with the honourable Mr. Dolan. I would put a few letters after my own name if they did not cost so much—they cost about £5 5s. or £7 7s. But we find that an accountant has certain letters after his name to show that he has secured his diploma, and I see no reason why they should not be used in this case.

The honourable Mr. Dolan mentioned the fact that there was a decline in the membership of friendly societies generally. I agree there has been a decline in the full membership of friendly societies. Having been a member continuously for 41 years I think I can speak with some authority on this matter.

The Hon. R. Thompson: I did not think you were as old as that.

The Hon. L. A. LOGAN: With regard to honorary members and registered honorary members, however, the membership of friendly societies is greater. There has been a decline in the full membership because of the introduction of social services, and the need is not now as great as it was at one time. But friendly societies still perform a very useful service and I would not like to see them go out of existence.

The honourable Dr. Hislop raised the question of pharmacists. My interpretation would be that the first essential is for an individual to be a registered pharmacist. That is the first requirement. The second requirement is that if he wants to go into business he must approach the council and have his premises registered. He could apply, or perhaps the firm could apply, for a certain area in a store to be classified for use as a chemist shop. For instance, in Boans at Waverley we find there is a chemist shop, though there is very little window space available. I feel that an individual could have a chemist shop at Boans, Waverley, and one at Boans, Morley, but no more. Boans itself does not run a pharmacy; the area within the shop is leased to the individual. The point here is that if Boans wanted to start another regional shop and it already had two chemist shops in its other branches it could not open another chemist shop.

The Hon. F. R. H. Lavery: What is the position with Boans at Cottesloe?

The Hon. F. J. S. Wise: The chemist is a tenant of the company.

The Hon. F. R. H. Lavery: But the chemist in that company was the chemist in that street before the place was built.

The Hon. L. A. LOGAN: He is still an individual chemist. An individual chemist could have a shop at Boans, Waverley, and another shop at Boans, Morley.

The Hon. J. G. Hislop: But if Boans was running the shop, it could only have one shop.

The Hon. L. A. LOGAN: Boans cannot run it.

The Hon. R. Thompson: Foys have a pharmacy.

The Hon. L. A. LOGAN: But there is a registered chemist in attendance.

Clause 28 states categorically that an individual cannot operate in more than two chemist shops.

The question raised by the honourable Mr. Watson in relation to companies was referred to the Minister. He gave the matter very serious and mature consideration and decided it would be better to leave it as it is. There is more than one reason why, and possibly the main reason is the difficulty which the Minister had, when dealing with this Bill, in reaching a compromise between two sections of the community. It could be said that it was the only compromise possible; and if the Minister diverts from that principle now he will immediately break down what he and all the other parties have agreed to. If it is broken down for the companies we would immediately have the friendly societies asking for it to be broken down for them.

The honourable Dr. Hislop said that he would eventually wipe out friendly societies and companies. If we made the amendment that has been suggested we could have a company which has restricted rights under the Act practising in a certain area at the moment, and the business of that company could decline, and it could see a possibility of business in a new area where it would seek to open up. So if we gave it the right to transfer, the company would go to the new area after having closed down its shop, thus causing some disadvantage to anybody who wanted to start there. I do not think that is the intention of the Act, or of honourable members who have spoken tonight. So there are two reasons why the Minister decided

not to interfere with the Bill in its present form. I thank honourable members for their contributions and I hope and trust the measure will fulfil the requirements expressed by them.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 20 put and passed.

Clause 21: Qualifications for registration—

The Hon. L. A. LOGAN: I had intended to say something on clause 20, but it seems I have missed my chance.

Clause put and passed.

Clauses 22 to 25 put and passed.

Clause 26: License to practise as a pharmaceutical chemist—

The Hon. R. THOMPSON: I would like to refer to new areas which are opening up but which have no chemist to serve them. I know of one such area at present which is probably expanding a lot faster than many other areas. If a friendly society were prepared to open up there it would be prohibited from doing so under this Bill. I am wheeling nobody's barrow in this matter; all I am interested in is that the public be given a service, and this should be particularly so in the housing area I have in mind. We see service stations opening up unrestrictedly to provide a service to the motorist. This is not absolutely necessary however, whereas chemicals and medicines are required very urgently as a rule. If a chemist does not open up in the area I have in mind, will a friendly society be able to provide a service to the public?

The Hon. L. A. LOGAN: Under the legislation a friendly society will definitely not be able to open up. It specifically permits the 10 that are practising at the moment, and no more will be permitted to open. That was the principle we accepted in 1956. I was Grandmaster at the Unity Lodge at that time and I gave a promise to this Chamber that the friendly societies would not desire to open up any more dispensaries. If a service were required and it was a payable proposition for the friendly societies, then it would also be a payable proposition for a chemist to start and provide a service. The young lads in training for their diplomas will certainly be looking for business.

The Hon. R. Thompson: I am only concerned that this area gets a service.

The Hon. H. K. WATSON: My understanding of the servicing of various districts is this: A friendly society has never pioneered a district; it has always been left to an individual. Therefore if a district warranted a pharmacy it would be strange indeed if a chemist could not be found to open up in that district, either on his own accord, or as a result of a prod from the Pharmaceutical Council, or committee, as the case may be.

Clause put and passed.

Clause 27 put and passed.

Clause 28: Limitation as to places of business—

The Hon. E. M. HEENAN: I am not quite clear as to the interpretation placed on this clause by the Minister, but I feel it has to be read in conjunction with clause 38. It is my view that a pharmaceutical chemist will not be able to conduct two pharmacies at the same time. Clause 28 says that a chemist cannot conduct more than two businesses concurrently; and clause 38 says he cannot conduct a pharmacy unless the business is carried on and conducted by him and under the personal supervision of himself or his assistant, who is a pharmaceutical chemist. I feel clause 28 implies he can conduct two businesses at the same time. I want the Committee to be clear on that.

The Hon. F. J. S. WISE: Clause 28, excepting for the penalty, is identical with section 17 of the old Act; and clause 38 is identical with section 45 (1) of the old Act. One deals with the limitation as to place of business and the other deals with the business of a pharmaceutical chemist being carried on by the principal or a qualified assistant. I think the limitations as expressed by the honourable Mr. Heenan are that two may be operated, but no more than two, by the one person. One or two of us have raised the point that unless one can give a lot of attention to the cross-references of the Bill and the Act one would certainly be lost to know where they came from.

The Hon. L. A. LOGAN: The intention goes back as far as 1934 to preclude any type of chain store activity as far as chemists are concerned. The intention of clauses 28 and 38 is that no-one may carry on more than two chemist businesses.

Clause put and passed.

Clauses 29 to 44 put and passed.

Clause 45: General penalty—

The Hon. F. J. S. WISE: I wonder if the Minister can give us a reason for the extreme change in the penalty expressed in the Bill as compared with the penalty expressed under section 52A of the old Act which was, I think, a penalty not exceeding £10.

The Hon. L. A. LOGAN: Without research I am unable to say when this penalty was inserted in the original Pharmacy and Poisons Act.

The Hon. F. J. S. Wise: No. 66 of 1948.

The Hon. L. A. LOGAN: I would imagine that £25 today would lose in comparison with £10 in 1948. That would be my reason for the penalty being increased from £10 to £25.

The Hon. F. J. S. Wise: I was wondering if there was any particular contravention which caused it.

The Hon. L. A. LOGAN: I am unable to answer that. Originally in the Bill the penalty was £50 with £5 for a continuing offence, and this was reduced to £25 and £2 10s. During the debate that took place in another place no mention was made as to why the penalty was increased. At least, I could see no mention of it.

The Hon. J. G. Hislop: I take it it is a maximum penalty.

The Hon. L. A. LOGAN: Where no expressed penalty is laid down, the penalty is £25 and £2 10s. each day for a continuing offence, and this would be a maximum.

The Hon. H. K. WATSON: In view of the fact that under the Interpretation Act neither marginal notes nor footnotes of any Act shall be deemed to be part thereof, will the Minister give consideration to having the marginal notes included before the Bill is officially printed by the Government Printer. They do not form part of the Act, but if they were added as a footnote after the Act is passed it would be a convenience to everybody.

The Hon. L. A. LOGAN: I will pass that on.

Clause put and passed.

Clause 46 put and passed.

Clause 47: *Regulations*—

The Hon. J. G. HISLOP: Like the honourable Mr. Wise, I hope the council will have a thorough look at these powers which have been conferred upon it. Paragraph (f) gives power to make a regulation prescribing the form of agreement made between a pharmaceutical chemist and a student in relation to the practical training. Is that to be a universal certificate that will apply to all students and all pharmacists, or can it be altered for the individual? If it can be altered for the individual, care will have to be taken that the student receives the same amount of education as any other student is entitled to. If it is in a general form, that is quite in order.

Paragraph (h) provides for regulations prescribing that the certificates or diplomas of competency as a pharmaceutist or as a chemist and druggist of any special society, college, or board of pharmacy shall be recognised by the council. I would ask the council to give serious consideration to the conferring of diplomas upon qualified candidates.

Chemists have always been called upon to keep a close record of sales, and this has been of tremendous benefit. There are all sorts of manners of approach, and I suggest the council give close attention to this matter. There are one or two chemists who photostat practically all prescriptions and a copy can readily be obtained. Others prefer to write them in books. The photostat copies would be easier to file, but if new conditions were suddenly laid down it may cause difficulty to younger chemists or those conducting a lesser business. I have never found any chemist who did not have a complete record of what he sold; and in a number of shops books are still being used.

As the provisions in this measure represent a radical change for the pharmaceutical chemist, a good deal of consideration in regard to the use of the regulations would be wise.

The Hon. L. A. LOGAN: All I wish to say is that I will pass on the remarks of the honourable Mr. Wise and the honourable Dr. Hislop to the Minister. In regard to diplomas and certificates, on page 31 there is provision for a register of pharmaceutical chemists, and in the third schedule there is provision for a certificate of registration. Both of these, if permitted by the council, could be used in a shop.

Clause put and passed.

First to third schedules put and passed.

Title put and passed.

Sitting suspended from 6.18 to 7.30 p.m.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

FRIENDLY SOCIETIES ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 3rd November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [7.32 p.m.]: This Bill amends the Friendly Societies Act and incorporates certain provisions which have been introduced into the Pharmacy Act. To a degree both Bills, in certain particulars, are related.

This necessary amendment, following the passing of other Bills, ratifies the provisions where they are interrelated; and it also makes provision for one or two extensions of the rights already contained in the Friendly Societies Act and conferred upon friendly societies.

I think it is a good thing that in addition to the provisions of section 7 of the Friendly Societies Act, which gives societies certain authorities in regard to chemist shops, and so on, there is to be extended to them the right to purchase land and buildings or to purchase land and construct buildings thereon to provide hospital accommodation for the treatment of persons belonging to those societies; in other words, to cater for persons in institutions of the society.

In short, clause 3 of the Bill provides that there shall be vested in friendly societies the authority to construct hospitals and to purchase land and buildings for such purposes where necessary.

There is a further clause which deals with an amendment made in 1956, and which is repealed by this Bill. The 1956 Act contained a provision moved by the honourable member for West Perth in another place. Not only is one of the principles of the 1956 Act repealed in this clause, but certain parts have been re-enacted. In addition—and I am still referring to this clause, which is related to the Pharmacy Bill—the substitution of premises is now to be in line with the provisions of the Pharmacy Act; and there is a further new provision.

I am wondering what is the reason for one of the changes in the new Bill. The Minister shall now have direction and control of the rules which he may create and apply. Formerly that situation was in the hands of the Registrar of Friendly Societies. I am wondering whether there is a particular reason for that change.

By clause 5 the principal Act is to be amended by the insertion of a new clause 8A. It is intended to validate the financial purposes as well as the registration of certain societies. That appears to me to be necessary and in order.

Section 11 of the principal Act contains the principle in regard to rules that the registrar shall deal with certain matters. Throughout section 11—which is related to the second schedule of the Act—the registrar has responsibility for registrations, for rules of societies, and so on. We have now inserted the principle that the Minister must approve the rules. Perhaps the Minister could tell us why what is contained in section 11 is now changed and why the Minister will now have to approve the rules and validate the transactions.

The last clause in the Bill deals with the changes in the value of money, and so on. In short, I think the principles contained in this Bill, together with the additions to the rights of friendly societies, are in consonance with the amendments to the Pharmacy Act; and if they meet the arrangements made between the two interests and the Minister, then I can find nothing in the Bill about which I can object.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [7.39 p.m.]: I do not know whether I mentioned, during my second reading speech, the reason for the rules having to be submitted to the Minister. The copies of my notes have disappeared. However, I believe it has something to do with the fact that we thought, in 1956, that we had the situation tied up in regard to the expansion of friendly societies dispensaries, but we now find this was not so. Whether it was a change in their rules which enabled this to take place, I do not know. But to make sure that the situation would not occur again, it was considered that the rules should be forwarded to the Minister for consideration.

I am conversant with one particular friendly society, and no rules in connection with that society are changed unless they are first considered by the executive committee. They then have to be sent to each lodge for verification or otherwise, and they are then sent to the registrar. They are not printed until the next printing of the rules takes place.

The Hon. F. J. S. Wise: By "registrar," do you mean the Registrar of Friendly Societies?

The Hon. L. A. LOGAN: Yes. Apart from that explanation, I cannot give any reason for the change.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

GOLDMINING INDUSTRY: STABILISATION AND EXPANSION

Appointment of Parliamentary Committee: Nomination of Members

Debate resumed, from the 3rd November, on the following motion by The Hon. G. C. MacKinnon:—

> That the Legislative Council be represented on the committee by two members nominated by the Leader of the Government and one member nominated by the Leader of the Opposition in the Legislative Council and that the Legislative Assembly be acquainted accordingly.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [7.44 p.m.]: I listened very carefully to many aspects of the debate on the motion which has already been carried unanimously by this House. Many opinions which were then expressed centred around the motion now

being debated. Indeed, the various expressions of opinion highlighted the fact that even those who know nothing whatever of the industry might make equally as good representatives on such a committee as those who have a considerable, even a profound, knowledge of the industry.

To anyone who has, either as an observer or as a participant, been associated with tribunals of different kinds, whether they be important committees or Royal Commissions, or commissions under the authority of government appointed to inquire into many things, it is obvious that the best units on such committees are those who have a knowledge—and the greater the knowledge the better—of the industry, the circumstances, or the national matters which such committees or commissions are to inquire into. Over the years I have developed a very strong belief in that direction and I can think of many cases where the appointment of such people to commissions or committees has meant a great deal and has proved to be of considerable assistance in the deliberations of those tribunals.

The motion proposes that two members of the committee, who shall be nominated by the Leader of the Government and one, who shall be nominated by the Leader of the Opposition in this House, shall be the representatives from this Chamber. I rather take the view, and take it strongly, that those who have been close to the industry for all their lifetime are very well equipped to take their places as members on such an inquiry. They are the people who should ponder over and weigh and determine the value of the evidence submitted. Because of their very knowledge and instinct they know what to seek in the way of evidence; they know what the pitfalls may be; whether a witness is giving evidence of value; or whether certain evidence should be discounted.

Quite apart from the evidence to be submitted by all authorities and experts, these persons of experience, and with some skill and knowledge of the industry, if they are appointed members of the committee will be better able to weigh the value of all submissions made to the committee. I could very clearly state to the House who I have in mind—a representative from the existing and presently to be altered North-East Province and a representative from the South-East Province. These men have studied many of the facets of this industry and they have worked in industries ancillary to it. I think by my description there can be no doubt who those individuals are; and I refer, of course, to the honourable Mr. Heenan and the honourable Mr. Stubbs. That is my idea of how best this inquiry should be dealt with, how best the information could be gleaned from those capable of giving it, and how best that information and evidence could be assessed and made of value.

Amendment to Motion

I need say no more, and I move an amendment—

> Line 3—Delete the words "nominated by the Leader of the Government" and substitute the words "representing Goldfields provinces."

THE HON. G. C. MacKINNON (South-West) [7.50 p.m.]: With many of the facts stated by the honourable Mr. Wise it is impossible to argue. If this House had agreed to the appointment of an expert committee then, of course, it automatically follows that what the honourable Mr. Wise said would be agreed to. But this House has not agreed to the appointment of an expert committee; it has agreed to the appointment of a parliamentary committee. Therefore the proposal suggested in my motion will, I hope, be agreed to and I would hope that honourable members will reject the amendment which the honourable Mr. Wise has moved.

The idea of having experts from within Parliament to inquire into certain matters, whether it be in the form of a Select Committee or a parliamentary committee, has never been the practice. I can recall the committee appointed to inquire into the Builders' Registration Act. The honourable Mr. Baxter, the late honourable Mr. Davies, and myself—two country members and one city member—inquired into the position under an Act which had application to the city. I can recall Mr. Justice Ligertwood inquiring into betting in this State. He was certainly an expert on taking evidence, but he would not be an expert in the ramifications of gambling.

Practically every committee appointed by Parliament would illustrate the point I am making. It is competent, of course, for anyone to move a motion in this House for the appointment of an expert committee, but I should imagine that expert investigation by expert committees would be going on almost all the time in the mining industry. I could not imagine the Chamber of Mines or the mining section of the A.W.U. failing in this connection. They are both bodies of some renown and they are authorities on the question. I am sure they would be consistently inquiring into this problem. If this House sees fit to appoint an expert committee, well and good. I should imagine it would probably receive the same wholehearted support which this committee has received; but the committee to which the House has already agreed is a parliamentary committee and not an expert committee.

I have no doubts at all about the worthiness of either the honourable Mr. Stubbs or the honourable Mr. Heenan. If I were selected as a member of any committee appointed to investigate this or any other industry, I could not imagine any two gentlemen with whom I would rather serve. They are both eminently reasonable and one could not cavil at their appointment, if the committee called for them. But in this instance it actually calls for one of them, or one of their colleagues. I am sure whoever it happens to be they will all get along well together. They will examine the various witnesses and report in the manner in which this House has indicated it wishes them to report. For those reasons I sincerely hope the amendment will be rejected.

THE HON. E. M. HEENAN (North-East) [7.55 p.m.]: I rise to support the amendment moved by the honourable Mr. Wise. I must admit at the outset that I speak to this amendment with some diffidence because my name has been mentioned. However, there are a few of us goldfields members and we are all concerned with the proposal that has been put forward by the honourable Mr. Wise.

I do not claim to be any expert on the mining industry, although I was born and spent just about all my life on the goldfields, as I think the various other goldfields members have. My sole concern is that a good committee be appointed because I feel, in all sincerity, that the goldmining industry of Western Australia is facing a crisis at the present time, and one which will become more formidable to it in the immediate years that lie ahead.

I do not want to indulge in useless repetition, but the plain fact is that this industry is struggling to carry on by selling its product at a figure that was fixed 30 years ago. Up to date, through the sheer ability of the men associated with the industry, it has been able to overcome one problem after another. But all those who know of the position realise that inflation keeps going on; wages keep rising; the costs of commodities keep rising; and it is a trend that seems to be inexorable under our existing system. The goldmining industry, of course, as inevitably as the sun rises, will reach a stage where it will find extreme difficulty in carrying on.

I have no individual interest in this proposition, and I am sure all honourable members will absolve me from speaking personally. My sole interest is to have a good committee which will investigate the matter to its fullest extent. It will have a most difficult task to come up with worth-while and acceptable proposals to help the industry during this tremendously difficult period.

There are to be three honourable members from another place to be appointed to the committee, and three from this House. Leaving out the honourable Mr. Stubbs and myself, there are the honourable Messrs. Teahan, Garrigan, Bennetts and Dellar, who know as much about goldmining as we do. We have all been reared on the goldfields, and some of us have worked on mines. We have associated with miners, mine managers, technologists, prospectors, and the men and women whose lives are inextricably associated with the industry.

We know towns like Menzies, Kanowna, Laverton, and countless others which were household names in days gone by, and which are now almost nonexistent. We know others like Cue, Mt. Magnet, Meekatharra, and others where many men and women have centred their life's interest; where railways, schools, and hospitals have been established; and where people have built homes and businesses. They are all vitally at stake.

I am certain that whoever may be chosen from this House to serve on the committee will do their very best. Whether or not the amendment is agreed to, the three honourable members chosen will do their very best. I feel, however, that some honourable members in this House have the necessary background while others have not, nor have they been closely associated with the industry all their lives. The latter could be placed at a disadvantage. They have not travelled over the places I have mentioned; they have not been closely associated with the miners and their folk; and they have not seen towns like Gwalia, Big Bell, and Wiluna before they were closed down.

The Hon. A. F. Griffith: It might be a good thing if some honourable members were to see some of these places.

The Hon. E. M. HEENAN: I shall have the greatest confidence in whoever is selected to go on the committee. I frankly admit this problem extends beyond Kalgoorlie and Boulder; but no-one can tell me that any person living in the south or in the farming areas would care for this industry as much as we do. The people elsewhere are not so vitally interested or affected. If the goldmining industry were to close down they would be sorry, and they would suffer the setback which the State would suffer, but they would not be as much concerned for it or understand it as we do. Those are my reasons for supporting the amendment. I want the committee to get under way, and to have the blessing of all of us here. We do not want any recriminations as to who should, and who should not, be on it.

I urge the acceptance of the proposition of the honourable Mr. Wise. Kalgoorlie is the dividing line of the goldmining districts. The South Province covers one big

area, while the North Province covers another, and this is the one which is hardest hit. The committee proposed in the motion will have no sinecure, and the members of it will have to travel far and wide, because it might get the germ of an idea from a prospector in the bush.

I have always considered that one of the best methods to assist the industry is to encourage prospecting and to go in for it in a big way, in the same manner as oil search is undertaken. Look at what an oil find will mean to our State; but look at the money, the effort, and the skill which goes into the search. In goldmining nothing on that scale is done in searching for gold. I am not critical of the department or the Minister; I know they are doing their best. We have a few prospectors searching for gold, but they are ill-equipped and in many cases lack modern skills. We are not making a serious enough effort to find new goldmines.

The question is: Do we want to find new mines? A farmer prepares and uses a paddock one year, but he also has two in readiness for the following years. Much the same applies to goldmining. The Sons of Gwalia mine has closed down, but we should try to establish another mine to replace it, and so justify the existence of the railway, the schools, and the hospitals, and do the right thing by the people who have lived there all their lives.

Those are some of my reasons for supporting the proposition. I do not want any squabbles to develop in the appointment of the proposed committee; I want it to have everyone's blessing, because it is the hope of the goldmining industry. Everyone concerned has tried valiantly to do something for the industry; and, to give the Minister the credit that is his due, we put forward the proposition which was placed before the International Monetary Fund. We realised it was a 100 to one shot. We did our best, but unfortunately nothing was achieved. In this case we cannot accept defeat.

I am sure the proposed committee will attract a lot of attention, and everyone directly associated with the goldmining industry will be anxious to help it. If the amendment is not agreed to I shall be one of the first to congratulate whoever are elected to the committee, and I shall wish them the best. I still adhere to the opinion that the proposition of the honourable Mr. Wise is the one which should appeal to the House. I ask honourable members to absolve us from having any personal interest in it.

To sum up, I repeat that a couple of members from the goldfields—one from the north and one from the south—should be included. We are known to almost every man, woman, and child there, and whoever is selected will have the confidence of the people up there.

I say again that honourable members from the south-west and the metropolitan area are not as well known on the goldfields as we are. They have not spent their lives in those districts, and I honestly consider they would be placed at a disadvantage. I realise, however, that they can learn quickly, and that if they are appointed they will apply themselves to the task. In respect of the arguments which have been put forward, I think the proposition of the honourable Mr. Wise has merit and I support it.

THE HON. D. P. DELLAR (North-East) [8.12 p.m.]: I view the amendment in a different light to the honourable Mr. MacKinnon. Without expressing any doubts against honourable members of this House I consider this committee should comprise members who have had experience in the industry. The honourable Mr. MacKinnon referred to the committee which was appointed to inquire into builders' registration, but the type of committee proposed in this motion is somewhat different.

This will not be merely a round-table conference where the members of the committee sit and discuss things. The committee should be prepared to go out into the goldfields, to take off their coats, and if necessary to sleep under a mulga tree. That is the only way I can see it working successfully. With the assistance of the Chamber of Mines and the A.W.U., the members of the committee will be able to go into the industry and have a look for themselves.

When we talk of the goldmining industry we should not just visualise a little gold being taken from the ground. First of all an area has to be found, and then it has to be developed. There might be half a dozen mines, and the development of each could be carried out in half a dozen ways. Each has its own characteristics as to lodes, ore bodies, strikes, and faults. All these things have to be considered. Where one mine can be developed quite simply by a particular method, another mine with different characteristics may need a different method of development. Those are some of the things which should be considered by this committee.

I feel that no matter who selects the committee, or whether it is an all-party committee, or two from the goldfields and one from each province in the north and one from each in the south, it will do its best for the industry. However, the members of the committee will have to be prepared to do more than make a few inquiries from the Chamber of Mines or the A.W.U. They will have to go deep into the problem, starting in the back country and working their way up. The amendment by the honourable Mr. Wise is well worth support.

THE HON. J. G. HISLOP (Metropolitan) [8.16 p.m.]: I can speak as one who is obviously not going to be a member of the committee, and I can therefore take an abstract view of the situation.

The Hon. H. C. Strickland: They may need medical attention.

The Hon. J. G. HISLOP: I would if I were on the committee.

The Hon. H. C. Strickland: The committee may require it.

The Hon. J. G. HISLOP: I am at total variance with the three previous speakers. I believe they are too close to the subject to be of the value they consider they would be. I am not saying this in a personal manner but in the usual light of committees. I realise that being able to give evidence unrestrictedly at the inquiry into silicosis, I was able to do much more than if I had sat on the inquiry, because I could not give the evidence as a member of the commission in the same way as I did freely as a person called upon who had some knowledge of the matter.

I believe the statements of the honourable Mr. Wise, the honourable Mr. Heenan, and the honourable Mr. Dellar would be of tremendous advantage for the committee to hear and I think that should be their proper attitude. The views expressed by the honourable Mr. Dellar a few moments ago do not fit in with what the committee is asked to do. This committee looks to me like a committee of businessmen who are going to endeavour to put this industry into a stable, financial condition.

The Hon. A. F. Griffith: They are to examine and make suggestions.

Hon. J. G. HISLOP: Yes. They are going to do this. They will not sleep under the mulga tree. They will search for people to come in to them and give the evidence they want to hear. Frankly, if I were in the position of the goldfields members I would say, "Let us pick a committee of men from the House who can take evidence," which would certainly mean that Mr. Heenan would be on it, but we would also require someone with a financial knowledge and someone with a real business sense. Then, having all the difficulties of the industry and all the possible changes in organisation and production of gold placed before them, they would call up members from the Chamber of Mines to say which of the views would be of the greatest interest and good for the future of the industry. They would then be able to prepare a first-class report.

Having listened for years and years to the problems of the goldmining industry, I believe that those who are closest to it would have rather a fixed point of view, and they would receive much greater benefit if those sitting on the committee had a perfectly clear mental approach to the problem and respected the views of everyone whether prospectors or the President of the Chamber. All the evidence could be put together, sifted, weighed and reported upon. That is the way that I—as a person not likely to be on the committee, and a person outside the situation, but one who has over the years displayed quite a lot of interest in the men who work in the industry—am able to see the situation.

I feel I can offer to the House the suggestion that those who are closest to the industry should have the least representation on the committee. Those who are capable of offering business methods, scientific methods, and a general approach would, I am sure obtain better results. It is my earnest hope, like everyone else's in this Chamber, that this industry should prosper, and that the findings of the committee will be of tremendous benefit to the State and that the future of the industry will be stabilised.

THE HON. H. K. WATSON (Metropolitan) [8.21 p.m.]: Like the honourable Dr. Hislop, I can deal with this question objectively, and I can agree with much of what he said. However, I respectfully disagree with portion of what he said, no matter how much I would like not to.

Having regard to the duties of this committee, the honourable Mr. Heenan very aptly summed up by saying that the problem to be resolved is how to make a profitable industry out of one which has to work under 1964 costs at 1934 selling prices. I think the honourable Mr. MacKinnon made the point when he said that the committee to be appointed here is not a committee of experts, it is a committee of members of Parliament. For myself, without being cynical but being purely realistic, I am inclined to think that in order to produce any real practical result, having regard to the problem facing the committee, the committee ought to be formed of three magicians.

For the reasons advanced by the honourable Mr. MacKinnon I, along with him, oppose the amendment. If it were a question as to who ought to be appointed, I for my part would be very happy to agree to an amendment which read along these lines: One member nominated by the Leader of the Opposition in the Legislative Council who may appoint himself. With all due regard to what the honourable Mr. Wise had to say as to the advisability of appointing to the committee members from the North-East and South-East Provinces, I would myself have thought having regard to the problems of the industry as I have just stated them, the honourable Mr. Wise himself, from the wealth of his experience, and his general ability might have—as he has done before on more than one occasion—produce the germ of an idea, not from a prospector, but from the wealth of experience, and width of his own knowledge both in Parliament and out of it. For those reasons I find myself unable to agree to the amendment.

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [8.25 p.m.]: I feel that as Minister for Mines I should have a few words to say in connection with this amendment. If we are going to adopt in future the general principle of applying only experience to matters of Select Committees, parliamentary committees of inquiry, and the sort of thing that goes with Parliament, then I suggest we are going to find ourselves—if it is to be based purely on experience—lamenting in many respects on many matters.

I laid on the Table of the House this afternoon a report on the crayfishing industry. I have not read the report, but I venture to suggest that none of the members of that committee—I can be corrected if I am wrong—had practical experience in the crayfishing industry; but they were able to go from one place to another throughout Western Australia, seeking information, taking evidence, seeking, sifting, and searching, and ultimately producing a report so thick as the one laid on the table this afternoon.

The Hon. N. E. Baxter: Even sleeping under a mattress under a mulga tree at one stage.

The Hon. A. F. GRIFFITH: Under a mattress?

The Hon. R. Thompson: Yes, instead of on top of it. We had no blankets.

The Hon. A. F. GRIFFITH: I find myself in complete agreement with the statement made by the honourable Mr. Watson in connection with the Leader of the Opposition (the honourable Mr. Wise). I know of no-one in this House with greater ability or more experience than he to sift evidence, to inquire, to examine a Bill and to make things jolly uncomfortable for me at times; and I agree that the honourable member is one who could very easily serve as a member of this committee.

The Hon. F. J. S. Wise: I think I would not be half qualified.

The Hon. A. F. GRIFFITH: I will let that go but reserve to myself my own thoughts upon this matter. However, I think we have an obligation in this matter to deal with what is before the House. We are asked to receive and concur with a motion that had its genesis in another place. The motion reads as follows:—

> That in view of the refusal of the International Monetary Fund at its meeting in Tokyo last week to agree to any increase in the world price of gold, and bearing in mind the tremendous importance of the gold mining industry to Western Australia and the difficulties which the industry is facing due to rising costs of production, an all-Party Parliamentary Committee be appointed with the object of examining and exploring means by which the industry in Western Australia can be assured of stabilisation and expansion in the future.

An amendment was moved in another place suggesting that a representative of the Chamber of Mines and a representative of the mining division of the A.W.U. should be included on the committee. Another place dealt with and defeated that amendment. Then it was foreshadowed that the committee, if it was agreed it should be appointed, would be six in number being one from each party in each House. Then, in another place, the following words were added:—

> The committee shall consist of two members nominated by the Premier and one member nominated by the Leader of the Opposition from the Legislative Assembly; and that the resolution be transmitted to the Legislative Council for its concurrence, and the Legislative Council be requested to appoint a similar number of members to the committee, making a total of six members.

A similar number of members to an all-party committee surely means one member from each party in the Legislative Assembly and one member from each party in the Legislative Council. That motion, as an addition to the original moved in another place, was passed without debate, which meant that the basis and principle of it was accepted. And, surely, it was agreed in another place that when this motion arrived here, what we had to consider was, because of the state of the goldmining industry, whether an all-party committee should be appointed to inquire into it. The committee was to be composed of three members from the three parties in the other House, and three members from the three parties in this House.

To fulfil that idea the honourable Mr. MacKinnon completed the message by moving to add the words mentioned in his motion. Then, if read in full context, we can see the result of the action of Parliament. Something passed, sent to this House, and concurred with in the terms which another place intended. I submit, we were asked to concur. If we take out the words "nominated by the Leader of the Government" and put in the words "representing goldfields provinces" the honourable Mr. Wise could not be a member of the committee. Nor could I be a member of the committee—not that I intended to be.

The Hon. F. J. S. Wise: I won't be a member.

The Hon. A. F. GRIFFITH: The honourable member certainly will not be if we pass the amendment.

The Hon. F. J. S. Wise: I won't be a member, no matter what.

The Hon. H. C. Strickland: I thought the Minister was appointing the honourable Mr. Wise to the committee.

The Hon. A. F. GRIFFITH: No; I said that the honourable member could not be appointed; and neither could I be appointed, not that I think it desirable that should be. I want to help this committee to the best of my ability in its functions, and do whatever I can to assist it. I feel it will need my assistance, and I propose to give it.

Another point, of course, is that the Country Party would not be in a position to be represented at all so far as this House is concerned.

The Hon. F. J. S. Wise: You could nominate a member from that party.

The Hon. A. F. GRIFFITH: All right. If I nominate a member from the Country Party could I include the honourable member who moved the motion in this House? The answer is "No."

The Hon. F. J. S. Wise: You are talking with tongue in cheek.

The Hon. A. F. GRIFFITH: No, I am not. I am purely stating the facts. If this amendment is agreed to it will not be possible to have an all-party representation on the committee from this House, and that is not tongue in cheek; that is plain simple fact.

Therefore, with respect, I say that the deletion of the words moved by the honourable Mr. Wise and the insertion of the words he foreshadows, defeats the objective of the motion and certainly would prevent an all-party committee being appointed from this House. I hasten to say I recognise the experience goldfields members have had, but I agree with the honourable Dr. Hislop's remarks that it is not necessarily the most experienced in the goldmining industry who might have the greatest ability to be an efficient member of this committee. Not necessarily so at all.

I believe that when the committee is appointed—and here I agree wholeheartedly with the honourable Mr. Heenan—the three nominees from this House and the three nominees from another place will pursue their objectives in an endeavour to assist the goldmining industry, which I know full-well is labouring under difficulties at the present time. Not only do I know full-well, but so do all honourable members of this House. If there happens to be a couple of people on this committee who have not had a great deal of experience in goldmining, it will certainly do them a lot of good as individuals in their search for information, and they will get experience of all that goes on in the industry. So, with respect, I am obliged to oppose the deletion of the words for the reasons I have stated.

THE HON. R. THOMPSON (West) [8.37 p.m.]: I had no intention of speaking to the amendment, but as the crayfishing Select Committee report was mentioned I think I should say a few words. Last year when this House agreed to a Select Committee to inquire into the crayfishing industry, I thought I was well equipped with a sound knowledge of the industry.

The PRESIDENT (The Hon. L. C. Diver): Order! The honourable member will have to couple his remarks with the deletion of the words in the amendment.

The Hon. R. THOMPSON: I intend to come to that. I thought I was well equipped because I had what I considered experience in the industry, from an amateur's point of view. I had been going out on boats with professional fishermen, sometimes for a fortnight at a time, and this experience extended over many years.

However, when I became a member of the Select Committee inquiring into that particular industry, I found I had a great deal to learn. I had a great deal to learn on how to get evidence, and what evidence was necessary. I speak for myself but I feel my colleagues will back me up.

The Hon. A. F. Griffith: Was the report you submitted a good one?

The Hon. R. Thompson: I think it is a beauty.

The Hon. F. J. S. Wise: He was trying to get you out on a point.

The PRESIDENT (The Hon. L. C. Diver) Order! I will thank the honourable member to join his remarks to the deletion of certain words in the amendment.

The Hon. R. THOMPSON: With all due respect, Mr. President, the honourable Minister dealt for some time with the report tabled in the House tonight.

The PRESIDENT (The Hon. L. C. Diver): The Minister made only a passing reference to the crayfishing industry report. His remarks otherwise were addressed to the reasons why the words should not be deleted.

The Hon. R. THOMPSON: Thank you, Sir. I will be as brief as possible by stating that when this House agreed to that particular Select Committee I was placed in the position of nominating the persons who were to be representatives on that committee. I chose, as nominees, people whom I considered had had experience or knew something about the industry.

The Hon. A. L. Loton: You nominated them.

The Hon. R. THOMPSON: Yes, I nominated them; I did not choose them. I nominated those people—the honourable Mr. Mattiske, and the honourable Mr. Baxter—because since I have been in this

Chamber, I have heard them speak at times with some knowledge of the industry.

Therefore this amendment is a correct and proper one. There will be at least one person from this House, and possibly one or two from the other place, with practically no experience in the goldmining industry, and the two members representing the provinces mentioned by the honourable Mr. Wise would be able to give wonderful assistance on this committee.

The Hon. A. F. Griffith: The mover of this motion was Mr. Burt, a man with tremendous experience in the industry.

The Hon. R. THOMPSON: I know that.

The Hon. A. F. Griffith: A member of the Labor Party will have a knowledge of the industry. That is two out of three from the other place.

The Hon. R. THOMPSON: That is right. I have said all that. The Minister is not saying anything I did not say, and he saves me repeating myself. He is strengthening the argument that we will have people with goldmining experience; and I think it is necessary for a full inquiry to have those experienced people. For a moment I thought the Minister was going to nominate the honourable Mr. Wise and cut his own party out of representation.

The Hon. A. F. Griffith: That was not an intelligent thought on your part.

The Hon. R. THOMPSON: Unless the Minister was making an unintelligible speech, that is the way I understood it. He boomed up, as did other honourable members, the great knowledge possessed by the honourable Mr. Wise.

The Hon. F. J. S. Wise: To that I would say *cum grano salis*.

The Hon. R. THOMPSON: I know the difficulties we faced last year on the crayfishing industry Select Committee, and I feel sure that we must have men of experience. I support the amendment.

THE HON. H. C. STRICKLAND (North) [8.43 p.m.]: I support the amendment, and I cannot agree with previous speakers who opposed it on the various grounds they submitted. I was rather surprised that the Minister for Justice should submit to us that the motion, as amended in another place, meant what he claimed when he said that the resolution was transmitted to the Legislative Council for its concurrence, and the Legislative Council was requested to appoint a similar number of members to the committee.

A similar number means three members. The Minister claims that it means a member from three different parties. If that is the judgment of the Minister for Justice on this particular measure, then I am afraid I would not like him to decide a matter like that for me.

Had it read "similar number of similarly constituted members" it would have been all right. But "similar number" means three, and there is nothing in the motion to say that the three members appointed to the committee shall represent each party in this House. The motion contains the words "an all-Party committee". The appointment of an all-party committee would not be precluded by the motion moved by the honourable Mr. Wise. It does not say that each party shall be represented. I would think that the Government would have stated that there should be equal representation, which would mean that the committee would be composed of three members from the Opposition and three from the Government. This would make it completely fair.

Why the honourable members who have spoken to this amendment desire to preclude the goldfields members who have had a lifetime's experience in the industry is hard to understand. The honourable Mr. MacKinnon, of course, opposed the amendment without any substance at all; just for the sake of opposing it apparently. He merely said that there was no need for members with expert knowledge of the goldmining industry to be appointed to the committee. What is this motion? Is it a genuine motion? Does it represent kite flying, or what does it seek? Surely a motion must have an objective and some substance if it is to mean anything! When one reads the motion—

The PRESIDENT (The Hon. L. C. Diver): I ask the honourable member to address himself to the words that are to be deleted, and speak to the appointment of a committee as distinct from the motion.

The Hon. H. C. STRICKLAND: Very well, Mr. President, I will endeavour to direct my remarks in support of the motion to delete words and to insert others. In doing so I suggest that those best equipped to be appointed to this committee are those with a lifetime's experience of the goldmining industry and who have the confidence of the vast majority of the people who have elected those honourable members to Parliament to represent them. I consider it is an insult to the honourable members representing goldfields districts to be precluded from being appointed to this committee which is to inquire into the conditions of an industry which is operating in the very territory they represent.

Those who are eventually elected as members of this committee may possibly decide to make inquiries in Canberra, or even Tokyo for all I know. The committee will be asked to inquire into all aspects

of the goldmining industry and its disabilities, and in view of the failure of the International Monetary Fund to increase the price of gold, in my opinion this proposed committee could travel anywhere to conduct its inquiries. Surely when it is inquiring to find some means to relieve the financial straits of the industry—and the industry is in financial straits—it will have to travel further afield than those parts which are within the confines of the Western Australian borders. It will have to inquire into other aspects apart from the problems faced by the mining companies because, in fact, those problems have been elaborated in this Chamber time and time again.

I take it that the purpose of the committee will be to find the reason why financial assistance is not forthcoming for the industry, and to do that it will have to travel far and wide. Should that occur, the people who will be members of this committee should be acquainted with all aspects of the industry, because they will, no doubt, be asked to describe everything connected with the goldmining industry.

Therefore, I support the amendment and trust that the references made by the honourable members who have spoken in opposition to the appointment of those who are well acquainted with the industry, and who oppose the formation of a committee on lines similar to those which have been formed in the past, will not be taken into consideration. The Minister says he will not be able to appoint to the committee the mover of the motion. I cannot understand why he cannot.

I can recall that 10 years ago in this House a motion similar to the one now before us came from the Legislative Assembly and this Chamber was asked to concur and it did concur, and neither the mover of the motion in another place, nor the mover of the motion in this House was appointed to that committee. I refer to the late Mr. Hugh Ackland, M.L.A., and to The Hon. A. R. Jones, M.L.C. Each of those honourable members introduced into their respective Houses a motion concerning the relief of the disabilities and financial stress of the north-west, but neither of those two gentlemen was appointed a member of the committee. It was an all-party committee, and those represented on it were the Premier, the Minister for the North-West at that time, the Leader of the Opposition, the Leader of the Country Party, and the Speaker of the Legislative Assembly, because it was considered that every one of those gentlemen had the best and widest experience of the subject they were inquiring into. Their task was to inquire into the disabilities and the financial problems of the north-west, and to prepare a case for submission to Canberra, pointing out that it was impossible for the State Government to provide the necessary finance from its normal funds.

So when honourable members say it would be creating a precedent if we did not include the mover of a motion as a member of an investigating committee, or we did not have equal party representation on it, they have overlooked the very important committee to which I have referred. I believe the best results can be obtained from those who are best equipped to make the necessary inquiries, and for those reasons I support the amendment.

THE HON. N. E. BAXTER (Central) [8.54 p.m.]: In dealing with the amendment moved by the honourable Mr. Wise, I have always been under the impression since I entered Parliament in 1950, that an all-party committee, as mentioned in the original motion, meant a committee composed of members representing each political party in equal number, to give a fair and unbiased opinion on the particular subject they were appointed to inquire into. Having had experience on several committees of this nature, I think the members appointed to them approached the particular subject that was being investigated with an unbiased mind.

In each case none of the members of any committee had taken part in a particular industry, and although it served some purpose to have a little knowledge of the particular industry they may have been inquiring into, their duty was to hear the evidence given before the committee, sift the facts and make their reports and recommendations on the evidence by using their grey matter based on what they thought was the best in the interests of any particular industry or group of people.

I must agree with the honourable Dr. Hislop when he suggested that this was an instance where the honourable members to be appointed to the committee should have some administrative and financial experience. I cannot think of any two better persons to be appointed as members of the committee than the honourable Mr. Wise and the honourable Mr. Watson, both men who have had wide financial and administrative experience.

This is not a case of appointing someone who has had experience in the actual mining of gold. It requires the appointment of a man with financial administrative ability so that he can inquire thoroughly into the administration of the industry and the cost, going back over the years to, say, 1934, and supplying figures similar to those quoted by the honourable Mr. Watson up to the present year, and the price paid for gold during those years, together with the price which is considered should be paid in the future.

This calls for an inquiry into the economics of the industry, and it will be a deep subject for those appointed to the committee to inquire into. In making their inquiries they will have to feel their way on the administrative side, and plans

will have to be evolved as to how this can be achieved, and unless one has a fair amount of financial and administrative experience it could prove to be an almost impossible task.

This committee cannot be compared to an ordinary Select Committee, because its main purpose will be to solve a financial problem. That is the type of committee we want. If we intend to appoint, as members of this committee, those who have been engaged in the industry and who have knowledge of practical working underground and on the surface, and who are acquainted with certain factors of the industry as a whole, we may perhaps get a different view from that obtained by men with administrative and financial experience.

For that reason I believe an all-party committee should be composed of members representing the three political parties in the first place, and, secondly, that those honourable members representing goldfields provinces, as suggested by the honourable Mr. Wise, could do a great deal more for the goldmining industry by making arrangements for the committee to interview people engaged in the industry, lining up witnesses who could give evidence before the committee, and assisting it in every possible way. If they were engaged on these tasks, I would think they would find it more rewarding, and it would help the goldmining industry a great deal more than if they were appointed as members of this proposed committee.

For those reasons we should leave the constitution of the committee as is suggested in the original motion and not appoint members to it in accordance with the amendment to the motion. If this is done we may get some good results from the committee. Otherwise, its efforts may be to no avail.

Amendment put and negatived.

Debate (on motion) Resumed

THE HON. F. J. S. WISE (North—Leader of the Opposition) [9.1 p.m.]: I have other words but you, Sir, may think they are unnecessary to move now. As I do not wish this matter to end on a note of acrimony, I would like to say I wish the committee well, and I do not intend to move the other words I had in mind.

Question put and passed.

COMPANIES ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 3rd November, on the following motion by The Hon. A. F. Griffith (Minister for Justice):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [9.2 p.m.]: I do not know whether this is imagination on my part but I think there is some depression on the floor of the Chamber just about where I am standing. We had a very intimate review in the remarks made when the Bill was in the very capable hands of the honourable Mr. Watson.

I was disturbed and perturbed by some of his statements. He said this Bill will not help the person who through innocence or ignorance put his money into a certain type of business. If this Bill does not do that, and in its force and authority places burdens on accredited and well-managed companies, will it serve a useful purpose? It is obvious that it will affect the sheep and the lambs, and that it will impose a burden on very many companies which are respected, honoured, and known in the community to be above reproach in management and effort. Yet the Bill will apply to them the same yardstick as it will apply to those who are acknowledged to be snide.

This is a very distinct disadvantage. It is an implication and an action quite improper to businesses of high standing in this community. I have no doubt that all of us have seen pressures applied to the public by certain bellicose people on TV; people who with great gusto open stores in different suburbs—there is one in a very prominent place at an important intersection of the city—imploring people to invest their savings at 10 per cent., and promising them the added advantage of a 20 per cent. reduction on purchases. They are told they are being offered 30 per cent. Honourable members will know to whom I am referring. It is a person in charge of a company who is using one of his names to label it, and who has been most seriously involved in taking from the public and from creditors moneys he was not entitled to take.

There are companies under different guises and different names selling different equipment—washing machines and the like—which after receiving payments over 12 months and more, have threatened to take action to repossess. In one case I have in my drawer the amount outstanding is only £7. That is the sort of person and the sort of company which is not worried about robbing widows and children. Are we to treat that sort of company, to whom the Minister referred directly—not obliquely, but directly—and which is not worthy of consideration, in the same way as we treat those which insist upon decent treatment and behaviour in business? We cannot couple those groups together, but this Bill does.

The Bill will impose strictures on persons of repute and on businesses of high standing in their efforts to curb the profits of those who are not so worthy. One

of the weaknesses in the behaviour of the sharp shooting companies; the borrowers with the glib tongue and the easy-phrased advertisements—in voice and in prospectus—is that the investor knows only when it is too late for him to appreciate his plight and the value of his investment.

To my way of thinking a lot of trouble centres around the weaknesses in the requirements of audit. Reputable firms for their own sake, and for the sake of those whose money they are using and servicing—in the interests of their shareholders—ensure that their reports are frankly made by highly responsible people; people who are the elect of the shareholders at properly constituted meetings; people who owe it to their own reputations and standing in the community to make sure that their reports are frank; that their recommendations to the directors are such as may be accepted and published. They are the people who value their standing in the community. They seek and need re-election as auditors—as reputable auditors—of the firms of the type I have mentioned.

But the not-so-sound, the not-so-careful, and the not-so-reputable companies which have diminishing assets have auditors who may perhaps, and do, report all sorts of happenings including malpractice. They may recommend certain action, but such recommended action and advice is not taken by the directors. The shareholders in turn know nothing of reports of that kind and hear only the directors' decisions.

I think there should be some way to enforce publicity of auditors' reports and reviews of companies of the kind this Bill is intended to deal with, so that the public may know of them. The public sees the directors' reports, but the directors are far too often the promoters of the concern; they are far too frequently the beneficiaries. So the directors make their own decisions in spite of the auditors' recommendations and the restraints suggested by audit.

The Hon. A. F. Griffith: We hoped however that this would impose restrictions on public dealings which were held in the first instance.

The Hon. F. J. S. WISE: I appreciate that. It is perhaps a fact that this Bill is based on soundness and a desire to overcome weaknesses as they are known. It may have some effect in the right direction. But if it is to be, as The Hon. H. K. Watson suggested, of little or no value to those who bear the brunt of the losses of hard-earned savings, why not let us consider taking what may be regarded as very drastic though perhaps unorthodox steps?

If protection could be given to the trustees and the auditors by making provision for audit by a State auditor or his representative under certain conditions; by an audit that could be published and be seen in order that we might see the things that are otherwise likely to be suppressed; things that are clipped or said in reservation because they may be libellous, then it will be a good thing. If there is the suspicion of malpractice at all and there is provision for a representative of the Auditor-General to have the report tabled here, he would not be fearful of any libel attachment.

The Auditor-General fears no-one; not even the Ministers or governments. If he finds something is wrong he states it, irrespective of who the person may be, or what may be involved. I put the suggestion forward that as this is the Auditor-General's job in the case of Government instrumentalities and activities, we should put the fear of men—I would not be blasphemous in any circumstances—into such people. How otherwise are we to get at them, unless we can get somebody who operates in good faith to be able to say what he thinks of the matters he finds?

We know full well that there are very many firms of reputable auditors and accountants in Perth who would have none of the business of the people this Bill is designed to control. They value their name, their profession, and their business too highly. But unfortunately the firms in question are able to get auditors of a tame kind. Where the public needs protection Parliament should take, wherever necessary, drastic steps to give such protection.

We know full well that it is very hard to differentiate once the money is lodged in such concerns, and this Bill, so far as my interpretation of it is concerned, will not affect the principle that share money very quickly loses its identity in the hands of the people with whom we are now dealing.

The Hon. H. K. Watson: It loses its existence in many cases.

The Hon. F. J. S. WISE: It is like the eggs in an omelet. Once they are in we cannot get them out again.

The Hon. L. A. Logan: I cannot get mine out.

The Hon. F. J. S. WISE: I do not think it would be possible to segregate them. Therefore no-one has any special protection from such people in regard to the manner in which they operate. I feel that if this Bill is as immature as the very expert introduction given to us the other night of its components would have us believe, then this is a very fitting subject as a Bill for a Select Committee. I have known of Bills which have contained less reason for such submission. I know of many Bills which have been referred to Select Committees simply because of a whim.

I am hoping, therefore, a reply will be given by the Government through the Minister to what has been stated by those qualified to speak: the honourable Mr. Watson, and the honourable Mr. Loton, the only two who have spoken on this measure. It will need some explanation of the contentions raised by those honourable members before I will support the measure as it stands.

The Hon. A. F. Griffith: All the State Attorneys-General and their officers have gone closely into the contents of this Bill; and, as I said, two or three States have already enacted it. New South Wales is one of the leaders.

The Hon. F. J. S. WISE: If there are flaws that harass the decent and accredited people and force them into practices and ways of conducting their businesses which are quite inappropriate to their needs, we should look very closely into such facts, as well as into the point whether the other controls of those unworthy people reach out far enough. At this stage I will need to learn much more before voting in support of the measure.

Debate adjourned, on motion by The Hon. E. M. Heenan.

DEBT COLLECTORS LICENSING BILL

Introduction and First Reading

Bill introduced, on motion by The Hon. A. F. Griffith (Minister for Justice), and read a first time.

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Justice) [9.18 p.m.]: I move—

That the Bill be now read a second time.

I hope I will be forgiven—

The Hon. A. L. Loton: Could the Minister spare a copy of these notes as I am particularly interested in this legislation, and the suspension of Standing Orders makes the measure difficult to follow.

The PRESIDENT (The Hon. L. C. Diver): Could the Minister give a copy of his notes to the honourable Mr. Loton?

The Hon. F. J. S. Wise: I have sent my copy to the honourable member.

The Hon. A. F. GRIFFITH: On many occasions I have additional copies of speech notes prepared; and if any honourable member at any time wants a copy I will always see he gets one.

The Hon. R. F. Hutchison: Have you got a spare one that I can have?

The Hon. A. F. GRIFFITH: Yes. I was about to say that I hope I will be forgiven for moving for leave to introduce this Bill in the middle of the Orders of the Day. However, having been permitted to do so, I will be able to deliver the second reading speech and honourable members will have time over the week-end to consider the Bill. Had I not taken this course, it would have been next Tuesday before the second reading speech would have been made.

The purpose of this Bill is to regulate procedures in the debt collecting business in this State, and its introduction fulfils an undertaking given by me in this Chamber last year on the occasion of the Bill introduced by the honourable Mr. Heenan to amend the Unauthorised Documents Act.

I would like to say here and now that those engaged in the debt collecting business provide, in the main, a useful and necessary service to both creditor and debtor and, in respect of the latter, are in a position to, and quite often do, arrange private schemes on behalf of heavily committed debtors, which result in their eventually being able to manage their own affairs, having rid themselves of their obligations and again got into the good books of the people with whom they trade.

On the passing of this Bill, all persons or firms which come within the category of debt collectors as defined in the Bill itself will have to be licensed within three months of the Bill passing into an Act. Applications for licenses, accompanied by testimonials from three reputable persons, are to be lodged with the clerk of the local court nearest the place of business. These applications will then come before a magistrate. The clerk of courts will also serve notice on the police officer in order that inquiries may be made as to the suitability of the applicant. An applicant will be required to be a person of good name and character, and a fit and proper person of at least 21 years of age.

Where the application is made in respect of a corporation, then the directors are the persons required to be of good name, etc. Applications will be renewable each year and may be cancelled permanently or for a period as defined by the court. The license would then have to be presented to the clerk of courts for cancellation.

Provision is made for appeal against cancellation or disqualification to the Supreme Court. The Commissioner of Police may object to the granting of a license but he must give notice of his intention to object. A license may be cancelled if it can be proved it was improperly obtained and the applicant convicted of an offence against the Act. It may be cancelled also on any grounds which, in the first instance, would have precluded the applicant from obtaining a license had such facts been evident at the time of its issue.

The clerk of courts will keep a register of licenses. Certain classes of people will be exempt from the necessity to hold a

license. These include legal practitioners, public accountants, liquidators, receivers and trustees, friendly and building societies, as clearly set out in the Bill, and other persons as prescribed by regulation. It is considered this latter provision is desirable, not only as a means of taking in any particular category of business not at present apparently entitled to exemption, but to meet circumstances as they may arise.

There are prohibitions contained in the Bill in respect of fees. These are important. The fees to be charged the creditor may not be in excess of the fees as agreed between the debt collecting agency and the creditor. Such agreement must be in writing. It would be an offence for an agency to charge a fee or commission in excess of that agreed and set out in written agreement, nor would an agency be enabled to sue a creditor, that is, the firm which engages it, for fees in excess of those already agreed on.

There is the further provision that an agent, when convicted by the court for charging excess fees, must refund such excess. While dealing with fees, I would invite honourable members' attention to the clause dealing with regulations. Provision is made here for the prescribing of charges which may be levied against any debtor by the debt collector. I desire to emphasise, however, that such charges may only be levied when the debt is to be paid by instalments and then only to a maximum of 2½ per cent. A minimum charge will be prescribed, however, which will operate in respect of small accounts.

A most important feature of the Bill is the provision which will oblige the debt collecting firm to set up a trust account. In so far as his business operations are concerned, this will be a separate account into which all collections that are made will be paid with a separate record being kept of each debtor's account. The creditor may request within 14 days for collections made by the debt collecting agency to be paid to him; or, if this request is not made, there is an obligation on the debt collector to pay the collections made to the creditor within 45 days by not negotiable cheque. This latter will facilitate checking and inspections for which provision is made in the Bill.

The collecting agency will notify the court of the name of the trust account and the bank concerned. There are adequate safeguards for the trust account. The bank manager must disclose details of the account to the Minister if requested. Inspections of the debt collector's records will be open to the Minister, and there is a penalty for delaying or obstructing this.

The Minister is empowered to order an audit at the expense of the licensee if the need is indicated. There is provision in the Bill that the licensee must enter into a fidelity bond with an insurance company approved by the Minister. In respect of a corporation, the amount will be £5,000; and for a person operating otherwise, £3,000, or such sums as may be prescribed. This latter will enable the Minister to prescribe by regulation sums requisite to meet the particular circumstances.

There is provision for the insurance company to terminate a fidelity bond on 30 days' notice. Such action might be considered desirable if the insurance company had doubts as to the integrity of the licensee, but during the 30 days' term of notice of cancellation, the bond would hold good, so preventing an insurance company from walking out at short notice. Once a fidelity bond ceases, the license lapses. In respect of offences by a corporation, the directors would be liable.

The provisions in this Bill may be summarised briefly as follows:—All persons or corporations carrying on the debt collecting business and coming within the category of "debt collector" as defined will require to be licensed. They must be of good repute and enter into a fidelity bond as a protection of substantial sums held in trust. Fees and commissions may be charged only against the creditor except when the licensee makes special provision for accommodating the debtor by way of accepting payment of the debt by instalments. This is considered justified because of the high cost of accounting, postal advices, and so forth, but in most cases it will turn out in practice that the charges to be levied against the debtor will be of a nominal nature, and there are safeguards in the Bill in that respect.

Debate adjourned, on motion by The Hon. A. L. Loton.

MUSEUM ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [9.30 p.m.]: I move—

That the Bill be now read a second time.

This is a Bill to amend the Government Employees' (Promotions Appeal Board) Act, as a consequence of discussions and conferences which have taken place periodically over the past few years between departmental heads, the Public Service Commissioner, other interested employing departments, the Trades and Labour Council, the Civil Service Association and various unions.

When this Bill was introduced in another place, it was submitted that all parties to which I have made reference had agreed to the amendments contained in this measure. The parent Act, as is known, provides the machinery for the lodging of appeals in respect of promotions by certain persons permanently employed by or under the Crown.

Amongst the main amendments is one for the appointment of an assistant chairman. One of the objects here is to overtake the time lag between the lodging of an appeal and its determination. At the present time, considerable delays occur and, with a view to speeding up the determination of appeals, there is provision in the Bill for both the chairman and the assistant chairman to sit with separate boards at the same time. There is provision also for a deputy to the employers' representative in order that an appeal may not be delayed if the member, for any reason, is unable to sit.

Some little hardship has occurred, it is believed, through the board having no power to pay any witness fees or costs incurred by an appellant's subpoenaed witness. An appropriate amendment provides for the payment of fees or costs of the appellant's subpoenaed witness where it is considered necessary.

Another amendment alters the seniority definition so that seniority for employees under the provisions of the Public Service Act will be the same as it is under the Public Service Act Regulations. Two entirely different definitions of seniority at present exist for public servants, so this matter is being attended to.

A further amendment has been designed to overcome an anomaly in respect of employees of the Education Department. This anomaly, which occurred when the Act was last amended, has prevented the proclamation of that amending Act. It has been ascertained that were this amending Act proclaimed, public servants employed in the Education Department would be excluded from the provisions of this Act.

The procedure proposed in the Bill is to repeal section 3 of amending Act No. 58 of 1960, which added the words "except the Education Department" in the definition of "department" and "employee."

Reverting again to expenses, it should be pointed out that expenses incurred by appellants require Executive Council approval. This seems hardly necessary and it is thought that the payment of expenses would be expedited if the board were permitted to approve and that authority is given in the Bill.

There are some formal amendments, one affecting section 3, to cover the Metropolitan Water Supply Department, now a board. Another amendment is to exclude employees of the Education Department who are covered by the Government School Teachers Tribunal. A minor amendment includes a new definition to cover the words "office and position." The necessity for these comes about through amendments to other Acts, such as the Public Service Act and the Education Act.

Concern has been caused in the Railways Department in respect of the provisions in section 4, as instanced where the recommending and appointing authorities are, in some cases, both the same person. It is desired to overcome this, and this will be done by specifically including the appointing authority besides the recommending authority as a person required to give notice of a recommendation.

Furthermore, the Railways Department has employees working under both State and Federal industrial awards. The Promotions Appeal Board has, however, no authority to take into consideration awards of the Federal Court. An amendment is included to rectify this position.

A provision covering copies of notes of evidence is to be deleted. The present requirement entails considerable typing, though the employing authorities apparently have no particular use for them. Further, it is considered the employer gains some advantage over the appellant when preparing future cases, and it is submitted the proposal to delete this provision is well founded.

At the present time, it has been found that a provision providing that where one member of the union party to the award which governs the terms and conditions of the position applies for the position, all other employee applicants have been debarred from the right of appeal, and this has acted unfairly in certain cases; e.g., an employee coming from the wages to the salaried staff. It has been agreed, as a result of the conferences which have taken place, that it would be better to return to the previous wording allowing the Minister to declare that the right of appeal should exist.

In view of the general agreement which has been reached as between all parties concerned in the matters covered by this measure, it is commended to honourable members as a machinery measure which is directed at the more efficient administration of the Government Employees (Promotions Appeal Board) Act.

Debate adjourned, on motion by The Hon. R. Thompson.

WORKERS' COMPENSATION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 4th November, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. J. DOLAN (West) [9.37 p.m.]: The presentation of this Bill provided me with the incentive to acquaint myself with some of the background of this type of legislation. The first compensation Act—and I refer to British countries—was passed by the Imperial Parliament as long ago as 1879. Prior to that date there was an old Latin maxim incorporated in the law which had been the guiding principle when considering compensation in the event of death through injury. The Latin maxim is: *actio personalis moritur cum persona*, which, when translated, means that any action of a personal character died with the person and there was no remedy afterwards.

The 1879 measure in the Imperial Parliament gave a degree of compensation to those relatives who had suffered as a consequence of a death or accident of any nature. It was only an experiment. What was attempted in that Act was repeated in the first Act that was introduced in the Parliament of Western Australia; namely, in 1902. As time went on, Britain set an example to the world in this particular field of legislation.

At the Imperial conference held in 1911 it was suggested, and resolutions were carried, that all parts of the British Empire which had responsible government should introduce legislation similar to that in Britain, and it was further suggested that if possible the legislation should be uniform. In the following year, 1912, there was the first real attempt in Western Australia to establish workers' compensation.

The Hon. F. J. S. Wise: Tommy Walker?

The Hon. J. DOLAN: It was introduced by the then Attorney-General (Mr. Thomas Walker). He has been noted in the history of this Parliament as being one of the ablest and most progressive of our legislators. The jurisdiction associated with workers' compensation then was committed to the local courts. Now, of course, we have our compensation board. A magistrate, when awarding compensation, had the power to do one of three things: he could order that the funds be invested on behalf of the dependants and the income used for their advantage; he could award, if necessary, a lump sum for compensation if he thought it was more desirable; or he could give the compensation in instalments. An innovation of those times was that relief money in the case of workers' compensation could be sent out of the State. Prior to that, any recipient of workers' compensation had to be living in the State and had to receive the money there. Honourable members will see how unjustly this would have worked in the case of those people who went to another State where they may have been united with their own families.

In the early part of this century large numbers of our citizens in Western Australia had originally come from the Eastern States, particularly when the goldfields first came into being. The Hon. Thomas Walker, in introducing his Bill and when speaking to the second reading, made a statement to the House in confidence to the effect that the government proposed in the very near future—that is, in 1912—to introduce the State Government Insurance Office, and that office would be entrusted with the job of handling the insurance associated with workers' compensation.

Since those days—and I have examined most of the Acts and the amendments associated with workers' compensation—men such as Alex McCallum and Peter O'Loghlen have fought for the extension of workers' compensation to cover all workers in industry.

The Hon. R. F. Hutchison: As we are now.

The Hon. J. DOLAN: People have been fighting right down to the present time. During the debate I was interested in a question asked by the honourable Mr. MacKinnon. He asked, "How do we value human life?" My answer in general terms would be that we value human life as high as possible. If we can, by increasing the amount of compensation to which the worker's widow and dependants are entitled, help the dependants of a worker who has lost his life, then I say that would be one way in which we could demonstrate the value of human life. That is one of the reasons why we advocate that in the case of death the amount should be raised to £4,300. I propose later on to give other reasons why I consider that amount is justified. The honourable Mr. MacKinnon linked together the diseases of bronchitis and silicosis. I think his question on that aspect was answered by the honourable Dr. Hislop.

When I was undertaking some research in connection with the Clean Air Bill, I read that all medical authorities in Britain agreed that there was a close relationship between bronchitis and impure air. Impure air is one of the causes of silicosis, and so we can link up the two. Large numbers of men who eventually died after being dusted in the mines, died as a result of bronchitis. The retention of that clause in the Act is therefore most desirable.

The Hon. A. F. Griffith: Your argument does not quite hold up. You do not get silicosis in the coal mines.

The Hon. J. DOLAN: I am referring, of course, to the goldmining industry.

The Hon. A. F. Griffith: You only get silicosis where silica is in existence.

The Hon. J. DOLAN: I stand corrected. Dr. Hislop referred to the early days of compensation. In those days we had quite a number of characters who used to take a toe off and receive a lump sum for compensation. I can remember the story that is told of the timber worker who cut off his toe, but he was so clean that he removed his boot and sock first, cut off the toe, replaced the sock and boot, and then reported to the doctor that he had cut off his toe. That is the type of abuse that occurred in the old days, but workers have benefited from experience, and today one does not find workers doing that type of thing. It would be too unprofitable in these days of high wages, because if a worker goes on compensation he must suffer to a certain extent in receiving only compensation payments.

I would join issue with the honourable Dr. Hislop when he says that people who get things handed to them, and feel that they are receiving them for nothing, do not appreciate what they receive. In other words, he was implying that when a worker receives compensation and he has not contributed anything towards it by way of payments or insurance premiums of some kind he does not appreciate the benefits. If anyone can suffer an injury, together with the associated pain, and be deprived of his wages for a considerable period—which means that his wife and family have to go short—and in those circumstances feel he is getting something for nothing, then he has a curious sense of logic.

When the honourable Mr. Ron Thompson was speaking he covered the amendments to section 7 of the principal Act most thoroughly and capably, and I do not propose to refer again to that section. I merely wish to emphasise a few of the points which he raised. Firstly, the main provision is that £3,500 is payable to the dependants of a deceased worker, or to a worker who is totally incapacitated, and I would like to compare that amount with the amount that is paid in other parts of the Commonwealth. It is claimed that in Western Australia we have taken an average for all the States and the Commonwealth for our compensation payment. On the figures, it may appear, in that respect, that the Government has been generous, but let us examine the question from the aspect of the payment made in other States and in the Commonwealth territory. The total payment made in New South Wales is £4,300, plus £2 3s. a week for each child under 16 years.

In Tasmania a formula is used to reach the total amount payable. The basic wage in that State is multiplied by 284, which gives a total of £4,175, and to arrive at the compensation payable for the children, the basic wage is multiplied by 7, giving a total of £103, and making a grand total of £4,278. If we work on the Tasmanian basis, and multiply our basic wage of £15 11s. 4d. by 284 the amount that would be comparable with the Tasmanian figure would be £4,421, plus £109 for each child. It will be noticed that I have taken, first of all, the figures which apply in what I consider to be the two most enlightened States in Australia in this form of legislation, and I would seriously recommend that we set our standards by those of the more enlightened States.

The Treasurer of the Commonwealth Government, in his recent Budget, foreshadowed that the total amount fixed for compensation payable to the dependants of a deceased worker would be £4,300. That is quite realistic, and, realising that, all the other States, having a lower amount, should have raised the amount to that sum. Apparently the Treasurer thought he would get in before the other States and raise the amount so that it would be in line with that payable in New South Wales.

South Australia bases its maximum on a total of workers' earnings over a four-year period, with one exception. Instead of adhering to that particular plan, South Australia places a maximum on the amount of compensation, which is £3,250. South Australia did not stick to its plan in the same way that Tasmania did; and had we in Western Australia calculated the figure on the basis of the average earnings of a worker over a four-year period, we would have a total of £4,652; that is, four times the average earnings of £1,163 per annum.

I think every honourable member has a copy of the 1964 financial statement issued by the State Government Insurance Office, and on page 5 it will be seen it has fixed its administration expenses at 8 per cent., which includes brokerage and commission. I propose to give the figures —and I hate figures, so I hope honourable members will be tolerant and patient whilst I quote them. The figures for the last three financial years that are available are in relation to the premiums collected, the cost of the claims, the gross profit made, and the amount received in excess of the 70 per cent. loss ratio.

Insurance companies engaged in workers' compensation business work on this basis. They estimate that they will have to pay out 70 per cent. of the amount received in premiums. That leaves a pretty good margin for them, even if their estimates are wrong; at least they usually do not show a loss. The figures that I am

about to quote were taken from a most reliable source and they are the latest. They are as follows:—

Year	Premium Levied	Cost of Claims	Gross Profit	Amount received in excess of 70% loss ratio
	£	£	£	£
1961–62	3,099,426	2,022,192	1,077,234	145,674
1962–63	3,292,993	2,033,331	1,179,662	314,270
1963–64	3,220,140	2,050,000 (Est.)	1,170,140	204,028
Three years total				£563,972
Allow 8 per cent. administration expenses				£45,117
				£518,855

By deducting that amount of £45,117, it still leaves a total well over £500,000 for all insurance companies handling this form of insurance business. That is the amount they have gained over a three-year period.

I consider that a method could be devised by which this money could be made available in some form—I am not sufficiently a financial wizard to suggest how—so that the Government could be more generous in the compensation payments that are made.

The Hon. A. F. Griffith: I would like to know how you calculate this £45,000 odd on the basis of 8 per cent. administration expenses. How do you arrive at that figure? It is 8 per cent. of what total?

The Hon. J. DOLAN: Of the total amount received in excess of the 70 per cent. loss ratio.

The Hon. A. F. Griffith: I cannot agree with the amount that you estimate. I do not know whether it is on the amount of premiums that were levied or on the cost of the claims. Administration charges would not only be levied on the excess of the premiums paid out.

The Hon. J. DOLAN: I do not care what it was levied on; it would still be a large amount. Suppose I deducted £300,000 from that amount, it would still leave an excess of £300,000.

The Hon. A. F. Griffith: That is paid out on £500,000.

The Hon. J. DOLAN: I am still prepared to deduct £300,000 which would still leave a great deal of latitude for a large amount of money to be raised. As long as there is sufficient for me to show there is a big excess, I am quite satisfied.

The Hon. A. F. Griffith: Whether your figure is right or not?

The Hon. J. DOLAN: Yes, of course, being only human. Over the years, too, there has been a considerable reduction in premiums paid by the mining companies. For every £100 paid in wages and salaries in 1949, the amount of £1 14s. 7d. was paid in premiums, and in 1963 the premiums—which are the latest figures available—have been reduced to £1 9s. 8d. on every £100 paid in wages and salaries, and the tendency is that they will continue to be reduced because of the figures I have quoted.

I consider it is a fallacious argument to try to state that employers and insurance companies will find it increasingly difficult to handle insurance of this nature. I think they would all welcome it and continue to expand on it. I believe that in a question of workers' compensation there must be more conciliation.

I am not one-sided in this respect, and I feel the people responsible for making the claims on the workers' side produce figures which, to my mind, at least, present a very strong case for an increase in the payments. I do not want to be loquacious at this stage. In the Committee stage of the Bill there will be a great deal said about individual amounts and items, but I am of the opinion the Government could have been more generous; that the average which it took and offered was not sufficient. I consider it should have given an amount more in line with what is offered in some of the higher paying States and not have arrived at a figure based on the amounts which are paid in the lower paying States. It will only be a matter of a few years before the other States—I refer to Victoria and Queensland—will increase their amounts and so raise the average.

The Hon. R. Thompson: The amounts in Victoria are being raised.

The Hon. J. DOLAN: I understand that legislation is before the House in that State and the amounts will be raised. The Government in Western Australia should anticipate the increase and award a higher figure and so give satisfaction to all concerned. I support the second reading of the Bill, and during the Committee stage I shall probably have more comments to make.

THE HON. D. P. DELLAR (North-East) [10.1 p.m.]: I rise to voice my views on this Bill. Most of the points contained in it will be dealt with in the Committee stage, but I must support the point raised by the honourable Mr. Ron Thompson that the Government could be a little more considerate to people who sell their labour, because if there were no employees there would be no employers. The one who does the work and loses his sweat is the worker.

The Hon. A. F. Griffith: You know very well this is a partnership of capital and labour.

The Hon. D. P. DELLAR: The man who takes off his coat is the one who does the work, and substantial consideration could have been given to him by the provisions in the Bill. Looking at two other aspects, the Bill contains provisions which improve the existing position. Firstly it improves the coverage for silicosis. Under the Bill a worker who has been out of the

industry for over three years, and then develops silicosis will be able to claim for the disability. Many of the workers will benefit from this new provision.

The Hon. A. F. Griffith: Do you think it will cost the goldmining industry more?

The Hon. D. P. DELLAR: I shall deal with that at a later stage. Even if it does cost industry or the State Insurance Office through the miners' relief fund a little more, the people who have put their lives into the industry will be assisted.

The Hon. F. R. H. Lavery: The honourable Dr. Hislop said the workers would be getting money for nothing.

The Hon. D. P. DELLAR: I cannot agree with that contention. The other improvement embodied in the Bill is the coverage under the journeying clause. This provision should have been included in the Act many years ago. One provision in the Bill with which I am not happy is the amount provided for medical and hospital expenses. I consider that when a worker is injured in the course of his employment he should be looked after until he is able to return to work, because it is not his fault that he is injured. Many years ago some bad features crept into this matter when workers sometimes injured themselves intentionally so as to collect compensation payments; but today this sort of thing would not occur, because of the high wages, contract work, and the high cost of maintaining the worker's family while he is injured.

The honourable Dr. Hislop made some statement about chronic bronchitis. I am not in a position to argue with his views. I understood him to say that chronic bronchitis was easily contracted in the coalmines of England, but not in the goldmines of Western Australia.

The Hon. J. G. Hislop: What I said was that it is easily contracted in the cold climate of England.

The Hon. D. P. DELLAR: My view is that a worker employed underground in the goldmines is confronted with hot and cold air. The pumping unit pumps 5,500 cubic feet of fresh air per minute from the surface to underground; and this air travels along the drives, crosscuts, and into the working places. When an underground worker reaches the end of the drive he might have to climb a ladder up to 300 feet high to reach his working place. There would be very little ventilation there. In such confined places a person gets very hot and sweats freely. When he goes down the ladder to where he has his lunch he meets the cool air. This constant change in temperature could have a big effect on the development of bronchitis.

We realise this is an industrial hazard to be faced, because the workers must have ventilation underground, and it is a good thing that ventilation is provided. I remember in years gone by when I worked in the mines there was no ventilation at the development ends. One just went in and bogged the end out. If there was spare air on the air hose one would draw on it to get some fresh air. I would not like to see a return to those conditions. I am pleased to see that the ventilation in the mines at the present time has improved beyond recognition. The mining companies, the Chamber of Mines, the Mines Department, and the inspectors have done a wonderful job in this respect. I consider that people working underground under the conditions I have mentioned are liable to contract bronchitis.

The Hon. J. G. Hislop: Is there cool air in Kalgoorlie?

The Hon. D. P. DELLAR: Yes. Some fans pump 5,500 cubic feet of fresh air per minute into the mines. It is my view that workers who perspire in confined spaces and then come out into the cool air are liable to develop rheumatics, and bronchitis, which might contribute towards silicosis. The coverage for chronic bronchitis will assist the workers. I am sure quite a lot will be said at the Committee stage so I shall reserve my other comments until then.

THE HON. E. M. HEENAN (North-East) [10.11 p.m.]: I am sure all honourable members are anxious for this Bill to pass the second reading, so I shall not delay its passage. I mention at the outset that I support the second reading, because the Bill certainly contains some improvements to the present Act—improvements which are long overdue.

The debate on this measure leaves me with the feeling that sooner or later all States of the Commonwealth will get together to consider the question of workers' compensation and the introduction of uniform legislation. In the field of workers' compensation, particularly, there is a strong case for uniformity.

We have heard the honourable Mr. Dolan and other speakers referring to the divergent amounts that are paid in the various States. The different degrees of coverage applicable in some States have been pointed out to us. We are fully aware of the fact that for some years other States have incorporated into their Acts the journeying-to-and-from provision which the Government of this State now apparently agrees has merit. It is a pity this provision was not inserted into the Act some years ago, as advocated by some of us. If it is now agreed that this provision is justified and worth while it can be argued that the proposals of a number of honourable members of this House a few years ago were also justified.

I do not want to throw any sour note into the argument, but my theme is that there should be greater uniformity. This

important legislation which has such a close relationship to the livelihood and well-being of the general community should be uniform; and I recommend to the Minister for Justice that in the conferences that take place with his opposite numbers from the various States, this proposition should be submitted.

It is hard to conceive of any argument which justifies the differentiation in the amounts paid in just New South Wales and Tasmania, to take a couple of States haphazardly, and the amounts which we now propose to pay in Western Australia. What logical argument can be advanced to support that?

Another proposition concerns heart cases. They are the most difficult ones. A man collapses at work from heart failure of one form or another, and these are most difficult cases for the courts to determine. However, in some of the other States, if a man collapses at work from heart failure, it is accepted. Costly litigation is avoided and these borderline cases that are so difficult are done away with. I am sorry this present measure does not deal with that difficult problem.

The provisions in our Act for loss of hearing are inadequate. We do not provide compensation for the man who loses his hearing through being accustomed to work in noisy parts of industry over long periods. I know the argument is that he can still go on working; but, my word, the man who loses his hearing may be able to go on working, but he suffers greatly in the enjoyment of life.

The Hon. J. Dolan: In his cultural activities.

The Hon. E. M. HEENAN: He is precluded from enjoying himself in many respects. Now, some of the other States accept that and they compensate him. We do not. If some States feel there is merit in that provision, why cannot the proposition be generally accepted?

I have to express my satisfaction that the Bill has introduced this to-and-from provision. I think industry can stand up to it and it will bring us into line with advanced thinking elsewhere.

I am very glad also that the provisions relating to pneumoconiosis have been accepted by the Government. I feel that this Legislative Council Chamber can claim some of the credit in that regard because from time to time goldfields members must have wearied other honourable members with their arguments on this disease which afflicts unfortunate miners. Honourable members in this Chamber have been generous in listening to those arguments and in supporting the proposition that a committee be appointed.

In my opinion the committee has done a very good job and the Government can claim credit for having appointed it. The committee, comprising Mr. Mews, the Chairman of the Workers' Compensation Board; Drs. Edwards and McNulty; and Messrs. Wills and Gannon, has compiled a document which reflects the greatest credit on it. The more one reads the report the more one realises the intense research and study, and the generous approach given to the subject allotted to them. I am sure it must have been very helpful to the Government in framing these amendments which undoubtedly are going to make a generous improvement to the Act. For those reasons I support the second reading.

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [10.22 p.m.]: Almost without exception, the members of the Labor Party who have spoken to this Bill have criticised some of its clauses, but of course each of those honourable members concluded his remarks by saying he supported the Bill.

The Hon. R. F. Hutchison: Not me! I didn't.

The Hon. A. F. GRIFFITH: Perhaps it would be more correct to say each honourable member supported the second reading; and those honourable members admitted that they did so because some improvement was being made, although in the opinion of some, the improvement was not sufficient. I have listened to the introduction of measures to amend this Act for some years now, and I have never heard it said that the amount of the increase is sufficient.

The Hon. R. F. Hutchison: It never has been!

The Hon. L. A. Logan: Never will be!

The Hon. R. F. Hutchison: Far from it!

The Hon. A. F. GRIFFITH: I repeat that I have never heard it said that it is sufficient. It has always not been enough. I do not know what stage we would have to reach in order to obtain the opinion that it was sufficient. However, I think it was said during the course of the debate that the Bill is one primarily for Committee, and I think honourable members would accept the statement from me that it would be unpurposeful and it would not add anything or gain anything if I were to go through the speeches that have been made, one by one, and endeavour to comment at this time on them. If I did this I think we would probably still have the same remarks made when the Bill was dealt with in Committee. Therefore valuable time will be saved if I do not endeavour to do this but wait until the Committee stage when we can have a full discussion on the amendments contained in the Bill.

I will content myself with those remarks. I do not ask the House to pursue the Committee stage this evening. We

have done a fair day's work today, from 2.30 this afternoon, and on the conclusion of the second reading of this Bill I think it will be time for us to go home, and we can come back fresh next week.

Question put and passed.

Bill read a second time.

House adjourned at 10.26 p.m.

Legislative Assembly

Thursday, the 5th November, 1964

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