viz., one part to be subject to cost-of-living ajustments and the other part to reflect the relative skills of the workers.

MR. DAVIES (Victoria Park) [11.47 p.m.]: I move—

That the Order be discharged.

Motion put and passed.

Order discharged.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. NALDER (Katanning—Deputy Premier) [11.48 p.m.]: I move—

That the House at its rising adjourn untill 11 a.m. tomorrow (Thursday).

Question put and passed.

House adjourned at 11.49 p.m.

Legislative Council

Thursday, the 1st May, 1969

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 11 a.m., and read prayers.

SOUTH AUSTRALIAN MEMBER OF PARLIAMENT

Presence

THE PRESIDENT (The Hon. L. C. Diver): We have a visitor from South Australia, The Hon. D. H. L. Banfield, within the precincts of Parliament House and I propose to invite him to take a seat on the floor of the House.

QUESTIONS (2): WITHOUT NOTICE

TRAFFIC ACT

Interpretation of "Roadworthiness"

1. The Hon. F. R. WHITE asked the Minister for Mines:

Would the Minister please advise the House of the meaning of the term "roadworthiness" as applied to the Traffic Act, 1919-1968?

The Hon. A. F. GRIFFITH replied:

This is a question which I think would be better answered when the Traffic Act Amendment Bill is before the House. The honourable member was good enough to acquaint me with his doubts in connection with the use of this expression in the legislation. I am grateful for that.

Between last night and this morning I have had the opportunity to examine the proposition and I I can give him quite a deal of information when the Bill is in Committee.

NORSEMAN MEAT CO. PTY. LTD.

Compensation for Meat Condemned

2. The Hon. W. F. WILLESEE (for The Hon. R. H. C. Stubbs) asked the Minister for Mines:

Further to my question directed to the Minister for Mines on Wednesday, the 30th April, 1969, which was misinterpreted and answered by the Minister for Health, will the Western Australian Government Railways compensate or make some *ex gratia* payment to the small local firm of The Norseman Meat Co. Pty. Ltd., a regular railways client, for the loss of 528 lb. of beef, 570 lb. of mutton, and 137 lb. of pork, on the 4th February, 1969, due to its putrid condition on arrival at Norseman owing to insufficient refrigeration at the time of the rail strike?

The Hon. A. F. GRIFFITH replied:

When Mr. Stubbs directed his original question to me, I thought it was a question which belonged within the portfolio of my colleague, the Minister for Health. Consequently the matter was referred to Mr. MacKinnon and he answered the question.

Apparently Mr. Stubbs is not satisfied with the answer which was given and now seeks further information from me. Information will be made available to him by the Minister for Health later in the sitting today.

QUESTIONS ON NOTICE

Postponement

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [11.6 a.m.]: Because of the early hour of sitting this morning, the answers to questions are not available. I seek your permission, Mr. President, to supply the answers during the course of the day as and when they become available.

The PRESIDENT: Very well.

NOXIOUS WEEDS 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.

Second Reading

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [11.8 a.m.]: I move—

That the Bill be now read a second time.

The amendments proposed in this Bill are designed, firstly, to repeal subsection (2a)

of section 22 requiring notice of intention to a local authority, regarding the service of a direction notice on an occupier of land within the boundaries of that authority.

The provision in subsection (2a) of section 22 that notice be given to the local authority presents practical problems without appearing to assist the implementation of the Act. It introduces a time factor which is often difficult to overcome.

Before issuing a direction notice, a person is normally given the opportunity to undertake control measures which, in most cases, must be carried out during a limited period of time in order to be effective. When such action is found necessary, at least seven days' notice must be given to the local authority before the direction notice is served. The owner, if he fails to comply, must be allowed a reasonable period, as defined in the notice, before the protection board may carry out control measures. Frequently, before these preliminaries are completed, the weed has reached a stage of development too advanced for effective treatment. Even if a prosecution is possible, the weed may have seeded in the meantime.

Because of these factors, it is considered the deletion of the requirement to furnish this notice to the local authority would make the legislation much more workable and, in the light of experience in the administration of the Act, would appear not to affect either the local authority or the occupier.

The next amendment, which takes the form of a repeal and re-enactment, refers to what has been termed an "escape clause."

Although it is an offence under section 21 of the Act to fail to destroy noxious weeds, action for prosecution has only been initiated under the more precise terms of section 22. Because of the existing wording of subsection (4), it has been found very difficult to sustain a prosecution as the interpretation of the phrase "reasonable endeavours" affords a measure of defence.

Prosecution is considered only when measures taken are far from adequate and this subsection, as it stands, tends to protect the resisting party to the detriment of those prepared to undertake necessary measures. Complaints are frequently received from farmers with offending neighbours. For this reason, the amendment proposes that a defence may be constituted by proving that the requirements of the direction notice, as to the manner in which the primary noxious weeds to which the direction relates are to be destroyed, have been complied with.

It also provides that, for cases where there are several defendants, so long as the requirements relating to the manner in which the primary noxious weeds are to be destroyed are complied with, whether by one defendant or by any one of two or more defendants, each will then have a valid defence. The only onus on a defendant will be to prove such compliance. This onus rests in all cases on a defendant if he wishes to establish a defence.

The northern ward of the Country Shire Councils' Association supports the deletion of the "escape clause" because of its flexibility and the fact that, in some cases, advantage has been taken of its provisions to avoid prosecution.

The Bill also provides for an increase in certain penalties. Under section 22, subsection (3), when the Agriculture Protection Board is satisfied that the owner or occupier of private land is not making all reasonable endeavours to destroy primary noxious weeds, it may direct by notice in writing that the noxious weeds [illegible] be destroyed in a manner specified in the notice.

The existing penalties provided for failure to comply with the direction are $40 for a first offence and $100 for a subsequent offence. The proposed amendment will increase these penalties to $100 and $200 respectively.

The other penalties which it is proposed shall be increased refer to section 22A, subsection (2). Under the provisions of this section of the Act, the Agriculture Protection Board may publish a notice in the *Government Gazette*, and in a newspaper circulating in the district concerned, requiring the destruction of primary noxious weeds within a specified time. The present penalties provided for failure to comply with this notice are also $40 for the first offence, and $100 for subsequent offences. It is proposed that the penalties be increased to a maximum of $100 and $200 respectively.

The amendments contained in this Bill are recommended by the Agriculture Protection Board and commended to members.

Debate adjourned until a later stage of the sitting, on motion by The Hon. F. J. S. Wise.

(Continued on page 3658).

COAL MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

SOLICITOR-GENERAL BILL

Second Reading

Debate resumed from the 30th April.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [11.17 a.m.]: This Bill has been drawn for the express purpose of appointing by Statute a Solicitor-General in Western Australia. Such a position has been in existence in other States of Australia for

some time and I understand the office was created in the Commonwealth sphere as far back as 1916. Since then it has proved to be successful.

Basically, the office of Solicitor-General will now be removed from the jurisdiction of the Crown Law Department and the appointee will thus have a greater opportunity to devote his time to the law as it affects the State and so will be relieved of burdensome administrative duties which he had to perform whilst he was a member of the Crown Law Department staff.

One of the provisions in the Bill clearly states that future appointees may not necessarily be drawn from the personnel of the Crown Law Department; it will be possible to select a man for the office from among the ranks of the legal profession anywhere within the State, or indeed the Commonwealth. In short, the person best suited for the position will be the successful applicant. I think the people of the State deserve this provision, because it is essential that the best man should always be selected for such an important office.

When introducing the second reading of the Bill the Minister instanced, with some detail, the desirability of the legislation and I would only be wasting the time of the House if I repeated what he said. There is no doubt that this is an onerous position carrying great responsibility and the new situation surrounding the appointment of the Solicitor-General emphasises this, because in future, as I have said, the Solicitor-General will be able to devote himself more intensively to the law problems of the State. In other words, he will appear for the State in the Supreme Court and the High Court and I suppose, if the necessity arose, he would appear for the State in the Privy Council. However, I hope this does not eventuate, because I have some doubt of the need to send our Solicitor-General overseas for other jurists to tell us how to administer our laws.

However, that is aside from the main point at issue. The salary of the Solicitor-General in future will be on the same level as a puisne judge, and other benefits such as pensions, and so on, will also be on the same level. This again indicates the importance of the position and the high regard in which the holder of the office will be held.

The first appointee to the office of Solicitor-General will be Mr. R. D. Wilson, Q.C. The Minister said he was well known to members and highly regarded by the judiciary and in all the courts in which he has appeared. He went on to say that his appointment as Solicitor-General will enhance his status before the court and will ensure the State will be represented in the best possible manner. It would seem, therefore, that his appointment will be welcomed State-wide by all those who are entrusted with the law. In the circumstances, therefore, there would be no point in delaying the passage of the Bill in any way.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Justice) [11.19 a.m.]: I intend to reply only briefly to the remarks expressed by Mr. Willesee. I am pleased at the reception the Bill has had both in this Chamber and in another place.

I am pleased to realise that the Opposition is prepared to accept a Bill of this nature which seeks to create the position of Solicitor-General. I will not go over the ground which I have covered, because that is unnecessary; I simply want to express my pleasure at the manner in which the Bill has been received.

Of course, there will be a necessity for some reorganisation within the Crown Law Department from an administrative point of view, because of the present functions of the Solicitor-General under the Public Service Act. This is purely a domestic matter, and I do not anticipate any difficulty in that regard.

Mr. Wilson, Q.C., held the post of Crown Counsel under the Public Service Act, and at this point of time I do not anticipate that he will be replaced in that position, although the title of Crown Solicitor and the like will be retained. Now that the Bill looks to have a safe and speedy passage, the process of making the appointment will go on immediately. I am anxious to have Mr. Wilson appointed to the position.

In the meantime he has to attend to some duties in his capacity of Commissioner of the Supreme Court, in assisting with the work of the bench caused by the untimely death of another judge. The number of judges at the present time is down, with the retirement of the Chief Justice and the death of Mr. Justice D'Arcy.

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. A. F. Griffith (Minister for Justice) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: Certain work only to be performed by Solicitor-General—

The Hon. I. G. MEDCALF: I would ask the Minister to tell us exactly what he has in mind, if anything at all, by the provision in this clause which states—

> Except in the performance of the functions or duties of his office or with the approval of the Governor the Solicitor-General shall not engage in the practice of a barrister or solicitor or engage in any other paid employment.

The Hon. A. F. GRIFFITH: A section similar to this is in the Victorian legislation. It precludes the Solicitor-General from practising as a barrister or a solicitor in a professional sense. However, occasions arise when officers employed in various Government departments in a professional capacity are called upon to give lectures on a part-time basis at the University or some similar institution. Rather than prevent the possibility of the Solicitor-General being able to act in such instances, it was thought that with the approval of the Governor he should be permitted to do so. I think that Mr. Wilson does lecture at the University.

The person appointed as Solicitor-General will not be permitted to engage in private practice, and the clause is designed to cover situations such as I have outlined, where the Minister is acquainted with the facts. With the approval of the Governor permission can be granted accordingly.

Clause put and passed.

Clauses 7 to 13 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

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

LOCAL GOVERNMENT ACT AMENDMENT BILL, 1969

Returned

Bill returned from the Assembly without amendment.

NORTHERN DEVELOPMENTS PTY. LIMITED AGREEMENT BILL

Second Reading

Debate resumed from the 30th April.

THE HON. H. C. STRICKLAND (North) [11.29 a.m.]: This Bill has as its purpose the ratification of an agreement drawn up between the Government and Northern Developments Pty. Limited, in relation to an irrigation area known as Camballin in the Kimberley district.

In the early 1950s Northern Developments Pty. Limited undertook a feasibility study of the cultivation of rice on a small scale on the Liveringa pastoral property which is situated some 80 miles inland from Derby on the flood areas of the Fitzroy River.

Mr. Kim Durack, a descendant of a pioneer family of the East Kimberley was managing the project, and after several years of experiment and hard work he proved that rice could be grown in commercial quantities. He did, in fact produce rice and sell it to towns in the Kimberley. Some of the rice he produced was supplied for the crews on the pearling ships.

After being convinced that rice could be established, and that a closer settlement project seemed more than possible, the company approached the then Hawke Government in 1957 with a proposal that a large area of land—20,000 acres—be made available under an agreement. It proposed that it would progressively develop, subdivide, and sell the land, thus establishing the settlement.

That was a very fine proposition. It is the responsibility of all Governments to encourage development and settlement, particularly in the vast empty spaces in the northern areas of the State. Consequently the Hawke Government took the opportunity to encourage this company to go ahead with the development which would mean so much to Derby and Broome, two towns in the West Kimberley area.

Unfortunately, when it embarked on cultivation of large-scale areas, the company met with problems which were not encountered in the smaller feasibility programme. The company spent an enormous sum of money and spared no endeavour in an attempt to do what it undertook to do under the agreement. However, this was not possible under the seasonal conditions such as drought and flood, and the natural wildlife pests. I have seen several hundreds —in fact I would say thousands—of brolga birds waiting outside the enclosed area whilst some automatic explosive gadget was operating. I think it was operated with carbide and was designed to keep the wildlife away from the crops. However, they stood outside until nightfall and then they all flew in. The explosive gadget did not make any difference because they became used to the noise and flew in and flattened enormous areas of rice.

On every count the company met with a large number of difficulties, and of course, under the original agreement, it was not allowed to raise stock on irrigated areas. The original agreement provided that the land was to be restricted to rice growing and the growing of other approved crops.

Ultimately, however, the company succeeded in purchasing the pastoral lease of Liveringa Station from the pastoral company and that altered the position somewhat economically. With the running of stock, and then the growing of fodder crops to supplement natural grasses which grew on the pastoral lease, the company was able to build up its sheep population from 16,000 or 17,000 to something like 46,000 this year. It is back to the number of sheep which was on Liveringa Station in 1920 when I was first there.

So, although the irrigation scheme failed as a rice producer, and as a closer settlement scheme under the original concept, it did prove that the pastoral property could

be brought back into economic production. I do not know what number of sheep will be carried ultimately on the property, but it has certainly increased tremendously over the last six or seven years since the fodder crops have been grown on irrigated areas and used as supplementary food.

As well as having accomplished that, the original company secured over 6,000 acres of freehold land, being the first parcel of land on which it grew rice. After it had improved the land under the terms of the original agreement, the company was entitled to ask for a freehold title. This is what it did and what it was granted. So although the first company did not establish an economic industry—one which was thought and proved to be feasible—it did build up a very valuable pastoral property; and it has now reached the stage where it has disposed of the whole property; that is, the irrigated area to which this agreement refers, and the pastoral lease of Liveringa Station. This station also includes an outstation known as Paradise.

The company has disposed of that property through the sale of the shares in the original property. I think it is rather unfortunate that the Minister did not take Parliament into his confidence and let us know the par value of the original shares and the sale value of those shares to the new shareholders. That is something which the public should know so that better understanding might be had of what this agreement involves. The original concept was to develop the area and put as many people as possible on it as well as to increase the sheep population. However I am afraid that the situation has reached the stage where people are not taken into consideration. Apparently populating the area is not so important as is the very valuable potential of the area as an irrigated stock property. This potential is tremendous.

After studying the Bill and the speeches of both Ministers—the Minister in another place and the Minister here—these speeches being almost identical, I believe we should have been told more and the public should know more. The new company—not the original company—is being handed a very substantial bonus by the Government in the form of an issue at par. It would be very interesting to know the original value of the shares and the sale price of those shares to the takeover company.

This Government, while negotiating this agreement between the two companies, has evidently received a request from the takeover company for an additional 30,000 acres. The original area of irrigated land was 20,000 acres, and now the takeover company is asking that it be increased to 50,000 acres, which is an additonal 30,000 acres. There is no obligation in the agreement for the company to subdivide any of that area. It has the right to do so, but there is no obligation on it to do so.

Under the agreement the company has the right to subdivide under license before the land is improved to the stage where the company can claim a freehold. The company has the right to deal in the land, but I would venture to say there will be no takers for the simple reason that the whole of the area is subject to severe flooding. I have seen water several feet deep all over it and my friend (Mr. Wise) has seen bullocks and cows hanging in trees on the very same plain. These animals have been washed into the trees during the floods and caught there by the horns and so left to die.

Therefore, in my opinion, it would not be practicable to take up any portion of this irrigated area because if someone did, he would be washed away during the periodical floods of the Fitzroy River, and these floods occur regularly—if not annually, then biennially. Therefore that part of the agreement would not be operative.

Certain other aspects seem to indicate to me a give-away price by the Government. One of these is the terms of purchase by the new company of the land from the Government. Naturally the first 20,000 acres would be at the same price as laid down in the original agreement because that is what it is taking over and that agreement runs until the year 2007. However, the extra 30,000 acres is available at the same price. Heavens above! If land was worth in those days—12 years ago—£1 an acre, which is now $2 an acre, surely to goodness after the improvements that have been made and the fact that the land has been proved to be capable of being used for a fodder area and a pastoral area on which to raise stock, the value has increased!

Let us study the values in the south-west irrigation areas which are used for the same purpose, apart from growing potatoes and some other crops. Mainly it is used for the raising of stock and the growing of fodder crops.

The price of land in the Harvey irrigation area is $150 per acre, which is the Taxation Department valuation. That land is what is termed "dry land"; that is, land with no irrigation at all. On a one-for-three basis—that is, one irrigated area out of three which a person might hold—the valuation is $350 per acre. On a totally-irrigated area it is $450 per acre. I repeat, those are departmental valuations.

The Hon. G. C. MacKinnon: That land would be totally irrigated and fully developed.

The Hon. H. C. STRICKLAND: Yes, but it is the departmental valuation and not the market valuation.

The Hon. G. C. MacKinnon: Yes, but it would be fully developed and under pasture.

The Hon. H. C. STRICKLAND: We find that the Government is giving away 50,000 acres of land which can be totally irrigated—in fact it is totally irrigated in time of flood.

The Hon. G. C. MacKinnon: It would be a little difficult to grow crops on it.

The Hon. H. C. STRICKLAND: The Government is giving the land away at the 1959 valuation of $2 per acre.

The Hon. G. C. MacKinnon: It is not an ideal way to irrigate the country.

The Hon. H. C. STRICKLAND: I say those people are getting a bonus issue at par. There is no doubt about it. I have shown members what has been done with fodder. Liveringa Station went from 42,000 sheep down to 16,000 in my lifetime. When the company got control of that station, and worked it in conjunction with the irrigated area, it was built up so that it now has 46,000 sheep. The position has not stopped there; last year the figure was 42,000, so there has been an increase of 4,000.

In my opinion this agreement is tremendously different from the first agreement in respect of vital matters such as the encouragement of closer settlement and the valuation of the property. I think the policy of the Government in this respect is quite dangerous. If the Government sets a precedent in this instance—as it will do—we can do nothing about it. The agreement is signed and sealed, and we can only criticise it.

If this sort of policy is to be followed throughout the Kimberley, we are likely to find that the owners of potential irrigated pastoral leases will follow the same practice. In effect, they will pick the eyes out of the leases, and the rough and unproductive areas will be left. Those areas will be handy in the case of flood and drought, but only to a certain extent. They will be dangerous in that they will be breeding grounds for vermin such as wild donkeys, wild dogs, dingoes, kangaroos, and all the other pests which now abound in the Kimberley.

I think it is absolutely wrong that the Government should give away land in this fashion. I have no objection to the transfer of the first 20,000 acres from one company to another by way of shares, because the work in the area will still carry on. However, I do take exception to a further 30,000 acres being added to the original lease under the same conditions. That is absolutely wrong; it is out of all proportion, and out of step with money values of today.

Whilst we all had great hopes, when I introduced the original Bill into this House in 1957, that it would set up a form of land development and settlement in the Kimberley which would bring people in great numbers and, in fact, greater numbers than some of the mining ventures in the north have done, it seems that those hopes will not now eventuate. That is a pity. I think it is a crying shame that towns like Derby should not have derived the benefit they should have under the original undertaking.

I can see nothing at all in this agreement which tells the company that it must subdivide and do something about closer settlement. It has the right to please itself. Of course, it is unlikely that the company will do anything other than carry on a valuable asset. It will have 50,000 acres of irrigable land, and very cheap water. The payment for the further 30,000 acres is to be the same as for the original 20,000 acres 12 years ago, because the rental under the license is to be exactly the same while the company holds the land under license. That rental amounts to 4c per acre per annum.

In my opinion the Government is not doing the right thing by the taxpayers of the State. Surely the charges today should be in line with all other charges which are imposed upon the community. I have told the House of the valuations of irrigated land in the southern portion of the State. If we compare those with the amount at which the Government is making available irrigable land in the northern section of the State, we will realise the taxpayers are not being given a fair go.

The new company is principally an American investment. While I have the greatest respect for the ability of the Minister for the North-West to negotiate agreements with companies, I feel that on this occasion, if he had anything to do with the preparation of the agreement, the Americans have outwitted him. I do not know whether he was involved or not, but I suspect that as Minister for the North-West he would have been in very close touch with it.

It is said that there are a number of Western Australian shareholders in the company, and the Minister in another place named them. That is a fact; there are Western Australian shareholders—nominee shareholders—but the ratio of the shareholding is equal to the cook's rabbit stew: one horse, one rabbit. I do not think we will be hoodwinked about that. However, that is the case and we cannot do much about it.

The difference between the two agreements is, of course, that stock will be allowed to graze on a larger area. The area was not very large under the old agreement, although stock used to break through the fences just the same. I believe everything should be done to encourage settlement, particularly in the north where there are areas with potential such as the Ord, the Fitzroy, and the Lennard, which is quite close to Derby; and then

further south at the De Grey and the Ashburton. Those are all areas which could be utilised, as the Gascoyne has been. My colleague, Mr. Wise, was instrumental in the development of the Gascoyne area, when he was tropical adviser to the Government.

The original company failed to keep up its obligations, and therefore the irrigated area should have been forfeited instead of a new agreement between two companies being negotiated more or less *in camera*. It would not have hurt the company to forfeit. It could simply have reverted to its 6,000-odd acres of freehold land, plus the pastoral lease.

The Hon. F. J. S. Wise: Do you know what is the condition of the plant and machinery at the moment?

The Hon. H. C. STRICKLAND: I have no idea of the plant and machinery; but that is beside the question of the basis of the agreement. Instead of negotiating a new agreement I think the Government would have done the right thing had it forfeited the first agreement. It is all very well to say that the shareholders of the original company lost a lot of money. I doubt very much whether they have not come out of it with large profits because of the value of the land they were able to sell.

The Hon. F. J. S. Wise: The Government has spent a lot of money.

The Hon. H. C. STRICKLAND: I am coming to that. I think the Government should have tested the market and taken a different attitude altogether. It should have endeavoured to retrieve some of the millions of dollars which it spent.

The Hawke Government was unfortunate enough to be led up the garden path by the then Director of Works in relation to the cost of the irrigation scheme which was to supply water from Uralla Creek for the original project. That Government was told that the estimated costs were between £100,000 and £200,000; that is, $200,000 to $400,000. In fact, the Auditor-General's report of the 30th June, 1968, shows the Camballin irrigation scheme capital loan indebtedness to be $2,084,030, and it shows also a Consolidated Revenue deficit of $16,000. That amount was for one year, and it could be more by now; I would not know.

However, in any case there has been a tremendous amount of money spent on irrigation right from the start and, I repeat, all because of a bad estimate submitted by the Director of Works. He was a very ardent man and anxious to see development in the north.

I am afraid, however, the estimates passed on to him by his advisers which he, in turn, passed to his Minister and then on to the Government, were very sadly miscalculated. Consequently, the project owes the Government an enormous amount of money. Apart from the expenditure on irrigation, a great deal of money was spent in building a small townsite known as Camballin, where the State Housing Commission built five, six, or more houses, and where schools and other ancilliaries which go to make a project of this kind were also erected.

Had the land settlement scheme succeeded, there is no doubt that more houses would have been built in that area. Unfortunately, as I have already mentioned, the land settlement scheme did not succeed, and it seems to me that the prospects of this area becoming populated as a result of land settlement—and I am now talking of the Camballin area—are very remote indeed, even under this agreement.

Had there been an obligation placed on the company to subdivide as it developed the area, particularly in connection with the flooded areas, there might be some prospect of people settling there. I am very sad, however, to come to the conclusion that such will not be the case; that instead of developing this as a farming area the property will be developed as an irrigation and pastoral area.

It will of course be of some benefit because of the stock numbers and the bales of wool that will be forthcoming. It will never, however, be the benefit to Derby that it was initially intended to be.

I hope the time will also come for the Lennard River area to be developed in the same way. This is only about 50 miles from Derby and it contains several thousand acres of good soil. When he was Minister for Agriculture the late Sir Charles Latham had a soil survey made of this area. The C.S.I.R.O. was asked to carry out this soil survey on the Lennard River area, and, having done so, a report was submitted of its findings. It is a very promising report indeed.

I hope we do not see, during the next session of Parliament, or at any time in the future for that matter, a similar proposition being put forward by the company which owns the station in this area. I am not too sure, but I think the company in question is either Kimberley Downs or Napier Downs.

I sincerely hope this will not be repeated and that the Bill will not create a precedent enabling more land to be tied up in the same manner at Government expense. I have no objection at all to anyone holding land provided the land is worked and the person in question pays his own expenses. The Lennard River area is not subject to the same amount of flooding as the Fitzroy River area, and I cannot see why consideration cannot be given to the approval of conditional purchase leases in suitable areas under a scheme similar to that which was responsible for settlement in the wheatbelt and other areas.

We know this has been possible in the development of the wheatbelt, in the development of the dairying industry, and in the development of the irrigation areas in the south. The Peel Estate proved a tremendous burden on the taxpayer, but at least that project was responsible for settling people in the area. While an initial cost was involved, it has been responsible for quite a bit of settlement.

The agreement before us, however, will not do this; it will not encourage people to settle in the area mentioned. It cannot do so. It is just not possible, as I have already pointed out, to subdivide this 50,000 acres of flooded plain, which I have seen completely covered by several feet of water.

It is not possible for anyone to erect a residence in this area; nor is it possible for anyone to live there or pasture stock on it, unless something is done about the back country before the wet season sets in.

I have no alternative but to support the Bill and I do so in the hope that the criticisms I have levelled at the Government in connection with the agreement will have some effect and be of some use in future proposals which might arise.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [12.06 p.m.]: I thank Mr. Strickland for his assurance that he proposes to support the Bill. I am afraid, however, that I cannot extend my thanks quite so enthusiastically for the other comments he made.

The Hon. F. J. S. Wise: They cannot be disproved.

The Hon. G. C. MacKINNON: I am a little struck by the fact that the original agreement was framed by the Hawke Government and the statement that the mistakes made then were the responsibility of the Director of Works at the time. I think Mr. Strickland said that the faults in the present agreement are completely the responsibility and the result of the so-called stupidity of the present Government's assessment of the situation. I find this a little difficult to understand.

The agreement before the House was based on the agreement drawn up by the Hawke Government—the agreement that was signed by The Hon. A. R. G. Hawke, M.L.A. I daresay that some of the disadvantages referred to by Mr. Strickland in the present agreement could be the result of the difficulties inherent in the original agreement and that it is really nobody's fault.

The trials mentioned were conducted, and I think most of us are aware of the bird problem and other problems in the north; indeed, Mr. Strickland commented on these. I understand the scheme was more likely to succeed on the basis adopted by the Minister and I notice the only question raised was the par value and the sale value of the shares.

I asked the Minister for Lands whether he had this information, but he did not have it available. I can, however, provide the information in connection with the shares of the Kimberley Pastoral Company, and of the Northern Developments Pty. Limited which operates the Cambaliin irrigation project and which is incorporated as a public company based in Western Australia. The shareholders are Mr. Jack Miller Fletcher of Houston, Texas; Mr. J. B. Ilberry of Mount Street; Mr. Edward John Hamilton Rowan of Peppermint Grove; Mr. Kevin Meyer of Wembley; and Mr. Alan Barblett of Dalkeith.

Each of these shareholders holds one issued share, there remaining 99,995 shares of $1 each. The authorised capital of this company is to be increased to a minimum of $10,000,000 and a considerable number of new shareholders introduced.

The company will acquire a beneficial interest in Liveringa Station and also in Napier Downs, Kimberley Downs, Louisa Downs, and Bohemia Downs. None of the shareholders in the Australian Land and Cattle Company Limited has a beneficial interest in pastoral lands in excess of 1,000,000 acres.

Mr. Strickland drew a comparison with the price of land at Harvey. This area, of course, is fully developed and it has all the necessary services. Accordingly, I do not think it is reasonable to draw a comparison between the price of land at Harvey where there are bitumen roads every half mile—though that might be a slight exaggeration—and where services are already in existence, with the price of land mentioned in this measure.

The Bill is a genuine effort to try to fulfill the great hopes which everyone has —including Mr. Strickland—and that is the reason for its introduction. Whether the Government which Mr. Strickland supports is free from blame, I am not in a position to say. Mr. Strickland states that the fault lay with the then Director of Works—at least he certainly implied this was the case—and here again I am not in a position to say whether or not this is so.

The fact of the matter is, however, that the agreement framed by the Government which Mr. Strickland supported did not succeed. It is a great pity it did not succeed, and we are all terribly sorry that this should have been the case, because it is projects like these which we like to see succeed.

This agreement is a genuine effort by a man whom Mr. Strickland holds in high esteem—and I refer, of course, to the Minister for Lands. It is a genuine effort by him to do his best in an endeavour to see that our hopes are fulfilled—and here I include any hopes that Mr. Strickland might have in this direction.

I say this because we hope that the agreement will at least be responsible for increasing the density of the population; and if it does this to any degree at all it will be a good thing. The agreement could be of great benefit to Derby and to other towns in the north and, with Mr. Strickland, we hope this will be the case.

Once again I thank the honourable member for his support and his comments on the measure. His criticisms, constructive and otherwise, will be brought to the notice of the Minister in charge of the Bill so that he might have them examined, because I daresay the absolutely perfect agreement has yet to be framed.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. G. C. MacKinnon (Minister for Health) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: By-laws—

The Hon. H. C. STRICKLAND: Here again we see the practice of this Government, to circumvent the laws of the country when it brings agreements to Parliament. I object to this clause because I believe the agreement should remain the same as the original agreement, in which no mention was made of by-laws. Clause 5 will take away the right of Parliament to vary, amend, or disallow any by-laws which are made by this company.

The same provision obtains in regard to the iron-ore companies and, although I raised objections in regard to other Bills, I did concede there was some protection in relation to the proposals because any by-law made must first go to the Minister, then through Executive Council, and be approved by the Governor. I had a certain amount of sympathy for the mining companies because they are spending hundreds of millions of dollars in developing unoccupied isolated areas in the north at no expense whatever to the Government. However, in this case, I am not sure the company warrants this protection from Parliament.

I cannot see why a company running a pastoral property and introducing irrigated areas in connection with it should be entitled to this protection. It is an affront to Parliament if it is to be treated in this way every time the Government negotiates an agreement with somebody, whether it be in connection with a pastoral property, an offensive trade, or something else. In the case of the mining companies there is some protection because the by-laws have to pass through the normal channels but I am afraid I cannot agree with this provision and I intend to vote against the clause.

The Hon. I. G. MEDCALF: I must confess I am a little puzzled and I would appreciate some clarification by the Minister. I assumed that by-laws could be made only by the irrigation board, which is referred to in the schedule. I did not for one moment assume the by-laws could be made by the company. I may be in error, and I would like some clarification.

The Hon. G. C. MacKINNON: At this moment I am not in a position to give members the clarification they are seeking. I was under the same impression as Mr. Medcalf. I can understand the need to have by-laws with regard to irrigation. As Mr. Strickland says, this clause is pretty well the standard one in agreements at this time.

The Hon. F. J. S. Wise: More is the pity! It is a terrible affront to Parliament!

The Hon. G. C. MacKINNON: That is a matter of opinion. The Minister who wrote the agreement apparently believed the clause was necessary. The fact that by-laws have to be tabled, so giving Parliament an opportunity to criticise them, is at least some form of protection. Parliament is not completely bypassed. I suggest we proceed with the Bill and I will supply the information that is required at the third reading stage.

The Hon. N. McNEILL: As has been pointed out, this clause empowers the making of by-laws, and goes on to provide that section 36 of the Interpretation Act will not apply to the irrigation board which may be set up. On that board is a representative of the Minister for Works and Water Supplies. Therefore it virtually becomes a semi-government body operating and making by-laws in respect of the conduct of this irrigation area, but such by-laws will not be subject to section 36 of the Interpretation Act. This seems to be an unusual circumstance.

I have some knowledge and experience of the irrigation commission that operates elsewhere in the irrigation areas of the State. This commission has power to make certain by-laws and regulations, but as I understand the position, it is subject to the provisions of the Interpretation Act. The by-laws and regulations must go through the different procedures and forms of Parliament, and may be varied, amended, or disallowed. Under this Bill, it appears a board similar to the irrigation commission will be set up, but in this case section 36 of the Interpretation Act will not apply.

I may be under a misapprehension as to what is proposed, but it seems a little inconsistent, more particularly as the Bill provides for freeholding, subdivision, and sale of certain areas. There appears to be some inconsistency when one has regard for the way irrigation operates in the southern areas. When making his inquiries,

I would be pleased if the Minister would endeavour to clear up the doubts I have in my mind on this point.

The Hon. F. J. S. WISE: When the Minister said that this principle is one of common practice I interjected and said, "More is the pity! It is an affront to Parliament!" and this is an attitude I deplore. During the life of this Government there have been many occasions when Parliament could have had knowledge and information; but Parliament has been bypassed by the insertion of clauses of this kind.

The board to operate in this area consists of one person to represent the Minister for Water Supplies, one to be nominated by the company, and one to be nominated by the producers; and that board will have authority to make by-laws which Parliament cannot challenge. That is the whole circumstance in essence. I think it is a very wrong approach. The boards appointed under the Rights in Water and Irrigation Act have no devious course of this kind. Their by-laws and regulations are submitted to a Minister who approves or disapproves; they are approved by Cabinet; and they are endorsed by Executive Council. In this case, the by-laws will follow the course of ultimately being approved by the Governor in Executive Council, plus the Cabinet.

The by-laws are then presented to Parliament which has no right or opportunity to disallow or amend. That is what the reference to section 36 of the Interpretation Act really means.

I think it is wholly wrong that year after year we have agreements coming forward in this form when Parliament should continue to have the fullest information on any variation. I suggest this devious way is not to the credit of the Government, and certainly not to the good of Parliament.

The Hon. G. C. MacKINNON: I am now in a position to give the information which members have sought. I draw attention to the initial sentence, that by-laws may be made for the purpose of and in accordance with the agreement. In essence, what we have here is more comparable with a property owned by an individual farmer. It does not matter whether it is owned by an individual farmer or by a company, but it is competent for the farmer or the company to make rules which apply to the particular property.

The irrigation board working in Harvey, controlling the Harvey area, is not controlling irrigation on a property under the control of one company. It is controlling the irrigation for a number of individuals spread over different properties. The situation is not the same in an agreement for this sort of property where, in order to make the agreement work, it is necessary to have certain rules and so forth.

The by-laws will be made purely and simply for the purpose of, and in accordance with, the agreement and it is considered not to be reasonable that under these circumstances Parliament should have the power to upset those by-laws any more than it is considered reasonable that it should be able to upset the private rules of management and control which might be set out and implemented by Mr. J. M. Thomson, Mr. Perry, or anybody else on his own property.

Because it is an agreement in which the Government plays a part it is reasonable that Parliament should be aware of the by-laws and have the opportunity to criticise them and bring to the attention of the appropriate Minister who has to endorse them that there are certain repugnant features about them. However, if Parliament were in the position where it could disallow the by-laws, or amend them, under section 36 of the Interpretation Act, this could cut across the proper management of the property which has been entrusted to this group by the Government. Because of this difficulty the clause has been inserted and I hope members will retain it in the agreement.

The Hon. H. C. STRICKLAND: Referring to the last portion of the Minister's explanation, the original agreement did not contain this provision. Those connected with the project had to obey the laws of the land, and those laws were able to be challenged in Parliament. There was no complaint about that, and the company was quite satisfied to abide by the laws in existence on the day it signed the agreement, or on any other day.

I feel that the Government, with its persistence with this type of attitude towards Parliament, is doing exactly what the Press and others believed 18 months ago. That is, the Government is becoming dictatorial. The Government is saying to Parliament that because it has the numbers it will ignore Parliament. That is exactly what this present clause does. Cabinet, which decides the issue, decides that Parliament will have no say at all. Parliament can criticise until members run out of wind, but apparently that will not make any difference to this type of Government.

I have no objection to the agreements entered into by the big iron ore companies because they are complete projects and the companies build their own towns. However, I do object to the introduction of this system into agreements. Next we will see it introduced into pastoral agreements. We must not let the Government run riot with its power and become a dictator altogether.

The Hon. G. C. MacKINNON: I would like to point out something which Mr. Strickland might have inadvertently overlooked.

The Hon. F. J. S. Wise: He is not quite in the kindergarten class.

The Hon. G. C. MacKINNON: What was acceptable at one time may not necessarily be acceptable now. To say that this move is evidence of arrogance is, of course, nonsensical, because that is not correct.

The Hon. F. J. S. Wise: It is not as nonsensical as your speech.

The Hon. G. C. MacKINNON: This is an agreement between two parties, which want to get on with and complete the work started by a Government which included Mr. Strickland. His Government introduced the first agreement and this Government would like to see it continue to enable it to reach a successful conclusion.

It is not evidence of arrogance or of a dictatorial attitude at all. The regulation-making power is available so that the company can conduct its business and prevent the waste or misuse, or undue consumption of water. The company can prescribe the quantity of water which anyone may use, and it can prescribe a scale of charges.

The original agreement to which Mr. Strickland referred stated that the State may condition its consent upon the execution of an agreement to be prepared by the State's solicitor and executed by the proposed assignee or transferee binding him to observe and comply with the terms and conditions contained in the agreement, and such further terms and conditions as the Minister may deem fit. It could well be argued that that condition bypassed Parliament even more than the present one where the by-laws have to lay on the Table of the House.

The Hon. F. J. S. Wise: That is rubbish.

The Hon. G. C. MacKINNON: This by-law is for the management of the property, and it has worked. Mr. Strickland maintains that he has not objected to the agreements with regard to the bigger companies. I take his word that he did not object to them. I think that Mr. Wise has objected to those agreements, consistently. The provision is believed to be desirable in the present agreement and I reiterate that I hope the Committee will retain it in the Bill.

The Hon. N. McNEILL: In view of the Minister's explanation, so far as this particular property is concerned, I think the clause is not unreasonable. I see the point and I respect the purpose inasmuch as this agreement relates to the property of a company.

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

Ayes—12

Hon. G. W. Berry	Hon. L. A. Logan
Hon. G. E. D. Brand	Hon. G. C. MacKinnon
Hon. V. J. Ferry	Hon. N. McNeill
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. C. E. Griffiths	Hon. J. M. Thomson
Hon. E. C. House	Hon. F. R. White

(Teller)

Noes—10

Hon. N. E. Baxter	Hon. H. C. Strickland
Hon. J. Dolan	Hon. R. Thompson
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. F. R. H. Lavery	Hon. F. J. S. Wise
Hon. T. O. Perry	Hon. R. F. Claughton

(Teller)

Pairs

Ayes	Noes
Hon. J. Heitman	Hon. J. J. Garrigan
Hon. C. R. Abbey	Hon. R. H. C. Stubbs

Clause thus passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. G. C. MacKinnon (Minister for Health), and passed.

BILLS (2): RETURNED

1. Strata Titles Act Amendment Bill.
2. Transfer of Land Act Amendment Bill.

Bills returned from the Assembly without amendment.

PIG INDUSTRY COMPENSATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 30th April.

THE HON. J. DOLAN (South-East Metropolitan) [12.49 p.m.]: When the Exotic Diseases (Eradication Fund) Bill was introduced it incorporated in the interpretation clause the disease known as swine fever. As a result, it is necessary to remove a reference to that disease from the Pig Industry Compensation Act, and members will find, as they go through this Bill, a number of consequential amendments because of this fact.

In the Bill there is a new interpretation of "disease" and among the common diseases which have been retained within its provisions are those of paratyphoid and tuberculosis. A further provision gives the Governor power to include under the interpretation "disease" any other diseases that he may desire to cover. This amendment, too, necessitates some further consequential amendments.

There are a few other matters to which I wish to refer and the first concerns the compensation fund. I find it rather strange that under this Bill, and even under the Act, the Government is not required to make any contribution whatever to the fund. The fund is rendered financial by appropriating money which comes from the Stamp Act, as a result of the charge made

on the sale of pigs and carcases to the extent of 1¼c in every dollar, with a maximum of 50c.

Apparently the money being paid into the fund has not always been sufficient to meet the payments that have to be made from it and, as a result, there is a provision in the Act for the Government to provide money from Consolidated Revenue to keep the fund financial. However, there is a proviso that as soon as the fund does become financial the payments made by the Government are considered as a charge against the fund, and the Government can withdraw the contributions it has made.

In view of the fact that in a later amendment provision is made for money from the fund to be used for such things as research into all aspects of pig husbandry, and diseases, I believe it would be reasonable if an examination could be made to see whether the Government would be prepared to make a contribution to ensure that research can be carried on.

I believe that research into all aspects of governmental operations, and in fact all avenues of State operations—and by this I mean research into fields as wide apart as pig husbandry and education—is sadly lacking in comparison with the research conducted in some other countries of the world. I am sure we could build up a wonderful case asking for further research to be conducted and I would be prepared, on some different occasion, to give a dissertation into what research has meant to all countries of the world. As I said, I believe that this State, and even this country, is lacking by comparison with some of the other countries.

As provision is being made in this Bill for money to be spent on research into the pig industry, I believe a case could definitely be established for the Government to make a regular contribution to the fund. This would ensure that even if the fund at times was not financial money would still be made available for research.

As regards the charge of 1¼c in the dollar, I notice in the Act that although amendments were made to this provision in 1965, 50c is still the maximum that can be charged.

There is an impression abroad, of course, that when an Act is reprinted the provisions of the decimal currency legislation operate automatically; that is, when pounds, shillings, and pence are shown in any Act, the amount is automatically altered to decimal currency on a reprint. However, that is not so. It seems strange, therefore, that in this Act a change is to be made, altering 3d. to 1¼c, and 10s. to $1, and yet, in drafting the Bill, these other things have been omitted. I draw the attention of the Minister to this because when amendments to other Statutes are introduced in the future such changes can be made.

The Hon. A. F. Griffith: When you say that the decimal currency legislation does not effect an automatic change in the currency, what is the effect of its not being done?

The Hon. J. DOLAN: None. I am not quibbling about it, but if we are to introduce a Bill to amend a section in an Act, and we are seeking to effect a change in currency from, say, 3d. to 1¼c, or from 10s. to $1, why not go the whole hog and complete the job?

In the Pig Industry Compensation Act the sum of £100 is shown. Why not make it $200, more particularly when we are dealing with amendments to that Act? That is the main reason for effecting the change. I refer this point to the Minister, not in a critical way, so that when the opportunity presents itself in the future such alterations can be made.

The Hon. L. A. Logan: It is done automatically, of course, when the Act is reprinted.

The Hon. J. DOLAN: It is not automatic under the decimal currency legislation. As I have said, I merely raise the point to draw the Minister's attention to it. I have no objection to the Bill; I think it is most desirable. This is an industry which is valuable to the State's economy.

Sitting suspended from 12.54 to 2.15 p.m.

The Hon. J. DOLAN: I will not keep the House more than a couple of minutes. There are one or two further matters to which I wish to refer. The first of these relates to the compensation which might be payable. Under the present Act a maximum compensation of $80 is fixed. In normal cases that might appear to be a realistic figure, but in the case of stud pigs — particularly stud boars — in many cases compensation of $80 would not be sufficient.

The Bill has taken a more realistic line in that its provisions allow the chief veterinary surgeon, or an approved person, to fix the amount of compensation, the limit of which can, of course, be determined by the Minister.

At present the fund stands at $296,000 and it is proposed eventually to have in it a ceiling amount of $400,000. This might appear to be a large amount but if we experience an outbreak of any of these diseases we can appreciate just how the money in the fund will dwindle.

At the same time—and despite these large sums—there is a proposal in the Bill to increase the amount of the levy. I would like the Minister to comment on this aspect and let us know whether or not that is desirable.

A further matter to which I wish to refer is the question of compensation in the case of pigs which might have been

introduced into the State from outside. It is possible that we might have imported Landrace pigs from some other country and within a month of their arriving it may be necessary for them to be destroyed because of disease.

In such cases compensation would not normally be paid; but, under the provisions of the Bill, if the chief veterinary surgeon decides the particular disease was contracted subsequent to the animal arriving in the State, or if a post-mortem examination reveals that the slaughtered animal was not diseased, compensation will now be payable.

The Bill seeks to tidy up the Act in a number of ways and for that reason I support it.

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [2.19 p.m.]: The issues of decimal currency which were raised by Mr. Dolan are, in effect, covered by sections 5 and 8 of the Decimal Currency Act. I suppose it can be said that when an amending Bill is introduced we should take the opportunity to amend the Act in this regard. But if we did that all we would have would be an Act of Parliament consisting of a little piece of paper with a line of printing indicating the alteration.

Whether this would be better than merely converting pounds into dollars I do not know; though I do not think it makes much difference. Rather than have innumerable erasures I think it would be far better to leave things as they are.

At this point I would like to say that the Government has spent a considerable amount of money in connection with research into the pig industry over the years.

The Hon. J. Dolan: It is money well spent.

The Hon. L. A. LOGAN: Members will recall that a pig research station was situated at Wembley, alongside the poultry research station. This research station has now been transferred into the territory represented by Mr. Ron Thompson and Mr. Lavery, and a considerable amount of money has been spent in setting it up. I do not know exactly what it cost, but it was certainly a great deal of money.

Up till this time the producer has not paid anything for the purposes of research; the entire cost has been met by the State, and the Government does not think this is quite fair. The Government has endeavoured to get the producers to accept some responsibility and, now they have done so, the Government is looking at the other side to see whether it would not be fair and equitable for it to make some direct contribution to the research fund.

Because the producers have now come to the party, the matter has been considered and the Government feels that it might be wise to make some contribution in this direction. This entire matter is at the moment being examined very thoroughly. As mentioned by Mr. Ferry, page 255 of the *Minutes* shows the amount of money in each of the compensation funds. It also indicates what is regarded as a safe upper limit in the event of disease breaking out. It was fairly enlightening to have these figures before us. I do not think there is any need for me to say any more.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. R. H. Lavery) in the chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7: Section 13 amended—

The Hon. E. C. HOUSE: Through no fault of the Minister I missed my opportunity to speak on the second reading. In this clause there is provision for some of these moneys to be directed towards promotion and encouragement of the pig industry. Personally I do not think there will be any great need in the future to encourage the pig industry, because of the present wheat situation.

The point I would like to make is that a great deal more work should be done in regard to the promotion and the securing of markets because of the present wheat situation. There is no doubt that once farmers have to stockpile wheat on their farms they will have to turn to some other avenue to augment their incomes. Whenever there is a recession in the agricultural industries it is common for the banks to suggest that a farmer enters the pig industry, because pigs can be brought quickly to baconers and porkers and, in the main, it is fairly lucrative.

It is not possible to secure a market for a small quantity of pig meats; one has to be able to sell lots of 1,000 tons per month, and so on. I think some attention should be paid to obtaining additional markets. One can do anything if one goes about it in the right way. Of course, it is always difficult to get the right man to go to different countries in an endeavour to obtain markets. In addition, it is a costly business and requires a great deal of negotiation. Nevertheless, I think this should be done.

The pig is an important animal; one which has been the means of getting many people out of their financial difficulties. It is good to see that we are endeavouring to keep our pigs disease-free as I am sure in the future we will be using organs from pigs for transplanting into human beings on more and more occasions. Only the other day a young girl was treated for a heart condition by

having the valve from a pig's heart transplanted into hers. It is possible to transplant the whole of a pig's stomach into a human being and for the operation to be successful.

The Hon. S. T. J. THOMPSON: Like my colleague, I missed my opportunity to speak on the second reading. There is an important factor which needs promotion at the present time and this is in connection with a market for live pigs in the islands to our north. This market is building up quite considerably at the present time. One property owner in my area as recently as last week went to Singapore to inspect his pigs in their new home and he assured me that there is considerable room in the islands for the promotion of this trade. This will be an important factor, particularly to the breeders of our stud pigs and is something that deserves all the promotion possible.

The Hon. L. A. LOGAN: I think what Mr. House had to say was good thinking on his part in view of what is likely to happen in regard to the wheat situation. In my opinion, there will have to be more than promotion, particularly in regard to the pig industry, because of what has happened in the past.

I do not think we can have good promotion if there is no stability of price. The promotion of sales will, to a certain extent, stabilise the price. I think it will be appreciated that when the price of wool drops the production of pigs goes up. Then there is a glut on the market and the wholesale price of pig meat comes down. I suppose there is no other industry which goes up and down so much as the pig industry. Any increase in production of pig meat can be related to a fall in production of some other farm product. There has to be some stability in price, and if the price does not drop below a certain figure the industry will be a stable one.

Clause put and passed.

Clause 8 put and passed.

Title put and passed.

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.

QUESTIONS (6): ON NOTICE

MT. LAWLEY HIGH SCHOOL

Projected Enrolments

1. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

   (1) What are the school enrolment projections over the next five years for Mt. Lawley Senior High School?

   (2) Is an enrolment of 1,200 children considered an ideal maximum for a senior high school?

   (3) Is it a fact that the present enrolment at Mt. Lawley numbers 1,560 children and that the school is already overcrowded?

   (4) Is it also a fact that with the expected enrolment in 1970, the school will require an extra five general classrooms?

   (5) Is it planned to extend the existing high school to absorb the increase in enrolments?

   (6) If not, in what way does the Minister for Education plan to absorb the increasing enrolments?

The Hon. A. F. GRIFFITH replied:

(1) 1970—1,559
1971—1,515
1972—1,453
1973—1,387
1974—1,335

(2) Yes.

(3) The enrolment as at the 24th April, 1969, was 1,539.

(4) No.

(5) No.

(6) Changes in density of population in various suburbs would suggest that the enrolment at Mt. Lawley Senior High School over the next few years will decline.

MERINO RAMS

Sale Overseas

2. The Hon. J. DOLAN asked the Minister for Mines:

   (1) Has the Minister seen the following statement by Senator McManus in the issue of *The West Australian* dated the 30th April, 1969—"the Liberal Minister for Agriculture in Victoria, Mr. Chandler, had said that the Victorian Government believed there were strong reasons for opposing the sale of merino rams overseas. Victoria had been supported by the West Australian Government"?

   (2) Is it a fact that at the meeting of the Australian Agricultural Council in Hobart this year, the question of the lifting of the embargo on merino rams was discussed?

   (3) Did the Western Australian Minister for Agriculture explain his Government's point of view at the recent conference?

   (4) Does the Western Australian Government, through the Minister for

Agriculture, support the lifting of the embargo?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) Yes.

(3) Yes.

(4) No.

SCHOOL GROUNDS

Landscaping

3. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

(1) Is there a Government landscape architect that primary school parents and citizens' associations may consult to assist in the design and layout of school grounds?

(2) If the answer to (1) is "No," will the Minister consider making one available for consultation by the associations?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) See answer to (1).

TEACHERS

Special Native Schools: Inservice Courses

4. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

(1) Of the 49 teachers in special native schools, would the Minister indicate the number of inservice courses specifically related to the education of aboriginal children attended by each teacher, and the duration of each course?

(2) (a) Does the Minister subscribe to the view of the teachers' Tribunal that "the period would be in excess of 12 years for the complete development of the average teacher"; and

(b) if so, how does he justify the appointment to special native schools of six teachers ex-college, and a total of 20 out of the 49 teachers with only three years' or less teaching experience?

The Hon. A. F. GRIFFITH replied:

(1) No records are kept of teachers who attend inservice courses. A special inservice course for teachers of native classes is held every two years.

(2) (a) Without knowing the context in which this statement was made it is not possible to express an opinion.

(b) Appointees are specially selected from volunteers for these positions. Experience shows that with very few exceptions these teachers give particularly satisfactory service in these assignments.

PINJARRA HIGH SCHOOL

Alterations to Staff Room

5. The Hon. R. F. CLAUGHTON asked the Minister for Mines:

(1) Has an examination been made of the Pinjarra High School staff room?

(2) If so, will the Minister advise what alterations are proposed, and when they will be carried out?

The Hon. A. F. GRIFFITH replied:

(1) Yes.

(2) No alterations are proposed.

ROAD MAINTENANCE (CONTRIBUTION) ACT

Easing of Provisions

6. The Hon. J. DOLAN (for The Hon. H. C. Strickland) asked the Minister for Mines:

Referring to the Road Maintenance (Contribution) Act, does the reply to my question of the 30th April, 1969, mean that the Government does not intend to abolish or ease the impact of this tax on road transport in remote areas?

The Hon. A. F. GRIFFITH replied:

There are no current proposals for any such exemption from road maintenance charges.

QUESTION WITHOUT NOTICE

NORSEMAN MEAT CO. PTY. LTD.

Compensation for Meat Condemned

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

Further to my question directed to the Minister for Mines on Wednesday, the 30th April, 1969, which was misinterpreted and answered by the Minister for Health, will the Western Australian Government Railways compensate or make some *ex gratia* payment to the small local firm of Norseman Meat Company Pty. Ltd., a regular railways client, for the loss of 528 lb. of beef; 570 lb. of mutton, and 137 lb. of pork on the 4th February, 1969, condemned by its putrid condition on its arrival at Norseman owing to insufficient refrigeration at the time of the railway strike?

The Hon. G. C. MacKINNON replied:

I have to apologise to Mr. Stubbs for the fact that the import of his question was misinterpreted and sent to me because it was felt the emphasis was on the condemnation of the meat.

Again, the question without notice was referred to me. I have been

able to ascertain enough information from the appropriate department which happens to be the Railways Department, in order to provide the answer which, I think, might solve his problem.
The consignment in question was not delayed by the strike as it was despatched from Perth on the 4th February, whereas the strike stoppage occurred on the 12th February.
This particular consignment was found to smell musty and was therefore suspect on being received for despatch and loaded into a refrigerated container by the Railways Department, although it could not be said to be bad at that stage.
However, the station master at Norseman was advised to check the consignment on arrival at Norseman the following morning and the health inspector at that centre condemned a proportion of this consignment.

TRAFFIC ACT AMENDMENT BILL, 1969

Second Reading

Debate resumed from the 30th April.

THE HON. R. THOMPSON (South Metropolitan) [2.38 p.m.]: This is not a very large Bill but it is very important. When we examine legislation dealing with traffic which has been brought before us over the past few years we find that it usually imposes another tax on the motorist, or a levy which has to be paid by him.

I would imagine that motorists in Western Australia are the most heavily taxed section of the community. They pay registration fees, drivers' licence fees, inspection fees, and even before one gets a license, a fee is charged for a driving test. Those taxes, together with, possibly, sales tax, form one of the greatest bugbears for the motoring community.

There are three main provisions contained in this amending Bill which will, in some way, affect the motoring community. The first provision is for the testing of vehicles, and to me the time is not right to introduce such a proposal, and I will give my reasons as I proceed. Firstly, the Minister—and I am not blaming the Minister in this Chamber because he used notes identical with those used in another place—read to us some 16 pages of notes. The first 9½ pages were on the very important question of the compulsory testing of vehicles. "When," is not mentioned. In his closing remarks the Minister said it was hoped the amendments would come into operation about the 1st May. We know that that is not possible now. We do know that it is intended to have compulsory checks of vehicles, but what period of time is not mentioned in the measure.

A figure of $1 has been mentioned as the cost of a check, but that figure does not appear in the Bill. Nowhere in the Bill can be found the form the inspection is to take, and I would like to linger on this point for a while because if a vehicle is to be properly inspected the figure of $1 is, I consider, completely inadequate. To me it is only a figure used to get members of Parliament and the general public to accept the proposal. No person could carry out an inspection of a vehicle for $5—certainly not if it were required that he give a certificate as to the vehicle's roadworthiness.

To prove that a vehicle is not faulty it would be necessary to remove the four wheels and check the brakes, because even steel to steel will at times have a braking effect, and the minutest thickness of brake lining might be enough to enable a vehicle to pass a sufficient test. The only way to check properly the brakes of any vehicle is to remove the four wheels. If a person knew that his vehicle had to be checked for roadworthiness he would adjust the brakes sufficiently to enable the vehicle to pass the test. If no thorough inspection is made a person could adjust his brakes prior to the test, the vehicle could be classified as roadworthy, and he could be involved in an accident as soon as he had left the check point. To test the brakes thoroughly would take two men at least three-quarters of an hour. It would take that time to strip the vehicle of its wheels, check the brakes, and replace the wheels.

However, we have not been told whether the brakes, the steering, or any other part of a vehicle is to be tested. We do not know what form the test will take or what parts are to be inspected.

The Minister said in his speech that such an inspection would give peace of mind to people and they would consider that it was a dollar well spent. I would say it would be a dollar wasted. How can a test which is carried out for $1 give peace of mind to anyone? Such a test would not cure our traffic ills. Such peace of mind would be like the peace of mind a child has when he is walking over a crosswalk. He does it for his protection but there is no protection at all, really, because of erring motorists. To use the words "peace of mind" is quite ridiculous and they were out of context, particularly when they were used in reference to the test to which I have just referred.

How many of us have taken vehicles to reputable mechanics to have certain repairs done only to find that the vehicles are faulty when we drive them away? Recently I had to carry out a hurried trip to Geraldton and I went in to have the oil of my car changed at the garage I normally patronise. After I had driven nearly 200 miles on the way to Geraldton I pulled up and for some unknown reason

I decided to check the plug in the bottom of the sump. I got down on my hands and knees and I found that the plug had not been screwed up properly. It was almost half a turn from being tight and had I not noticed it, and checked the oil, I could have ruined my motor.

Recently I had the brakes on my car checked and attended to by the mechanic at a garage. Several days later I went to Ledge Point and on the way home the brakes locked. So members can see that even qualified mechanics make mistakes. One takes a vehicle to a qualified mechanic and drives it away with all the confidence in the world believing that it has been properly attended to only, on some occasions, to find that the vehicle is still faulty.

What sort of a test will be given for $1? Certainly not the type of test that could give a man peace of mind, especially when he realises that it will be another 12 months—or whatever the period might be —before the vehicle is tested again. It is absolutely ridiculous to introduce such a system.

I am not opposed to vehicle inspections provided the type of inspection is set out in a schedule to the Bill, and included in the schedule is the date inspections are to take place, what will take place, and where the inspections will be made. Then we as members of Parliament, and even the general public, could make up our minds and we would have some idea before we discussed the legislation whether or not it was a worth-while proposition.

Mention was made of New Zealand where, it was said, this system has been in operation for some 30 years and that country has one of the lowest accident rates in the world. That is true, and it also has one of the lowest ratios of vehicles to population of any country in the world. I have never been there, but probably the roads in New Zealand, in proportion to the number of vehicles, are wider than they are here. Therefore, I do not think that was a logical argument.

How the speech notes are written in this way I do not know. Nothing definite is said at any stage. No definite statement is made which would enable the public and members to make up their minds whether this is a worth-while proposal. If the Government were sincere it would have included in the legislation the cost of compulsory inspections so that motorists would know exactly where they stood. Also, the form of inspection should have been set out. But what do we find? No sum is mentioned and there is no schedule to the Bill indicating the type of inspection that will be carried out. We do not know what the regulations will be. When it is decided what form the inspection will take, and what parts of a vehicle are to be inspected, we will probably find that the cost will be $10. It would cost that sum if a thorough inspection were carried out.

The Hon. J. M. Thomson: We have to abide by regulations.

The Hon. R. THOMPSON: Why do we have to pass a blank cheque at this stage, when a figure of $1 has been mentioned but it is not laid down. I think I have proved quite definitely that any test carried out, and which cost only $1, would not be worth having. The certificate from such a test would not be worth the paper it was written on. It would cost $1 to put a car on the hoist in a garage. It costs $1.50 to put a car on the hoist for the purpose of applying a grease gun to two of the grease nipples, and at the same time checking the vehicle. Yet it is said that for $1 an inspection will be carried out to see whether a vehicle is roadworthy.

In my view this sort of legislation should definitely be deferred until we know exactly what is to happen. The people we represent—the motorists, and others—should know exactly what is going on.

Let us have a look at what will happen in country areas. You and I know, Mr. President, that many vehicles used in the country would not be driven on the main roads but they, too, will come under the compulsory testing provision. Many utilities travel from farm to farm and never use the roads. But they have to be licensed, and we know that many of them are stripped down.

The Hon. G. C. MacKinnon: Can't they be exempted under the Act? I think they can.

The Hon. R. THOMPSON: There is provision for exempting certain types of vehicles if it is proved that they are less faulty than other types or classes of vehicles. However, these vehicles would still need an initial check, although many utilities and so on in the country would never use our roadways or be used for the general carriage of goods. Despite that farmers will still be put to the expense of upgrading their vehicles; otherwise the licensing authority, the testing authority, the local mechanic, or whoever carries out the test will, in effect, be issuing a bogus certificate.

The Hon. A. F. Griffith: Are you referring to the motor vehicle used on a farm; the one which does not leave the farm?

The Hon. R. THOMPSON: No, I am not. I have already said that quite often we find that the motor vehicle used on the farm is not licensed at all. It is usually called the farm hack. Quite a number of farmers have properties which adjoin each other and these farm vehicles are used for travel between these properties.

I know of one man who keeps a utility for the express purpose of travelling six miles along the road on which he lives to enable him to pick up fuel at a depot. That is all the vehicle is used for. It certainly would not pass a test on the open road.

Let us consider what a test entails. When one talks about a test one must include the body panelling of a car. A number of cars are being put off the road because of faulty body panelling. The utility to which I have referred would certainly not pass a test because of its body panelling. It is used only once or twice a month. I imagine that there are other vehicles on farms which would fall into the same category.

A little further on in the Bill we find that a commercial vehicle—and I take it that a utility is a commercial vehicle—as distinct from a car, has to come up for inspection every two years. On the other hand a car which is driven to work and home each day, or which is used for weekend enjoyment would have to come up for a check possibly every 12 months. I say "possibly," because this is not mentioned in the Bill.

The commercial vehicle, however, need only come up for a check every two years; the waiting period for a check is twice as long as that for a car. These commercial vehicles are the real work horses; they are the vehicles which carry heavy loads; it is they that are subject to stresses and strains; yet we find that they need only come up for a check every two years.

If there is one class of vehicle which should be policed more on the roads, it is the diesel-powered vehicles. They are certainly a great nuisance and cause tremendous inconvenience to the passing motorist. We all know of the black smog they create. Every time such a vehicle travels up a hill and it is found necessary to change gear, a dense black cloud of smoke pours from it.

If the Minister wants to do something constructive, these are the types of vehicles with which he should start. He could then proceed to other classes of vehicles.

One type of vehicle that comes in for a great deal of criticism is the car owned by young people. In the main these cars which are owned by young people are modified. I have seen many such vehicles which have been modified and painted purple, or painted with white stripes, and so on. If one looks carefully at these cars, however, one will find that their mechanical condition is perfect, because hundreds of dollars have been spent in their modification.

We now come to the other class of vehicles which are owned by young people and which one can only describe as wrecks. These cars, however, are gradually being taken off the road as a result of the action of the Police Force. They are taken off the road and a coloured sticker is placed on them to indicate that they cannot be driven. Accordingly, we are gradually getting rid of the junk from our roads.

Now, however, the Government seeks to bring penalties which will strike at the average car owner whose car is in good condition. Let us consider the three sets of figures which are available to us. The Minister's own figures show that of 3,706 accidents, 137 were due to some fault in the vehicle. That would be near enough to one in 30.

We also have figures provided by the seminar held at the University of Western Australia in 1967 which show that of 18,202 accidents, 501 were due to mechanical defects. This is less than one in 30. Further, we have the figures contained in a leading article of *The West Australian* which indicate that of 23,068 accidents which took place during a particular period 625 were due to faults in the vehicles. That again is less than 3 per cent.

I read the debates in the other place and I did not see any mention of this aspect by the Minister, nor did the Minister in this House mention it. Were these accidents caused by a defect in the vehicle or by the faulty driving of the person concerned? I have yet to see whether a person can be classed responsible or irresponsible when he willingly and knowingly drives a faulty vehicle and endangers his own life, the lives of his passengers, and of the members of the public.

In all walks of life people exercise the greatest care. If they realise they are driving a faulty vehicle, they drive it slowly so that it will get them home. They exercise the greatest care until they are able to return home. They then endeavour to get the vehicle into a roadworthy condition.

What would happen when this $1 test takes place and the inspecting mechanic suggests that the vehicle needs, for example, a new steering knuckle? He might consider that the steering knuckle on the vehicle is a little worn. Must the vehicle remain at the inspection yard, or can it be repaired privately in the inspection yard? Would it be possible to take a mechanic out to the yard and get him to fix it up, or does one have to hire a towtruck to have the vehicle taken home.

I want to know these details now, not when the regulations are promulgated and we are told how much money it will cost and what we should and should not do. There is really no great need for haste; we should not hurry to bring this legislation into operation. A great deal of fiddling around has taken place with traffic matters and nobody seems to know what to do to reduce the accident pattern. There have been stabs in the dark in an effort to reduce the road toll and the accident rate, but nothing constructive has come forward and I doubt whether it will unless we have a hard clear look at the position.

A committee advised the Minister what it considered was necessary; apparently it considered that compulsory inspections were necessary. This committee has spent a lot of time in research and travel, and

I do not want to take anything away from its recommendations. At least it came up with the recommendation that compulsory tests were necessary. The recommendations of the committee, however, must be on record, and I feel it is only right that we should be told what these recommendations are, apart from the fact that the committee recommended compulsory tests.

I consider it is most necessary we should be told this. In my opinion the solution is to have more patrolmen and more spot checks. Let us face it: nobody wants his vehicle to get caught up in a spot check. We should not continue placing all the blame on the motorists in regard to some of the accidents that occur in order to satisfy someone's ego. We should look more to municipal roads and to main roads as these are the greatest causes of accidents.

The Hon. A. F. Griffith: Whose ego do you think would be satisfied by the passage of this Bill?

The Hon. R. THOMPSON: The ego of the Minister for Police, inasmuch as he says, "I have tried this, and I have tried that." That is what is happening; he is trying too many things without really tackling the problem of road safety.

The Hon. A. F. Griffith: You call the efforts of a Minister to cut down the death rate, ego? Is that what you call ego?

The Hon. R. THOMPSON: Does the Minister think this provision will contribute in any way towards cutting down the death rate?

The Hon. A. F. Griffith: I take exception to the words you used in connection with the efforts of a Minister to cut down the death rate. It is absolute nonsense to refer to his efforts as ego.

The Hon. R. THOMPSON: If the Minister will look at faulty road patterns and some of the real causes of death on the roads, he will realise that not all accidents are caused by faulty vehicles. A study must be made of all aspects; and we must take some of the blame that is wrongfully attributed to the motorist.

I could take members to a place in the area in which I live where there is probably one of the most dangerous corners in the metropolitan area. In 1962 I complained about it to the honourable member who then sat in the seat I am sitting in now. In 1963 the engineer wrote to me saying that the danger would be overcome as soon as certain ancillary work was done. Although I have raised this matter with him from time to time, and also with the council, the corner is just as dangerous today as it was in 1962. Numerous accidents occur at this spot; and there will certainly be a death at some time.

Dr. Hislop visits Hilton Park regularly and perhaps he could have a look at the first corner on the left—which is Collick Street—after he leaves the rehabilitation centre. I say there will be a death at this corner because every time the M.T.T. buses come out of Collick Street to turn around the corner they strike the kerbstone on the opposite side of the road. Because I raised the matter, the Fremantle City Council has known about this corner since 1962, but nothing has been done about it, nor is there likely to be anything done about it. Nevertheless someone will be killed there. The bus driver or a motorist will be blamed because accidents do not just happen; they are caused, but who will be causing it in this case? The local authority.

The Hon. A. F. Griffith: We are even egotistical enough to think that accidents might be caused by faulty vehicles.

The Hon. R. THOMPSON: That is my argument. It will not necessarily be a faulty vehicle that will be involved in an accident at this corner; nor would that be the position in regard to numerous accidents that have taken place.

Until such time as I know what people will be up for under this amendment, and what form the test will take, I do not intend to support the clause. It must be rejected until further details are made available.

Other amendments in the Bill are in relation to the demerit system; and in dealing with this aspect when the Bill was being debated in another place the Minister promised that some consideration would be given to eliminating some of the things for which a suspension of license can take place. We find this is not in the Bill, but we heard it in the Minister's speech; and unless there are regulations on the Table of the House, which I have not had time to look at, we do not know what is proposed. However, I support that part of the measure because the Minister gave an assurance at the time in respect of certain offences against the Act. He said he would have a look at them, and probably he has done so, although there is nothing specific in the Bill.

The next amendment provides that no report shall be made to the police where the damage sustained in an accident is of a minor nature. I am aware of the fact that the Minister gave notice last night that he would place an amendment on today's notice paper.

I would not go so far as to vote against this clause, but I do feel critical of it. If the damage sustained by either vehicle does not represent a value of $100, the accident does not have to be reported. I fully realise that the reporting of minor accidents is very time consuming as far as policemen are concerned, because a lot of record work is involved. However, there is the inherent danger that although an accident may appear to be of a minor nature and should not be reported, the

situation could be much more serious. It is not necessary for one to be involved in a bad accident, for one to suffer injury or shock. The cars could merely scrape each other, but the driver, or a passenger in either car, could be hurt by the sudden application of brakes in an endeavour to avoid a bad accident. Where does such an injured person stand in connection with a claim from the Motor Vehicle Insurance Trust if the accident is not reported?

The Hon. L. A. Logan: Third party insurance is for personal injury.

The Hon. R. THOMPSON: I am talking about a passenger in a car.

The Hon. A. F. Griffith: What the Minister says is right. Third party insurance is for injury to the person in the car.

The Hon. R. THOMPSON: I am talking about the person in the car who might be injured in a minor accident.

The Hon. A. F. Griffith: Tell us where in the third party legislation it provides that an accident must be reported?

The Hon. R. THOMPSON: I am unable to say offhand.

The Hon. A. F. Griffith: The requirement to report an accident is contained in the Traffic Act and we are going to slightly alter that requirement.

The Hon. R. THOMPSON: You are?

The Hon. A. F. Griffith: Of course. The clause says it will be altered slightly.

The Hon. R. THOMPSON: It would need to be altered, because I have known of several cases where the insurance companies concerned have refused to pay out after accidents have occurred.

The Hon. A. F. Griffith: I am sorry, I think you missed my point.

The Hon. R. THOMPSON: The insurance companies have refused to pay out until they have seen the police report.

The Hon. F. R. H. Lavery: The insurance companies are using the Police Department as their chief investigator.

The Hon. R. THOMPSON: I think that point is valid. I have not checked the legislation because I have not had time.

The Hon. L. A. Logan: This amendment will not affect those provisions at all.

The Hon. A. F. Griffith: I do not think it is a prerequisite of a claim under the third party insurance that the accident has or has not been reported.

The Hon. R. THOMPSON: It may not be a prerequisite but from what Mr. Lavery said, by interjection, insurance companies do use the police report to determine whether or not they will pay out on a claim. From time to time I have had experience of this matter when acting on behalf of my constituents.

The Hon. A. F. Griffith: What you are saying is that the police report relating to an accident is available to insurance companies as proof of a claim.

The Hon. R. THOMPSON: The insurance companies ask what time the accident occurred, was it reported, and so forth.

The Hon. Clive Griffiths: Does the Police Act not state that if a person is injured then an accident has to be reported?

The Hon. R. THOMPSON: One might not know until two or three days after the accident that one has been injured.

The Hon. Clive Griffiths: Then report the accident at that time.

The Hon. L. A. Logan: This provision will not affect third party insurance.

The Hon. R. THOMPSON: I hope it does not, and I would like the Minister to clarify the point. I did not say that I was going to vote against the clause or oppose it, but I am purely and simply asking for some clarification because I think we need it.

The Hon. A. F. Griffith: I will do my best to clarify the situation.

The Hon. J. Dolan: Passengers can be injured without an accident occurring.

The Hon. A. F. Griffith: That is the point; you have hit the nail on the head.

The Hon. J. Dolan: The driver of a vehicle can brake very hard to avoid an accident and cause injury to a passenger.

The Hon. A. F. Griffith: Of course.

The DEPUTY PRESIDENT: Order!

The Hon. R. THOMPSON: Thank you, Mr. Deputy President; I was listening intently. The point is a person could be involved in an accident and he could be under the influence of alcohol—over .08. This might not be apparent to the other driver involved in the scrape who would probably get out of his vehicle a little shaken.

The Hon. A. F. Griffith: He would not realise he had had an accident?

The Hon. R. THOMPSON: He would not realise that the other driver was under the influence of liquor. The Minister is trying to be difficult.

The Minister is trying to bring in legislation to reduce accidents and yet the person I have mentioned will be able to go on his way unhindered. He does not even have to report the accident if the damage is estimated to be under $100. However, I consider that the damage to vehicles is only incidental to the damage to drivers. The damage to vehicles is only incidental to the offence which has occurred and I do not think that the $100 matters one way or the other. However, I think the reporting of the accident is important.

On a motorcar license it is stated that accidents must be reported immediately to the Traffic Office, or any police station, and to the Motor Vehicle Insurance Trust. I thank my colleague for producing that license paper. The point is: Will it still be necessary to report every accident to the Motor Vehicle Insurance Trust?

The Hon. L. A. Logan: Where personal injury occurs, yes.

The Hon. R. THOMPSON: We come back to my original point: The amendment will be carried and I will support it. It seems there will be some latitude with regard to the time limit on reporting an accident. A person is supposed to report an accident immediately but if he staggers out of his car somewhat shaken after an accident at 12.30 a.m., and it is raining, he will not dig up a policeman or a traffic inspector just to report the accident. It might not be until the next day or the day after, when he gets an assessment of the damage which he thought was minor, that he would realise the full extent of the damage.

A similar situation could exist with regard to a passenger in the vehicle. People have been known to receive a knock which, at the time, they did not think was serious. However, in a case which I know of, a woman received a broken pelvis. At the time of the accident the injury was not considered to be serious enough to report, so it was not reported. The driver of the vehicle—the husband of the woman—broke the law, admittedly, and he also failed to obtain third party insurance for his wife.

These are the points which need some clarification. As I said earlier, I am not opposed to the testing of vehicles, but I am opposed to this type of legislation which asks for a blank cheque without motorists or members of Parliament knowing what is going to happen.

There is no immediate hurry for the passage of this Bill. We have had vehicles on our roads in Western Australia for over 50 years without the necessity for compulsory checks, and another four or five months will not cause any further harm. If the points I have raised and the suggestions I have made were included in a Bill I would probably stand up and give it my full support.

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [3.18 p.m.]: I would like to say a few words on this Bill. I feel it warrants comment from members because of its importance. Clause 3, which is the main clause, proposes to add a new section 20B to the principal Act. The proposed new section provides for the setting up of inspection centres throughout the State for the compulsory inspection of motor vehicles.

I intend to support the measure because, in my opinion, it lays the foundation for a scheme which can only be of benefit to motor vehicle drivers and owners and, indeed, to pedestrians. Present-day vehicles —new vehicles, particularly—are not required to have a service carried out every thousand miles as was the situation in years gone by. It was the recognised practice that at every thousand miles one's vehicle had to have an oil change, a grease, and a service. In these days that is not the case.

Because of new techniques and the new materials which are available, the common practice is to take a vehicle to a service station not more frequently than every 3,000 miles and, indeed, in some cases every 6,000 miles. I would feel that this tends to make people a little complacent about some of the minor difficulties that can arise with a vehicle, particularly nowadays; because if one forgets about a fault and waits until the 3,000 or 6,000-mile service, the fault might not be remedied for a considerable time. If a fault occurs just after a service, or if something goes wrong, the vehicle could travel up to 6,000 miles before it was checked again.

With most drivers a period of about four to six months would elapse before they took their cars back to the service station. In the case of a 6,000-mile service, it could even be 12 months. I had an example of this the other day with my own car. I thought it was going rather well; as a matter of fact it was running better than it had ever run since I purchased it, and I was even beginning to like the car.

The Hon. J. Dolan: You must have been going downhill.

The Hon. CLIVE GRIFFITHS: My 3,000-mile service was due, and so I took the car to the service station. The people there informed me that, amongst other things, it was necessary to replace the discs for the disc brakes. I put myself in their hands, although it seemed strange to me because the brakes seemed to be perfectly all right. When I went back to pick up the car the people brought out the discs and showed them to me, and I was horrified to see the condition they were in.

The point I am making is that had I not taken my car in for that service I would not have known of the trouble. I was convinced that the brakes were all right, yet the condition of the discs shown to me clearly indicated that in another 200 or 300 miles the brakes would have failed; possibly at a time when I needed them, and I could have been involved in a serious accident.

I am very grateful indeed to the service station, even though they charged me $30, because I believe I am worth more than that amount to my wife and family at this point of time. As a result of the long period of time between normal servicing checks—that is, checks which are required by a man who takes care of his vehicle—faults could arise of which the owner is unaware. The normal owner would be

grateful for the fact that he knows that at the end of every 12 months—eventually, anyhow—this legislation will provide for a compulsory check.

Of course, there are other people who do not take a keen interest in their cars, and who are not concerned about regular servicing and maintenance of their vehicles. Some people simply buy a tin of oil and change the engine oil periodically, or when they think about it. Some do not change the oil at all. Many people certainly do not inspect the brakes and steering, which we know to be so important for safety on our roads.

This measure lays the foundation for a scheme which will eventually provide that every vehicle will be subject to a compulsory annual check. I have heard some remarks with regard to the percentages of accidents which can be directly related to mechanical faults. On the one hand, people tell us that this percentage is very minute and therefore this measure will not have a great effect on road accidents. On the other hand, we are told that the figures are not comprehensive anyway. Because of the very nature of motor vehicle accidents, in many cases, after the vehicles concerned have been untangled from the wreckage, it is hard to ascertain accurately whether or not the vehicles concerned had any mechanical faults.

I take the view that this is at least a step by the Government in the right direction—a step taken in what I believe is a very conscientious endeavour to make some inroads into the road toll problem which we unfortunately have in this State.

I would go further and say that even if this step was responsible for only a 1 per cent. reduction of our road accidents, we could then take 100 similar steps which would surely achieve what we all desire. In other words, we would completely eliminate accidents on the highways. I do not know by what percentage our road toll will be cut by this measure. However, because it is an attempt to cut down on accidents, I believe it is well worthy of the support of this House.

I repeat: Clause 3 of the Bill lays down only the foundation for a scheme. Mr. Ron Thompson expressed doubts about this clause and said that it did not give us enough information. He indicated that it does not give us any idea of what is going to be involved in the check, how comprehensive it will be, how much it will cost, and so on,

However, I say that if we do not agree to this clause then we will never know, because the clause provides the machinery to enable us to obtain this information. In a democratic Parliament such as we have in this country we will be able to scrutinise regulations made under this legislation, because they will be laid upon the Table of the House.

The Hon. E. C. House: Will you know when they come forward?

The Hon. CLIVE GRIFFITHS: We will certainly know because all regulations have to lie on the Table of the House for 14 sitting days, and I have some experience of this. I would say that if we take exception to any regulations, then the House in its wisdom will agree to them or disallow them. However, the fact remains that clause 3 of the Bill provides the machinery so that the particular information about which Mr. Ron Thompson was concerned can be obtained for our consideration.

The Hon. A. F. Griffith: In the meantime, would it not be reasonable to assume that due publicity should be given to the condition being brought into operation?

The Hon. CLIVE GRIFFITHS: I would certainly say that should be so. I also take some exception to some of the criticism which Mr. Ron Thompson levelled against the Minister for Police, inasmuch as he suggested that the Minister is fooling around with this problem. Nevertheless, ever since I have been a member of this House the Minister for Police has introduced many measures in an endeavour to solve the problem. I think I would be correct in saying that almost every one of them has been opposed by Mr. Ron Thompson. Most of the measures are working effectively to solve the problems against which they were directed. As I said a while ago, even if it takes the introduction of 100 pieces of legislation each of which give only 1 per cent. relief to the situation, we are on our way to overcoming the problem.

The Hon. R. Thompson: Tell me one other measure that was introduced to amend the Traffic Act which I have opposed, other than that dealing with the breathalyser?

The Hon. CLIVE GRIFFITHS: That is one, and a very important one.

The Hon. A. F. Griffith: Mr. Ron Thompson opposed the breathalyser even to the extent of trying to blow the top off it himself.

The Hon. W. F. Willesee: At your request, though.

The Hon. A. F. Griffith: It was not at my request, was it?

The Hon. W. F. Willesee: Yes.

The Hon. CLIVE GRIFFITHS: Since the Bill has been given publicity in the Press, it has become reasonably well known that it is before the House, and I have not had one person in my province approach me to say he was opposed to the principle contained in the measure; but I certainly have had many people telling me that they commend the principle and it is that which I am supporting.

However, together with Mr. Ron Thompson, I will certainly study the regulations closely when an opportunity presents itself, and I will criticise them at the appropriate time if I object to them. I will speak on the regulations as I find them after they have been tabled. However, at present I believe the principle contained in the Bill demands our support, and I hope the House agrees with me.

Clause 5 contains another commendable amendment to the Act which I believe will be appreciated by the community inasmuch as it relates to the easing of the position with regard to the compulsory loss of license by a probationary driver.

Clause 6 seeks to amend section 30 of the Act and I believe this is another genuine attempt by the Minister to bring about a practical and commonsense solution to a situation which, so far as the police officers are concerned, is completely time-consuming, and which is not justified.

I am not particularly starry-eyed about the words in clause 6 which are sought to be inserted in section 30; that is, "apparently exceeding, in the aggregate, an amount of one hundred dollars," and I believe that these words could be amended.

The Hon. A. F. Griffith: There is an amendment on the notice paper.

The Hon. CLIVE GRIFFITHS: That is fair enough; perhaps it will be a good idea if I read the notice paper. The fact of the matter is that I agree in principle with the clause and I did understand some effort would be made to amend it in an endeavour to make it more elastic.

In the main I applaud the Bill and certainly have great pleasure in supporting it. It is pretty flexible at this stage, but it seeks to set a pattern which I believe will prove to be of great benefit to the people of Western Australia.

THE HON. G. E. D. BRAND (Lower North) [3.36 p.m.]: Once again we have a Bill before us which seeks to amend the Traffic Act. I do not think I have ever heard so much discussion on a subject as I have heard on the proposal in this measure.

The Hon. A. F. Griffith: Dogs bring about a fair amount of discussion.

The Hon. G. E. D. BRAND: Never have I heard so many experts hold forth on the subject covered by this Bill, with the exception perhaps of the very important topic of sex in all its aspects. I think this Bill can be considered to be another real attempt to bring about a reduction in the mounting toll on the road. There is no doubt that any vehicle that is driven on the road should be in tip-top condition. That is most essential. Vehicle inspection is not new, because inspection of vehicles is already carried out now by many town councils, shire councils, and local authorities, before a license is issued.

The Hon. R. Thompson: I thought an honourable member was not permitted to read his speech?

The Hon. G. E. D. BRAND: I agree with that principle, but I will never agree to the suggestion that because a vehicle is somewhat aged it is not in reasonable condition. As members are aware, there are many vehicles being used on the road today, on farms, for the purpose of carrying out odd jobs, and in the towns in the far north, and I cannot see any reason why they should not, after they have been given a complete inspection, be licensed.

The Hon. F. J. S. Wise: Could you tell a life story about that?

The Hon. G. E. D. BRAND: I could tell many. I was caught speeding in mine. I find the speed limit of 65 miles an hour is irksome at times, but I believe it has been one means of reducing the number of accidents. Also, the graduated speed zones between here and Northam have been of great benefit to motorists. If sometimes a driver fails to see a speed sign, for some reason or other, he will soon find the hand of the law on his shoulder if he is exceeding the limit prescribed.

I feel sorry for Mr. Craig as the Minister administering the Police Act and the Traffic Act, because he has been pestered by many experts on this subject. Of course, traffic is a very popular subject for discussion, and there are many experts who know all the reasons for accidents happening. However, I do not think this measure or any other will have much bearing on the real cause of accidents and that real cause, as is often said, is the loose nut behind the wheel.

I have been in contact with men who, for many years, have been in charge of service stations and garages in Kalgoorlie and who have had a great deal of experience with vehicles involved in accidents and the repair of them. The other day one of these men suggested to me that if the Government is desirous of establishing sites for the inspection of motor vehicles, and wanted a work force, he was sure that some of the men who were previously in charge of service stations on the goldfields, but who have now retired and are living in the metropolitan area, could be induced to work for the Government.

There is no substitute for experience, but we realise that it is a valuable adjunct to fulfilling the aim of the department to ensure that all vehicles are roadworthy and thus minimise accidents. I looked at an American dictionary for the meaning of the word "roadworthy" but I could not find the word in it. However, the word "roadability" appears and it means "the ability of an automobile to ride smoothly and comfortably under adverse road conditions."

Under the Bill certain vehicles are to be classed as aged. I am wondering what models will be regarded as aged; probably it is the time when the body rusts through.

The Hon. A. F. Griffith: We intend to start with vehicles that have been on the road for 10 years or more.

The Hon. G. E. D. BRAND: I am informed that one of the main faults in this respect lies in the construction of modern vehicles, by what is known as the monoconstruction method. We are all aware that when a car is assembled in these days the body is placed on the springs and wheels, and then they are all bolted together. In years gone by the body of the vehicle was placed on the chassis, and the two were bolted together.

With modern vehicles a knock on the side by another car will spring the locks and doors; but with the older types of vehicles which have sound uprights the doors and locks do not spring so easily, and there is less likelihood of the occupants of such a car involved in an accident being thrown out. When an occupant of a car is thrown out he often lands head first on the road or in the gutter, and that is not a very comfortable experience. This is a very bad fault with modern vehicles.

I would like to see motorists, not only those driving in the country but also in the metropolitan area, paying more attention to the lighting system of their vehicles. I have always advocated the constant inspection of vehicles for defects in the lighting system. Generally when a motorist drives his car around his own district the lighting system is tested and is found to be effective; however, when he goes away on holidays and loads the boot of the vehicle with everything, including the kitchen sink, the rear of the vehicle is depressed with the result that the lights shine further upward from the horizontal. This comes about because the motorist has not adjusted his lights for the journey.

Often during the Christmas or Easter holidays one sees heavily loaded vehicles with the lights not beamed on the road, but shining into the eyes of oncoming motorists. It would be a good idea for all motorists to make sure that the lights of their vehicles are adjusted before they drive them away on holidays.

The Hon. R. Thompson: Not so much the motorist going on holidays, but the one returning to the country with two cases of beer in the boot.

The Hon. G. E. D. BRAND: That is quite a laudable thing to do! Previously I have complained about the one-eye variety of lighting on some vehicles. On various occasions we come across a vehicle, particularly a Volkswagen, the lights of which are incorrectly adjusted—one light shining upward and the other downward. When a motorist approaches such a vehicle he expects it to dip both lights, but when he finds it does not he turns his own lights on the high beam, only to find that when the other vehicle dips its lights the one with the high beam shines upward while the one with the low beam shines downward. This causes a great deal of confusion to other vehicles, and is one of the contributing factors to accidents.

I struck another cause of accident the other day when I was driving down from Kalgoorlie. Three miles on this side of Cunderdin I came across a semi-trailer on which was loaded a house. It had to veer out to negotiate the low branches of a tree. The driver stopped to see whether the truck was clear, and then over the top of the hill not far away came a truck hauling three tanks of bitumen. This bitumen truck would take a fair time to pull up, so this driver decided to pull around the semi-trailer; but as he approached the semi-trailer another semi-trailer came from the opposite direction, with the result that pandemonium reigned. The best thing the driver of the bitumen truck could do was to run into the back of the semi-trailer on which the house was loaded.

We saw from the newspapers the absolute mess in which the prime mover of the bitumen truck finished up. The wheels were torn off and the cab was resting on the ground, and it had to be pulled apart to extricate the driver. However he only sustained a minor injury to his elbow. It was found that a 4 x 2 piece of jarrah had penetrated the cab between his feet.

The Hon. S. T. J. Thompson: The cause of the accident was a human element.

The Hon. G. E. D. BRAND: That is so.

The Hon. R. Thompson: The payment of $1 every 12 months for an inspection to be made of the vehicle would be worth while in that instance.

The Hon. G. E. D. BRAND: The low hanging branches of trees along the verges of roads, particularly in the south-west, present a danger.

Sitting suspended from 3.47 to 4.3 p.m.

The Hon. G. E. D. BRAND: Before the afternoon tea suspension we were discussing what I consider to be a danger to traffic. As I said, these low-hanging branches can cause accidents. I know that members of the local councils keep an eye out for this type of hazard. The idea is to ensure that nothing is lower than 18 ft. 6 in. from the ground thus removing any possibility of any portion of a vehicle load coming in contact with it. I have already mentioned what happened at Cunderdin.

Another problem encountered involves native drivers. Native owners create quite a danger because although their vehicles might be in good condition when first purchased, because the natives either do not have any money, or do not bother about

it, they do not carry out any maintenance on their vehicles. A native will drive his vehicle until it stops. He will then wait for a while and if someone comes along and fixes it up for him, he will hop in and drive it until it stops again. Finally the vehicle reaches the point of no return and is a complete wreck. When this stage is reached, the native just walks away and leaves the vehicle right where it stops. As members can imagine, this can present quite a hazard, particularly on dusty roads.

I know that the shires in the Murchison and Gascoyne areas are very worried about this problem. I do not think any accident has occurred because of this, but ever present is the risk of one.

Another problem involves the mechanical repairs carried out on a vehicle when it is taken to a garage. It is always a worry as to who is going to tinker with it. I was amazed a while ago when I took my car to a garage because the foreman mechanic said that he would put the best chap he could onto the job, but only the day before he had to put two truck drivers on to do the work because he could not get qualified mechanics. That, as members can imagine, did not fill me with glee.

If a wheel is taken off at the garage, or bearings are attended to, or something like that, we are never sure whether the wheels, tyres, or wheel nuts have been replaced properly, and we do not know whether the job has been carried out competently. If the wheel comes off we are candidates for a first-class accident. I look forward to the day when there will be an abundance of competent mechanics and we will know the work is done competently.

Bad tyres can, of course, lead us into a lot of bother. I have always been a bit of a renegade as far as driving vehicles with bald tyres is concerned. I have had quite a few tyres blow out, but by experience I have managed to keep out of trouble so far. This practice is not widely recommended, of course—to drive with bald tyres, or with the canvas showing. However, a lot of it occurs in the back country.

I have never had much time for retreads. These may have improved in quality by now, but I remember some years ago when it was not possible to drive at more than 45 miles an hour if a retread was fitted to the car. Perhaps now retreads are much improved, but I have never used them anyway. These can cause accidents and the Minister in his speech referred to a car in front of him, a tyre of which shed its rubber. No-one wants to have that experience.

I saw a near accident coming from Kalgoorlie one day. This involved swaying caravans. It appears that people who tow caravans never bother to add extra air to their car tyres. It is not widely advertised—I do not remember seeing anything about it in the Press—but it is recommended that tyres be pumped higher if the car is to tow anything because this stops the swaying of the towed unit. On the occasion to which I have referred, two cars, each towing a caravan and travelling in opposite directions, passed, and at that moment both caravans swayed. Fortunately they did not touch, but it was very close. If they had touched, once again a first-class accident could have occurred.

All these matters refer to the vehicle, but in my opinion nothing we say or do will get to the crux of the problem because, as I mentioned before, I believe that the driver is the one responsible for accidents. Some drivers forget they are the boss of a vehicle and consequently when they take charge of it they get into trouble.

I referred to a gentleman to whom I was speaking about the set-up for checking vehicles. He said that in many cases, although it has been claimed that mechanical failure causes accidents, in 99 per cent. of the cases, a check of the vehicles brought to his garage for repairs revealed no mechanical failure. A lot of people blame mechanical failure, but when he inspects the cars concerned, he finds that the steering, tyres, and so on are all perfectly all right. More than likely someone has gone to sleep and that is the reason for the accident. I therefore suggest that although these amendments are very laudable the main cause of accidents is the driver himself, and he is the one about whom we should be most concerned.

THE HON. F. R. WHITE (West) [4.9 p.m.]: I am only too happy to support any legislation which endeavours to decrease the accident and death rates on the roads. I believe the Bill under consideration is mainly aimed at achieving this result.

The last occasion I spoke on a traffic Bill was when the points demerit system was introduced. On that occasion the Minister very kindly tabled a list of proposed regulations. Because of this I was able to understand the contents of the Bill and I was able to raise objections to the regulations which had been tabled. I am very happy to say now that the final regulations which have been drafted satisfy me in their entirety.

This Bill we are considering has a number of clauses, but the one which particularly interests me is clause 3 which aims at the compulsory testing of motor vehicles for roadworthiness. The aim appears to be that ultimately all vehicles will be tested once every 12 months and will receive a certificate of roadworthiness if all the various tests applied to it are satisfactorily passed.

Earlier today I asked the Minister a question without notice as to the definition of "roadworthiness," and he assured me that he would, he felt, be able to answer this question satisfactorily later on in the day. During my study of this Bill and the

associated legislation, I have not been able to find a definition of "roadworthiness." In his second reading speech the Minister gave a definition of "unroadworthiness," and taken in relation to the contents of the Bill, his definition was very satisfactory.

He made a statement on unroadworthiness, when describing the function of the certificate of roadworthiness. He said that the idea of the test was to detect defects which directly or indirectly caused accidents. This is very desirable. The Traffic Act is covered by the vehicle standards regulations of 1965. In order that a vehicle might be licensed, a tremendous number of regulations must be satisfied.

I believe the standards as listed concerning the condition of a vehicle would be excessive to apply to the relicensing of a vehicle; but, after reading the Bill, I wonder which of those regulations will be applied to the testing for the certificate of roadworthiness. Naturally, after my experience last year when the proposed regulations were tabled, I hoped the same situation would apply on this occasion. Unfortunately it appears that there has not been an opportunity to prepare the regulations.

The Hon. R. Thompson: Opposition members do not get the opportunity to see proposed regulations.

The Hon. F. R. WHITE: On the previous occasion they were tabled in the House and everyone had the opportunity to see them—Government members and Opposition members alike.

The Hon. R. Thompson: On this occasion we did not.

The Hon. F. R. WHITE: No, because there are no regulations. This is what I ask the Minister. I ask that if this particular clause of the Bill is passed, will he table any regulations proposed under the clause so that all members of the House—Government and Opposition alike—will have the opportunity to consider them and correct them, so that by the time they are finally gazetted, they are satisfactory?

The Hon. R. Thompson: You mean that he will make them available prior to the tabling?

The Hon. F. R. WHITE: No—make them available prior to the gazettal. That is what I said.

The Hon. R. Thompson: Okay.

The Hon. F. R. WHITE: Whenever I consider legislation, I not only consider its desirability and theoretical value, but also the practical aspect. Naturally I wanted to gain some idea of the facilities private enterprise and the police had for testing a vehicle for roadworthiness.

As a result, I visited a garage yesterday together with some of my colleagues. This garage kindly tested a vehicle and allowed us to time the testing of that vehicle. In the garage proprietor's opinion, the test would be the basic minimum that would be required prior to relicensing.

The vehicle was parked on a suitable ramp and from the commencement of the operation the front suspension, tyre shape, wheel bearings, steering box, cross-members, chassis, rust, muffler, universal joints, oil leaks, and lights were all tested. This operation took two men working together a period of 11 minutes. If we consider that in terms of one man, it represents a total of 22 minutes. Of course this was only part of the test.

The wheels and the brakes had not yet been tested. As has already been stated by members in this House today, in order to satisfactorily test the brakes it is necessary to take off the wheels so that the brake linings and the oil cylinders may be checked. This was done. The front wheels and the back wheels were taken off and a total of 12 minutes was necessary to take the four wheels off. We did not continue the test from that moment onwards, but we naturally assumed it would take 12 minutes to put the wheels on again.

The Hon. E. C. House: Are they going to take the wheels off in this inspection?

The Hon. L. A. Logan: No.

The Hon. F. R. WHITE: We do not know, because we do not have any regulations; but I assume that is not the intention. The Minister would be able to answer that question.

The Hon. L. A. Logan: They do not do it in Canberra.

The Hon. F. R. WHITE: That makes a total of 46 man-minutes for the particular test which I observed. With the exception of taking off the wheels, there are other factors which the police would normally check in addition to those I have mentioned. Normally they would check the windscreen wipers, the horn, the handbrake, and they would lift the bonnet to check for petrol leaks and electrical short-circuits. At the end of this time the vehicle would have to be road tested and a certificate of roadworthiness would be written out.

None of these things was done in the test to which I referred. I think it would be reasonable to assume that this would take an additional 14 minutes, at least. Consequently I feel that a satisfactory test would take an hour. Nowadays garages charge in excess of $4 an hour for their time. I feel, therefore, that the minimum cost to check the roadworthiness of a vehicle would be $4, looking at it from an economic point of view when public funds were not used.

This morning I visited a major police station within the metropolitan area. I discussed the question with uniformed officers. They felt that the minimum

time they could take to check a vehicle would be 20 minutes, during which time two men would be needed. Obviously it appears that the sum of $1, which was mentioned by the Minister, would not be sufficient payment to cover the total charge.

In his second reading speech the Minister made reference to the fact that it appeared from an investigation which was conducted two years ago that a sum of $1 would be sufficient to cover capital outlay and maintenance costs. I understand that capital cost means the cost of buildings and equipment and I understand what maintenance means; I do not understand the general term "costs" which was used by the Minister.

The Hon. R. Thompson: It is probably wages.

The Hon. F. R. WHITE: If that is the Minister's intention, then I consider it would be impossible to do the whole job, including wages, for $1. My assessment would be $4 to $5.

The Minister stated that there would be no drain on public finances in introducing this scheme. If the motorist is only going to pay $1, and if my assumption is correct, then an additional amount of $3 will be required; I can only assume this would be a drain on the public purse. However, I must give credit to the fact that if thousands of vehicles are being tested in the metropolitan area every day, and they stream in at one end of the rank and out at the other, the cost could be cut by a large figure.

However, this will not occur where the testing is done by anyone other than the police. There would not be the volume of traffic to cut the average costs. Fewer vehicles would be tested per day and, in those cases, I feel the cost would be nearer the figure I have mentioned.

One interesting aspect of the Minister's speech was that he said the testing would take a period of 10 minutes. I have mentioned times today. I have said that in my opinion it will take one man one hour to do the complete job. It will take two men possibly half an hour. I have been assured that in the Eastern States, New Zealand, and so forth the testing does take a period of 10 minutes, but I also suspect that for this period to be only ten minutes, there must be in excess of six men working on the vehicle. This, then, would justify my statement of one man-hour per vehicle.

The Hon. R. Thompson: That is a lot nearer to the mark.

The Hon. F. R. WHITE: I said previously that I support, in principle, any legislation that will help to reduce the road toll. I support this legislation, providing it is practicable and providing the Minister can assure us that we will have ample opportunity to consider the proposed regulations—the cost, type of equipment, etc.—before those regulations are gazetted.

The Hon. R. Thompson: When you say "we" do you mean Parliament?

The Hon. F. R. WHITE: I mean Parliament—this House. I am not opposing the Bill; I am supporting it. I have stated my objections to clause 3. As was the case in connection with the last traffic Bill on which I spoke in this House, provided I have the same opportunity to consider regulations, I will have no objection to clause 3.

THE HON. E. C. HOUSE (South) [4.24 p.m.]: The Bill before us at the moment is called, "An Act to amend the Traffic Act." Approximately three principles are contained in it.

I want to leave no doubt in the Minister's mind that I intend to vote against clause 3 of the Bill. I consider that anything which is as important as this should be set out clearly and correctly in a Bill of its own.

The measure will affect every motorist in Western Australia; yet only a few lines are stuck in the middle of some other important items that come within the Bill. I think most members have admitted that it tells us nothing. Most members have agreed that they would vote for this in principle and intend to support the Bill because of its principles.

I consider that Parliament must be responsible for the legislation it passes as it affects the people. If it does not accept this responsibility it is failing in its duty. Yet, Parliament will be passing something that is going to hit every home in Western Australia and members do not know anything about it. We have no idea just how this will be implemented, what it will cost, or what effect it will have either in the country or in the city.

If a new measure were introduced, it could be called, of course, the dollar Bill. This dollar has been mentioned so often that it is almost ludicrous. Mr. White has pointed out to members the costs which would be involved. The inspection could not be done for under $5 if it is to be done properly. There are 300,000 vehicles in Western Australia and one can assume that the cost of inspecting those vehicles will be at least $1,500,000.

The Hon. G. C. MacKinnon: How many local authorities do you think are doing it now, at no cost?

The Hon. E. C. HOUSE: Yes, I acknowledge that. I will come to that point later; in fact, I intended to.

The Hon. G. C. MacKinnon: Very well.

The Hon. E. C. HOUSE: However, if this type of legislation is brought down, it ceases to be a free action—something which is done voluntarily by the shires—because the legislation sets down just what they will do and how they will do it. The quality of the men who will undertake this

work will be stipulated, but even they will have to submit themselves for various periodical checks.

It is not only the fact that I am sure the cost would not be less than $1,500,000 per year; added to that there will be millions of dollars spent on repairs when many of those repairs may not have been absolutely necessary. This means that the public is to be forced to spend millions of dollars. Possibly this would not be quite so bad if the public could be assured of an effective and efficient job.

There would not be a member in this Chamber who does not know that one is very lucky if one can be sure that a garage has even touched the car which has been taken to it. Half the time when the car leaves the garage it is in a worse condition than when it went in. I have had personal experience of this.

I have a cutting here which has been extracted from a newspaper published in London, England. The article refers to 45,000 garages and calls them a slapdash gang of pickpockets. I will go so far as to say that this is probably not the general intention, but we all know that with the shortage of labour which exists today—and the availability of employment, which is probably more important—it is very difficult to keep up the standard of work in these cases. I do not want to go too far with this line of argument; because it probably does not apply in an overall way to every garage throughout the State. However, it does occur in many of them.

In the main, the recommendations have been brought forward by the safety council. The safety council is a very unwieldy body and it is probably trying to clutch at straws in some effort to try to cut down the accident rate. This would be all right, too, if we could be sure that it would be effective.

There is the question of the 65 miles per hour speed limit in the country. I am not against this; but I read only last week that the number of country road deaths to this date this year is higher than it was to the same period last year.

I think it has a lot of merit and it has proved to be an economy measure so far as the motorists are concerned. It has meant reduced petrol consumption, less tyre wear, and has probably saved some motorists from having coronaries by reducing tension. These facts alone have been a big help, but the proposal has not reduced the accident rate, and it never will.

I think we need somebody better than the National Safety Council to advise on matters such as this. Probably the safety council has a fair idea of many of the defects in different makes of cars, tyres, and so on. However, it is not permitted to make the public aware of any of its findings. If the Government is sincere in wanting to cut down the accident rate, and it intends to force people to have their vehicles tested, surely this is one way it could make the public aware of the defects there are in certain cars. If the public could be made aware of the faults there are, even with new cars, tyres, and other parts, it would be a big help. Many new vehicles that are put on to the market are "motordynamically" unstable. I do not know whether that word is in the dictionary, but it suits me fine and describes what I want to imply.

The Hon. L. A. Logan: It sounds all right.

The Hon. E. C. HOUSE: Surely if we are genuine in our desire to reduce the accident rate we should start at the right place first. We should endeavour to overcome the faults that are virtually inbuilt in certain new vehicles. Many new cars are so badly balanced that when they are hit by a cross wind, or they are driven over a bad piece of road, they swerve all over the place. Some new vehicles being marketed are so badly balanced that it is unsafe to equip them with certain makes of tyres. If we are really interested about reducing accidents this is the place where we should start.

Why does not the Government do that? Is it because it is getting such a rake-off —that is not really the word I wanted to use, but I cannot think of the right one— from the sale of vehicles? The revenue from the sales of motor vehicles, through sales tax and so on, is so great that if anything were done to upset the system it would have a severe impact on governmental revenue. I would not know, but it looks as though that could be the position. Something should be done to ensure that every new vehicle which is placed on the road is thoroughly roadworthy. Each vehicle should be carefully tested before it is passed as being fit for driving on the roads. Let that be the first exercise—to ensure that every vehicle is safe to travel at 65 miles per hour.

The Hon. G. C. MacKinnon: Have you noticed that the three cars which are listed as the world's safest are a long way from being the world's biggest sellers? It gets back to the individual again.

The Hon. E. C. HOUSE: I agree, but vehicles which have a large number of safety features built into them by the manufacturer are fairly costly.

The Hon. G. C. MacKinnon: No; the 1800 is not a costly car.

The Hon. E. C. HOUSE: I am talking about cars generally, and not one particular make. I would not allow a newly-licensed driver, or an inexperienced driver, to drive some vehicles because they are not safe under any conditions. I consider that I drive fairly well, and I have driven a large number of miles, but I have had some rather tricky times and some anxious moments with cars that were virtually

brand-new. I think we should strike at the very root of this problem—make sure that a vehicle is roadworthy before it can be marketed.

We intend to go to all this trouble of inspecting vehicles at fixed intervals—testing the brakes and so on—and yet even with new cars—and I am talking of the average makes—the moment one drives through water the brakes are useless. If one has any braking power it is only by virtue of the fact that first one wheel grabs and then the other, which is probably worse. I would like someone to interject on me to deny that after one has driven through water the average car has virtually no brakes. I do not think it can be denied.

The Hon. G. C. MacKinnon: Yes, you can if you have disc brakes.

The Hon. E. C. HOUSE: But not many cars have disc brakes.

The Hon. G. C. MacKinnon: The public have the option of buying those cars.

The Hon. E. C. HOUSE: It means that virtually every new car in the country—because most country cars have to go through water at some stage during the winter—is unsafe.

The Hon. G. C. MacKinnon: If it has drums.

The Hon. E. C. HOUSE: That is so.

The Hon. S. T. J. Thompson: Or disc brakes.

The Hon. G. C. MacKinnon: The public have the option of buying cars that have disc brakes, but they still will not buy them.

The Hon. E. C. HOUSE: Half the time they probably do not know.

The Hon. G. E. D. Brand: You want to test them after you drive out of the water.

The Hon. E. C. HOUSE: The point I want to emphasise is that all new models should be given a thorough test before they are placed on the market. I think much could be gained from this because generally speaking, cars, by being passed from owner to owner, will travel through their lifetime up to 200,000 miles under all conditions.

We can use the classic example of the F111 aircraft. Look at the faults in that! It has taken three years to iron out its troubles, and it is not permitted to be put into general use until all its faults have been cured. The Starfighter—the F104—is another aircraft with which there has been a considerable amount of trouble. A total of 100 German pilots were killed through faults in that aircraft. Most of these accidents could have been prevented had the faults been rectified from the beginning.

The proposal in the Bill might work out in the metropolitan area, but I think it will present many difficulties in the country. In the main, country shires will be put to a great deal of expense if they have to install extra facilities. If the shires do not install their own facilities vehicles will have to be taken to the local garages and then the scheme would be open to all sorts of abuses because of the types of people available to do this work. It will not be an easy exercise because some shires have 3,000 to 5,000 vehicles in their districts and they will have to be inspected every year. At $1 a time the cost will nowhere near be covered.

The Bill says nothing about the payment of the inspection fee, or what it will be. I cannot find any reference to it. Under the Commonwealth Aid Roads Agreement the country shires will retain $3 for the control of traffic.

The Hon. T. O. Perry: It is not for the control of traffic.

The Hon. E. C. HOUSE: That is what will be kept out of the licensing money. Mr. Perry disagrees? How much do they get out of the license fee for vehicles?

The PRESIDENT: Order! Will the honourable member please address the Chair.

The Hon. A. F. Griffith: We on this side would like to hear what is going on, too.

The Hon. E. C. HOUSE: No-one has explained where the extra money—over and above the $1—will come from. Who pays it? I ask that because the inspection will cost far more than $1 and I do not think it is fair that we should even suggest that it might be done for $1.

Mr. White went into a fair amount of detail about the roadworthiness of vehicles, and that is a most contentious point. Where do we stop and start with this matter? I have been told that one of the main points which will be looked for will be oil leaks to prevent oil being spilt on the roads. Apparently it is considered that if less oil is spilt on the roads it will prevent cars from skidding. But even a new car starts to leak oil after a few months. It is very difficult to stop, and even to try to stop it is an expensive proposition. However, such aspects do not have much bearing on the roadworthiness of a vehicle.

In my view something as important as this—and I do consider it important because the measure will affect 300,000 vehicles—should have been dealt with on its own. Surely a Bill dealing only with this aspect should have been introduced. The public of Western Australia deserve that much consideration. The provisions should be set out so that they can be understood perfectly before they are foisted onto the public. We should know exactly where we are going and what is involved in the inspection of vehicles, because I think everyone admits that only a small percentage of accidents are caused by unroadworthy vehicles.

Mr. Clive Griffiths said he would be quite prepared to vote for this Bill even if it resulted in an improvement of only 1 per cent. I do not think that is good enough. In view of the cost involved, and if the improvement in the accident rate is to be only 1 per cent., I do not think it is worth while. If we want to do any good we have to tackle the problem in the proper way. Also, we must take into account the cost involved and I do not think it would be wrong to suggest that perhaps the Government should provide some compensation in the initial stages.

Earlier the Minister for Health asked me how many country shires today were carrying out voluntary tests on vehicles. Most of them are and they are doing a good job. However, I think they need slightly better facilities because I do not believe that simply crawling under a vehicle to see if it is in good order is sufficient. I think even putting a car on the hoist is not good enough. In my view each wheel should be jacked up independently so that the kingpins and the wheels generally can be tested.

With most country shires the traffic inspectors know the vehicles in their districts and they call them in for a test at any time the inspectors see fit. They inspect the vehicles that they are almost certain are faulty, but they inspect others as well. If we encouraged that sort of thing, but perhaps went a little further, instead of having compulsory testing, I think we would be just as well off.

When we consider the amount of money that will be involved in compulsory testing of vehicles, I think we would be better off if we employed extra police patrols. They could carry out spot checks on the road and the patrolmen would have the power to order a vehicle to be taken in for a thorough test.

The Hon. Clive Griffiths: Who pays for the initial tests that the shires do now? Where does the money come from and who does them?

The Hon. E. C. HOUSE: They are carried out by the traffic inspector.

The Hon. Clive Griffiths: But who pays for them?

The Hon. E. C. HOUSE: They are paid for by the council.

The Hon. Clive Griffiths: Then under this Bill they will get a dollar for each inspection as well.

The Hon. E. C. HOUSE: But look at the thousands of vehicles that will be involved. At present the traffic inspectors in the shires carry out only odd inspections where they have a shrewd suspicion about a vehicle. They can carry out other inspections as well and I think that is the better way to overcome the problem than to provide for compulsory testing.

The Hon. Clive Griffiths: I was under the impression—

The PRESIDENT: Order. The honourable member should disregard the interjections.

The Hon. E. C. HOUSE: He is not worrying me, Mr. President. The shires can carry out an inspection every time a vehicle is relicensed, but I think probably the best thing to do, if we want some legislation in this regard, is to provide for compulsory testing every time there is a transfer of license for a vehicle. No vehicle should leave a secondhand car yard until it has been thoroughly tested. In my view that is the first essential.

In this regard I am not contradicting myself because the person who is concerned about his own safety will ensure that he has a roadworthy vehicle. He takes pride in the fact that his vehicle is in good order and if he knows that it will be tested thoroughly when he comes to selling it, I am sure it will make many people take greater care of the roadworthiness of their vehicles. I think that is the wisest thing to do. As I said earlier, I believe all the details as regards testing and so on should have been set out so that everybody would know what had to be done instead of putting the provision in the middle of the Bill in the form of just a few words—a provision which will have such an important effect on the people of Western Australia.

THE HON. G. W. BERRY (Lower North) [4.44 p.m.]: I rise to support the measure. Much criticism has been levelled at the Government to the effect that it is not doing enough to arrest the road toll, and probably that criticism is well-founded. However, this Bill is another effort by the Government to do something about the problem, and I have no doubt that the move has been made after a lot of thought has been given to it and much information and many recommendations have been received.

I must agree with Mr. Ron Thompson, because I think the time has come when we should undertake a comprehensive study of the cost of traffic accidents.

The Hon. L. A. Logan: The *Daily News* has just done this.

The Hon. G. W. BERRY: We might have a further look at some of the suggestions which were made. I do think, however, that some Governments action should be taken in this respect with a view to getting to the root of the trouble. I know this is not an easy problem to solve, and I do not for one moment suggest that I can solve it, or offer any suggestion that will assist in solving it, and while this legislation might appear odious to some people, and while it might not have all the virtues it should, it is at least a step in the right direction by the Government.

I do ask the Government, however, to endeavour to prepare a plan whereby we might see where the greatest trouble lies. I think it is very important that we get to the root of the trouble.

THE HON. F. R. H. LAVERY (South Metropolitan) [4.46 p.m.]: I do not propose to say very much on this Bill, because anything that can be done by the Government, or anybody else, to retard the accident rate on our roads should be given the most careful consideration.

I must say, however, that I am certainly not in favour of clause 3 as it stands at the moment. I have not been given sufficient information to enable me to tell the people of the district which I represent that the Government is doing the right thing by adopting the principle of vehicle examination once a year.

I do not mean to be facetious, but I think that we might achieve some results if we could co-ordinate the activities of the Health Department and the Police Department in an endeavour to carry out an annual examination of drivers of motor vehicles. I feel this might get us somewhere.

I happen to be a member of a standing committee which I think is of some importance in this State. As a member of this committee I represent over 6,000 drivers who are members of the Transport Workers' Union. This committee met a short while ago and made a few comments on the matter under discussion. It is rather coincidental that the quarterly meeting of the committee coincided with the time the Bill before us was being introduced.

After a study of this matter of vehicle checks, which lasted one and a half hours, the decision made by the committee was to refer the matter back to the executive so that as soon as the information was to hand that annual checks were to be undertaken a recommendation could be made that these should apply to commercial vehicles only. The reason for this is that the committee considered that the cost to the motorist, and the labour involved, in requiring each private vehicle to be separately examined is, at the moment, beyond the resources of the State, both in manpower and facilities.

The meeting also gave consideration to the fact that there are certain types of vehicles on the roads which rust rather more quickly than others, and we believe that the work done by the people employed in the traffic branch in examining these vehicles and placing various coloured labels on them is of great advantage and should, in fact, be further advanced.

The committee believes that some of the money which it is proposed to spend on these vehicle checks should be spent, as was mentioned by another speaker, on the appointment of additional staff to the traffic branch. While on this subject, I might mention that it was generally considered that the type of traffic policeman who is operating on the road at the moment is doing an excellent job, and it is certainly not possible to criticise the work these officers are carrying out. They should be highly commended.

The committee further thought that finances associated with the general annual checks could be used to greater advantage by putting more traffic police on the road and increasing the spot checks being carried out at the moment.

The decision of this committee will be sent to a very high executive involved in transport matters in this State. The Transport Workers' Union believes that the types of vehicles which should be kept in an excellent condition are those involved in heavy duty work in the city, the near city, and the country areas; those carrying heavier loads, longer loads, wider loads, and, as Mr. George Brand said, higher loads.

Only a few days ago a transport driver driving a semi-trailer truck found himself in trouble and though he applied his brakes he was involved in a three vehicle accident.

The Transport Union believes that it would be of great benefit if further inspections were carried out in connection with heavy duty vehicles as with taxis and omnibuses, because there are something like 1,700 taxis and omnibuses at present on the roads.

Buses and taxis have to undergo a very rigid inspection indeed. Having worked with the Metropolitan Bus Company for a number of years, I know this to be correct. The Transport Union also feels that it is not necessary for this extra imposition of an annual check to be placed on the ordinary, everyday, motorist.

I am sure that any one of us who was required to have his vehicle inspected would, before taking it for the inspection, be certain it was in good order. I know I certainly would, because I could not afford to have my vehicle off the road for any longer than is necessary.

I cannot quite agree with Mr. House when he says that some of the garage proprietors do not carry out their work properly. I feel that some of them are not capable of carrying out this work to the required standard. So far as the city motorists are concerned, I think Mr. Clive Griffiths made a good point when he said that some of the vehicles would not do more than 6,000 miles a year. If the garage one patronises is not able to look after a vehicle that does only 6,000 miles a year, then, I suggest, that another garage be patronised.

The matter of having three check points in the metropolitan area seems to me to be almost a farce. There are close on 300,000 vehicles in the metropolitan area,

and if it is necessary for these to be processed each year at three terminal points in the metropolitan area, one can imagine what the queue will be like. It will be very similar to queuing for a football match.

I have known brand new transport trucks which have taken three hours to pass through the traffic testing point at East Perth. Only 12 months ago I was involved in one of these tests carried out by the Traffic Branch. The test took three hours. It is quite ridiculous to say that such a test would only take 10 minutes, because it takes as long as that to have one's car filled with petrol.

Apart from clause 3, I support the Bill. The Transport Workers' Union is not happy with clause 3, but it supports further spot checks of heavy duty vehicles.

THE HON. S. T. J. THOMPSON (Lower Central) [4.48 p.m.]: I propose to say a few words on clause 3 of the Bill. First of all I would like to make some reference to this clause and its effect on the country motorist, though I am ready to go along with the reservations expressed by Mr. White and say we are prepared to wait and see what the effect of the regulations will be. We have no idea what they contain at present.

At this point I would like to comment on a statement made by Mr. Ron Thompson. He indicated that in some country shires it was possible to obtain a motor vehicle license without much difficulty. I can assure the honourable member that it is not possible to do so in my electorate, where there is a system of voluntary checks which works very well.

The traffic inspector is fairly familiar with the vehicles in the district and these vehicles are called in for checks before a license is granted. This works reasonably well in many of the country shires.

I cannot go along with the views expressed by Mr. House regarding his experiences at service stations. I would only say he has been particularly unfortunate, and I suggest that he come to the Lower Central Province where I am sure he will get better service.

I visualise that there will be quite a lot of problems associated with inspections in the country shires, particularly when the inspections are made to cover all types of vehicles. I take it that we will gradually work up from cars of different ages—that is, from the older cars to the eventual inspection of newer cars.

The Hon. A. F. Griffith: That has already been stated.

The Hon. S. T. J. THOMPSON: It would be quite impossible for shire councils to set up inspection points with a qualified man in attendance to carry out inspections at $1 a car.

I think it would perhaps be possible to allow authorised garages to issue these certificates when cars are being serviced. My own car is serviced about every six weeks. Mr. Clive Griffiths indicated that this hinges on the number of miles one's car travels. That is so. Most cars affected by this provision would be serviced at least twice a year and this suggestion would allow a spread of inspection among garages for, perhaps, an additional $1. It may be possible to implement such a system on that basis.

However, it will be necessary to wait for the regulations. I am pleased to indicate my support for clause 3, but I look forward to seeing the regulations.

THE HON. V. J. FERRY (South-West) [5.1 p.m.]: I wish to support this measure in principle. In view of the remarks that have been made, and the somewhat lengthy debate, I do not propose to take up much time of the House. It is not my intention to repeat what has already been said. Nevertheless, in view of the nature of this measure and its importance to all of the people in this State, I must at least record some brief comments.

I cannot help but say that in due course, I will certainly be watching closely for the proposed regulations. Like so many other members in this House I feel there are many aspects that are as yet unanswered and I am hopeful that when the regulations are framed they will indeed be fully practicable in all the varying conditions which pertain to the State of Western Australia.

It has occurred to me—as it has to other members—that on the surface, the $1 per inspection appears inadequate for a satisfactory inspection to be carried out. However, I go along with the suggestion that when a vehicle is regularly serviced a suitable certificate or something of that nature could be issued to satisfy the conditions of the licensing authorities. This is something that may be well worth while considering.

I am particularly concerned over the possible inconvenience to members of the motoring public who have to have these inspections carried out. I feel there is room for inconvenience not only to employees, but also in the fact that many man-hours could be lost to employers. If this be the case, the inspections will cost the country a great deal of time and loss of earning capacity. That is a point which could well be taken into consideration when the regulations are being formulated so as to keep this disability to the lowest possible minimum.

I am particularly concerned about motorists in country areas as I am keenly aware of the problems which garages and service stations experience in the country, although this applies equally to the metropolitan area. There is great difficulty in

obtaining trained and efficient staff. This particular problem is not only experienced by the motor trade, but by many other industries as well. It is one feature that worries me a little if we use existing garages and service stations to do this work. In country areas they are generally very busy coping with the build-up in trade that is occurring in the motor industry and they will not have sufficient time to carry out the service under this measure.

I support the Bill in principle because I believe it is a basis on which some further good can emanate which will protect ourselves from ourselves. There are so many accidents today, the position is not funny. Even today coming into the city from a metropolitan suburb I passed an accident with an ambulance in attendance. I do not know the cause of the accident, but it gave me a sharp reminder and I drove very carefully until I arrived at Parliament House. I realised that accidents can happen. With those general remarks I support the Bill and the principle it contains, but I wish to have it recorded that I will closely study the regulations when they are available.

THE HON. N. E. BAXTER (Central) [5.6 p.m.]: This Bill which has been brought to us in the last few days of the session contains, I believe, a contentious clause. I refer to clause 3. We have been told that the Minister for Police and Traffic set up a committee in 1964 to go into the matter of the compulsory testing of vehicles. That committee comprised representatives of the Police Department, the National Safety Council, the Royal Automobile Club, the Chamber of Automotive Industries, and the Automobile Chamber of Commerce.

We have been given to understand that this committee did quite a lot of research on the matter over quite a period of time, and carried out research in many overseas countries. It seems strange to me that after all this research and investigation by a committee appointed five years ago we should receive a Bill with such a provision as clause 3, which provides for certain vehicles to be examined. The Minister may, by notice in the Government Gazette, prohibit the issue or renewal of a license in respect of a vehicle in any part of the State, unless it has been examined. The balance of the clause deals with the regulation-making powers as to how the examination and checking of vehicles will be carried out. It also prescribes the standards of training for those persons who will do the checking and the testing of vehicles.

I am surprised that the committee did not make some recommendations and draw up a plan that could have been incorporated in the legislation, without our having to wait until later on for the regulations to be drawn up. It is five years since the committee was appointed, yet all we have is a skeleton of what the measure proposes to do.

I agree with Mr. Syd Thompson and Mr. House that a separate Bill could have been introduced; or, failing that, a schedule could have been included in this Bill setting out what is proposed. In regard to periodic testings, the Australian motor vehicle standards require the testing of brakes, headlights, rear lights, turn signals, reflectors, steering and suspension, wheels and tyres, glazing, warning device, exhaust system, rear vision mirror, windscreen wiper, electric wiring and battery, and so on.

We have been given to understand that the test under this measure will not be so comprehensive and will be confined to steering and suspension, rust, doors, lights, and brakes. I am wondering how long it will take to perform this type of check, and what it is going to cost. Mr. Syd. Thompson and Mr. Ferry suggested that a certificate of road worthiness be given at the time a vehicle is serviced.

If the steering of one's vehicle has to be checked, this cannot be carried out while the vehicle is on a hydraulic hoist. Immediately a car is placed on a hydraulic hoist the springs stretch and the steering parts become tight, irrespective of whether they are worn or not. Neither the steering nor the king pins can be tested.

The Hon. A. F. Griffith: When the car is up in the air you cannot reach the steering wheel anyway.

The Hon. N. E. BAXTER: A car can be hoisted to any height one likes. However, at present, the steering wheel is not used in testing the steering. Surely the Minister can give me some credit for knowing a little about this sort of business. When the service is being carried out in a garage it is necessary to independently jack up each wheel.

The Hon. V. J. Ferry: This could be incorporated at the time of service.

The Hon. N. E. BAXTER: I take my car to the Havelock Service Station for servicing. An efficient mechanic is employed, and practically the whole of his time is taken up in the servicing of cars, leaving him little time to do what the honourable member suggests. If it were incorporated, it would be over and above normal service, and an additional charge would be made.

The Hon. W. F. Willesee: My word, it would.

The Hon. N. E. BAXTER: That is not the whole requirement under this system. It is necessary for two men to be employed on a thorough check—one man to operate the wheel while the other man checks the parts.

The Hon. E. C. House: The police would not do this.

The Hon. N. E. BAXTER: Of course not. The steering check provided for in the regulations will probably be only a cursory one. However, a thorough check should include an inspection of the king pins, pinions, and other parts to see if they are dangerously worn. Immediately there is wear in the king pins and pinions, it is not possible to align the wheels or correct the castor and camber. It would take two men, working efficiently, 10 minutes to make this check.

Then the car has to be checked underneath for rust; the doors have to be checked, as well as the lights, and suspension generally. As far as the lights are concerned, it is necessary to check dazzling beams to see that they do not shine too high. For this purpose it is necessary to have a screen or a wall marked with a line in order to see whether the light beam is too high or too low. All this would take about 20 to 25 minutes. Then we come to the matter of checking the brakes. I think other members have spoken on this matter. Mr. Ron Thompson stated what an efficient check of brakes entailed.

I know that if the people I have mentioned were asked to check the brakes, they would not be satisfied to take the car out on the road, as the police do, and jam the brakes on to see if they are efficient. Those people know what can occur with brakes. They may work efficiently on the road, but could break down half an hour later. This means that the car needs to be jacked-up so that the wheels can be removed and the drums and linings checked. Also, the brake cylinders have to be checked to see that there are no leaks.

On a normal car such as a Holden, which is an easy type on which one does not have to use a wheel puller, the whole check including the brake check takes about an hour. I doubt if the job could be done efficiently in less than an hour. We checked the time yesterday and it was 45 minutes, but extra time would be required to check the lights to see if they were adjusted correctly. An hour would be an average time because some cars need a wheel puller to get the rear wheels off. The ruling rate for labour in garages is $4.25 an hour, and I cannot see that a reasonable check could be done for $1. Whatever was done for $1 would be absolutely useless and would not create one element of safety in a scheme such as this.

The Hon. F. R. H. Lavery: They say 10 minutes.

The Hon. N. E. BAXTER: That would be a waste of one's time. It would take 10 minutes to check the minor items, such as lights and rust.

Hon. F. R. H. Lavery: How long would one have to wait in the queue?

The Hon. N. E. BAXTER: As Mr. Lavery has interjected one would have to queue at the checking station. Three checking stations are to be constructed in the metropolitan area—one at Balga, one at Bentley, and one at Melville. It will depend on the class and type of car which has to be checked how long one will have to queue. There is still a possibility, even with staggered licensing, that the wait could be for one or two hours which could be very annoying and very costly to a lot of people.

If local authorities in the country areas are to be asked to set up testing centres it will be a costly business. A pit will have to be installed with plates so that the wheels of the cars can be jacked up. There will also need to be a testing section for lights.

The Hon. G. C. MacKinnon: The point is that some country local authorities check vehicles now.

The Hon. N. E. BAXTER: Some do a cursory type of check now.

The Hon. G. C. MacKinnon: They do a check but I do not know how cursory it is.

The Hon. E. C. House: They get down on their hands and knees and look underneath the vehicle.

The Hon. N. E. BAXTER: The minimum-sized pit required for the testing of vehicles would have to be five or six feet deep with plates so that a car could run onto the pit and be jacked up for the tyres to be checked. The pit would be a costly item. Added to that cost would be a set-up to check lights. It will not be a cheap matter for local authorities to set up the checking stations.

Then, men have to be obtained to do the testing. This raises the point: Where do we obtain these people? Trained men are required and an ordinary mechanic cannot be put into this position. A lot of mechanics are efficient, especially on automobile engines, but when it comes to steering they are lost. Being interested in this business I know we have had to train mechanics so that they could work on suspension systems and wheel aligning.

This could involve a training centre to be set up which would be another cost. Even if a local authority does not put in such a set-up, but has the work done at a local service station, efficient men are still required to test the vehicles. I do not know where these men can be acquired. If they are capable of doing this work they can get a good job in a fair-sized garage in the city and they will not go to the country.

The money involved in setting up the testing equipment—from what we can gather it will be prescribed in the regulations—could not be paid for at the rate of $1 per car. The whole system could turn out to be a millstone around the neck of the Police Department if it is to charge

only $1 for checking a car. It will be a millstone around the neck of any local authority which sets up a testing centre because if it is laid down in the regulations that the charge is to be $1 then the local authority will have to subsidise the checking.

Local garages, of course, will not take on the testing at $1. We have received this Bill in the last few days of the session and suddenly it becomes urgent to get it through. There will only be a few months before we start another session of Parliament and this Bill could be dealt with in about four months from now.

The Hon. F. J. S. Wise: There will be a session in June.

The Hon. N. E. BAXTER: A June session is mooted but it will be short-lived. After five years, what is the great urgency to get this Bill through at this stage? Let the Government produce a Bill giving us something to go on so that we know what is actually proposed. We do not know what is proposed in the regulations, and we cannot estimate the cost to the authorities in the metropolitan area or in the country.

I believe that the money to be employed on the testing could be very much better used in controlling traffic. There is a shortage of traffic patrolmen; one can drive along the road through the city and round the city at any time and see glaring examples of breaches of the Traffic Act. However, one might drive two or three miles without seeing a policeman, and then perhaps see two or three. I think the money spent on this scheme could be better used in employing traffic patrolmen to see that breaches are not committed and to see that people keep within the regulations and drive properly. I feel I cannot genuinely support this clause in the Bill because of the facts I have outlined.

Adjournment of Debate

THE HON. H. C. STRICKLAND (North) [5.26 p.m.]: I move—

That the debate be adjourned until Tuesday, the 17th June.

Motion (adjournment of debate) put and negatived.

Debate (on motion) resumed

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.27 p.m.]: At least, Mr. President, that vote woke some of us up. I think I have mentioned in this House more than once before when dealing with traffic Bills that the Romans, I understand, used to impose some legislation on people who consumed more alcohol than they should in order that the chariots would not bump into each other.

I thought it might have been interesting if we had been able to cast ourselves back to those days to listen to what the honourable members of the Roman Senate might have said when the Government of the day—Caesar and his compatriots—thought it was time to do something about the number of people being killed.

The Hon. J. Dolan: The drivers had to drink alcohol to be game enough to drive them.

The Hon. A. F. GRIFFITH: Some of them did not. However, the fact remains that in the life of this Government—in the last 10 years—and in the life of other Governments, Ministers for Police have introduced legislation into Parliament, from time to time, in an endeavour to reduce the death rate on the road.

It has been my privilege—I suppose, doubtful, from what I have heard from some members—to introduce on behalf of the Government in this House practically every one of the Bills to amend the Traffic Act. I have done this on behalf of the Minister for Police.

I want to say at the outset that instead of its being said of the Minister for Police that these Bills are to satisfy his ego—that is positively ridiculous and absurd—members ought to have enough stomach to say to themselves that the Minister for Police has, over a period of a number of years, had sufficient courage to introduce legislation into Parliament to try to stop people from killing each other.

The Hon. R. Thompson: Do you think this will stop people from killing each other?

The Hon. A. F. GRIFFITH: That is beyond the point. I take it poorly when one member will get up in this House and say that a piece of legislation of this nature is here to satisfy the ego of the Minister. That is tripe—absolute tripe.

The Hon. R. Thompson: That is your opinion.

The Hon. A. F. GRIFFITH: It is my opinion and I will stick to it. I repeat: Mr. Craig has shown a lot of courage and has also come under a great deal of criticism every time he has tried to do anything. People from so many sections of the community write letters to the Press, talk at parties, and say all sorts of things to each other, and on top of all that we get the knockers.

I thought I would start my speech tonight by saying, "Knock, knock, who's there?" and members know what follows after that.

The House should forgive me if I get upset about this, but this Bill is another genuine attempt to try to reduce the death rate on the roads. We decreased the maximum speed limit and some people said, "That is no good", but they did not

come forward with an alternative suggestion as to what was good. We introduced the probationary license. People again said, "That is no good", but again they did not come forward with any worth-while suggestion as to what would be good.

The Hon. R. Thompson: I think both those amendments were good.

The Hon. A. F. GRIFFITH: I am speaking of the people in the community. We introduced the breathalyser test—and Mr. Ron Thompson tried to blow the top off it—and people said that was not any good.

The Hon. R. Thompson: That is not right.

The Hon. A. F. GRIFFITH: The honourable member was in the corridor with his cheeks bulging out trying to blow the top off the breathalyser and I thought he was going to burst a blood vessel.

The Hon. R. Thompson: I only did what the police sergeant told me to do.

The Hon. A. F. GRIFFITH: The fact remains that the legislation introducing the breathalyser test has had the desired effect and there are a number of people now—

The Hon. R. Thompson: Could I refresh your memory on something? I did not oppose the breathalyser test. I opposed the manual control of the breathalyser and that is what has been altered.

The Hon. A. F. GRIFFITH: And that was when the honourable member nearly burst a blood vessel when he tried to blow the top off the breathalyser.

The Hon. F. J. S. Wise: Was not Mr. Clive Griffiths involved in that, too?

The Hon. A. F. GRIFFITH: I do not know. I would venture to suggest that every member in this House who is accustomed to having a drink, and every member of the community who is accustomed to having a drink has said to himself, either silently, or not so silently, "I had better watch out now," and I think the breathalyser has had some effect.

In respect of the testing of vehicles, Mr. Ron Thompson has said that this is not the right time to introduce it. When is the right time?

The Hon. R. Thompson: Put my remark in proper context.

The Hon. A. F. GRIFFITH: In my opinion the right time to introduce it is now. Once more the Government is making an attempt to see what it can do about reducing the accident toll on the road.

The Hon. E. C. House: I did not oppose the legislation.

The Hon. A. F. GRIFFITH: To date I have not mentioned the honourable member's name, but I intend to. Mr. R. Thompson and some other members would say, "Let us spend this money on appointing more policemen." I wonder how popular it would be if the Government decided to increase taxation by $1 per head so that it could appoint more policemen to inspect more vehicles than they are inspecting at present.

The Hon. R. Thompson: That is only 3 per cent.

The Hon. A. F. GRIFFITH: I am not concerned about percentages; I am more concerned with what the Minister for Police and the Government is intending to do.

The Hon. R. Thompson: You are penalising 97 per cent. of the people for the sake of 3 per cent.

The Hon. A. F. GRIFFITH: That is the opinion of the honourable member. If he wants to knock something he will do all he can to blow up a case in an attempt to prove it is not satisfactory. We often hear people on the street say, "Why don't they do something about it?" and by "they" they mean the Government. How often have members heard people say, "This is pretty bad; why don't they do something about it?" It would not matter what Government was in office, the same remark would still be made. This means that the Government has to do something about it, and if it does not it gets the blame just the same.

The Hon. R. F. Hutchison: You used to do some of that when the Labor Party was the Government.

The Hon. A. F. GRIFFITH: But the Labor Party did not introduce any decent legislation like this.

The Hon. F. J. S. Wise: You could not have carried on if it had not.

The Hon. A. F. GRIFFITH: No, the introduction of the Supply Bill was a necessary thing. The Government is accepting the responsibility. I would suggest that instead of some members adopting the attitude they have adopted, they should get alongside the Minister for Police and his department to see what can be done in regard to the inspection of vehicles. I respect the views of members, and I can assure them that the matters they have raised in respect of clause 3 of the Bill will be brought to the attention of the Minister for Police, because judging from the comments that have been made I am sure some worth-while proposals will flow from them.

However, I ask members not to remove the teeth of the Bill in respect of vehicle inspections because they do not know exactly what is to happen; because there is some doubt whether the police will get the job done in 10 minutes for $1.

I would not like it to be taken as a lead, but if the inspection costs twice that much it would be a small price to pay to save the life of one individual.

The Hon. R. Thompson: There is no guarantee it will save the life of one individual.

The Hon. A. F. GRIFFITH: Of course there is no guarantee; no more than there is a guarantee that a speed limit of 65 m.p.h. in one area and 35 m.p.h. in another will save the life of any one individual. With some drivers it would not matter what the Government did, they would still involve themselves in accidents. One might as well give them a rifle and let them make a complete job of it, when one sees what some drivers do on the roads on occasions. Mr. Clive Griffiths made the point that if this did not save the lives of a few people, surely it is worthwhile as representing another step towards solving the problem eventually.

If we do not do something like this and just sit on our backsides and do nothing, the Government will be criticised because it has done nothing to reduce the death toll on the roads. All members know that that will be the position. We all know that the Government is trying to do something important to solve the problem so that vehicles, after they have been inspected, will be in a reasonably safe condition to drive on the roads.

During my second reading speech I made a point for the benefit of Mr. Ron Thompson that there are many old vehicles which do not have many mechanical defects, and the same could be said of vintage motor cars. The owners of such vehicles are very proud of them. However, with a man in control of a motor vehicle who, because of its bad mechanical condition is virtually trying to mow people down on the road, it is far better, in his case, to subject the vehicle to an inspection so that it will be made roadworthy.

The Hon. R. Thompson: I think the police patrolmen have done a wonderful job in this respect.

The Hon. A. F. GRIFFITH: The patrolmen cannot carry out all the inspections that will be necessary under this legislation. It is not envisaged that there will be a great stream of vehicles proceeding to any one point to be inspected almost immediately. It might take a year or a little longer to get this scheme under way. The machinery has to be set up, officers have to be appointed to do the job, and so it will take a little while. What the Government asks members to do is to accept the principle of vehicle inspection, and if they do the Minister for Police has said he will have the green light to go ahead to frame the regulations, and obtain the necessary equipment so he can get under way.

Once that happens inspections will be made of vehicles of 10 years or over, and then the officers concerned will gradually work up to the point where annual inspection of vehicles can be made. It is not envisaged that it would be possible, by the flick of a switch, to do this overnight, because it will take time. I am not debating the clauses of the Bill, because this is a different function, but judging from the remarks that have been made on the Bill I think it is safe to say that it will have a safe second reading. Clauses 3 and 6 are the only contentious clauses.

The Hon. R. Thompson: You could qualify your last statement that it will take 12 months before a commencement will be made on vehicle inspections. If you look at your notes you will see that you said that the scheme would be introduced about the same time as the "P" plates for probationary drivers, and that is about the 1st May.

The Hon. A. F. GRIFFITH: Today is the 1st May.

The Hon. R. Thompson: I realise that, but now you tell us it could be 12 months or more before the legislation is put into effect.

The Hon. A. F. GRIFFITH: For the edification of the honourable member I will tell him something else. As a result of what I have heard on the subject I approached Mr. Craig and asked him, "How long will it take to get this under way?" Whatever I said in my notes was not intended to be misleading, but the Minister for Police told me it would be about 12 months before the scheme was put into operation.

The Hon. F. R. H. Lavery: That is more like it.

The Hon. A. F. GRIFFITH: I will not debate the clause in the Bill, because there will be more debate on it. Clause 6 is another contentious clause, but I think I can allay the fears of members on that, because I have an amendment on the notice paper which I hope will be more acceptable than the clause itself. In conclusion, I might say that on behalf of my colleague, the Minister for Police, I can assure members that the regulations will be drafted if members will permit the passage of the Bill and they will be tabled in Parliament before the scheme is put into effect. Surely members cannot ask for more than that?

The Hon. R. Thompson: Will you repeat that?

The Hon. A. F. GRIFFITH: Do you want me to repeat it?

The Hon. R. Thompson: Yes, I missed a couple of words.

The Hon. A. F. GRIFFITH: I should write a little personal letter to the honourable member for his own benefit.

The Hon. R. Thompson: That would be very nice.

The Hon. A. F. GRIFFITH: I have been told to assure members, on behalf of my colleague, the Minister for Police, that he will be able to have the regulations framed if the Bill is agreed to, and place them on the Table of the House before the scheme is put into operation.

The Hon. W. F. Willesee: Do you think you could sing it once more?

The Hon. A. F. GRIFFITH: No, not even to please Mr. R. Thompson. I do not want Mr. Ron Thompson to get up in the House, if we are here in July, and say that the Minister for Police has done nothing except prepare the regulations. The Minister has to obtain the land, the men, and all the equipment necessary to perform this function.

The Hon. R. Thompson: Will the regulations be gazetted before they are tabled?

The Hon. A. F. GRIFFITH: I will not tell the honourable member three times. Everyone else understands me, and it is completely unnecessary for me to repeat what I have said.

The Hon. R. Thompson: That is not in line with the point of view held by Mr. White on this.

The Hon. A. F. GRIFFITH: I am not concerned about that at this moment. I am simply telling the honourable member what the Minister is prepared to do, and I think that is very fair and reasonable. Members will then have the opportunity to study the regulations and even to move to dissallow them if they have any objection to them. What can be fairer than that? That is my final word on the subject, because I feel if this situation is unacceptable to those members who oppose clause 3, there is no hope for me to get any further in respect to this clause.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. F. D. Willmott) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 20B added—

The Hon. F. R. WHITE: During the second reading I sought an assurance from the Minister that the regulations applying to the provision in this clause will be tabled before they are gazetted. This is a fair request, in view of what has been done in the past in the case of other legislation. One other point I raised was the meaning of the word "roadworthiness." The Minister assured me that he would clarify this point.

The Hon. A. F. GRIFFITH: The reference made by the honourable member to what happened previously concerned arbitrary penalties for minor offences. The document tabled at the time showed the type of offences and the penalties that were prescribed in some other parts of the world. That was given as a guide for the basis of our regulations. Those regulations sorted themselves out to deal with about 20 offences, and everybody seemed to be satisfied with them.

Regulation 104 of the Vehicle Standards Regulations, 1965, states—

> 104. (1) A person shall not, stand, use or drive a vehicle, unless—
>
> (a) its construction, equipment and loading (if any) and every appliance fitted to the vehicle, whether obligatory or optional, conforms to these regulations;
>
> (b) every part of, or appliance fitted to, the vehicle, whether or not prescribed by these regulations, is serviceable; and
>
> (c) the vehicle is in such a condition as to be unlikely to occasion danger or unreasonable annoyance to any person or damage to any property.
>
> (2) A person shall not cause, permit of suffer a vehicle to be used in contravention of subregulation (1) of this regulation.

Regarding the use of the word "roadworthiness" I should point out that in the *Oxford English Dictionary* the word "roadworthy" is defined as—

> Fit for the road; in a suitable condition for using on the road. Hence roadworthiness.

If the Committee does not like the use of the word "roadworthiness" I am prepared to alter the provision in clause 3 to clarify the situation. The word "roadworthiness" appears in clause 3, line 19, page 2, of the Bill. The words in that clause "of roadworthiness has been issued for it, in accordance with" could be deleted and the words "has been issued that the vehicle conforms to" substituted. That part of the clause would then read, "and a certificate has been issued that the vehicle conforms to the regulations."

The regulations would be those that have applied. This is not a very important matter, because the meaning of "roadworthiness" is fairly well understood.

The Hon. F. J. S. Wise: I think it is not an inappropriate word.

The Hon. A. F. GRIFFITH: I make the offer that I am prepared to make the alteration I mentioned, but I agree that it is not an inappropriate word.

The Hon. N. E. BAXTER: I voiced my views on clause 3 during the second reading. I still maintain that it is not the nut on the wheel, but the "nut" behind the wheel which causes many road deaths and

accidents. As the committee has recommended the provision in this clause some five years ago, and as a great deal of time has been put into the consideration of it by the Minister, I am prepared to give this cumbersome method a trial. I think it will be very hard to implement, and I await the regulations when they are gazetted. I trust that when these regulations are gazetted they will prove to be worth while, and will not merely bring about the cursory inspection of vehicles.

The Hon F. R. H. LAVERY: I mentioned about vehicles having to queue up at inspection points. One cannot expect more than five vehicles to be checked in an hour, and if there are to be 50,000 vehicles to go through each check point in the metropolitan area—and we have been given to understand there will be three established here—it will take a considerable time. There are approximately 173,000 vehicles in the metropolitan area; if we deduct those which do not require inspection, we can safely say there will be 150,000 vehicles to be examined, and this means 50,000 at each of the three check points. If a straight flow of vehicles is to be maintained then a series of bays will have to be established, but it will be very costly.

I wish to make a correction of a figure I mentioned. I said there were 270,000 vehicles in the metropolitan area, but according to the *Western Australian Year Book, 1967*, that is the number for the whole of the State.

The Hon. R. THOMPSON: In my closing remarks on the second reading I said that if a schedule could be produced to show how this clause would operate, how the inspections would take place, and the cost of them, I would give my support to the Bill. I did not like the inference of the Minister that I was knocking the Bill. I was not doing that; I was knocking at what is not in the Bill. I am as conscious of the need for traffic control and safety, and of the need to prevent road deaths, as anybody else. I think we all share that view.

A worth-while contribution was made by Mr. Clive Griffiths. By interjection the Minister for Local Government said that it was not proposed to remove the wheels of vehicles during an inspection, but that it was proposed to test the brakes. That being the case the owner of a vehicle could dress the brakes in order to pass the inspection.

The point raised by Mr. Clive Griffiths is worth considering. He has one of the best type of car on the road; it has been checked every 3,000 miles; it has not done a very high mileage; and it is under very good warranty. He considers the brakes are very good, yet he can be pulled up. Only a person who has been servicing that type of car regularly and who can pick out the faults that I have mentioned is in a position to give a certificate of roadworthiness.

The inspections proposed under this Bill will ensure that a vehicle is safe for only the day it is inspected. After an inspection has been made of a vehicle its brakes could fail subsequently and the motorist could be involved in a very serious accident. I believe that the cost of an inspection will be more than $1. It has been said that the cost will be $5 or more, and I agree. These inspections will not achieve anything unless the wheels of the vehicles are taken off to reveal the brake linings and shoes.

I will vote against this clause for the simple reason that there are possibly six months before the regulations are tabled. We have been waiting since 1964, when the committee was set up, and in that time the regulations should have been framed. If we can examine the regulations and they meet with the approval of the House then they will have my full support, but I cannot support the imposition of a restriction or law on somebody without knowing exactly what it is.

The other point I wish to make is this: what will be the situation when these inspections are carried out to the full? Will it result in a total and complete examination?

Mr. Ferry raised a very valid point. Is this provision not going to be the cause of a great deal of absenteeism from work? I believe that many people will take a "sickie" in order to get their vehicles tested and this will cost industry thousands of dollars which would not normally be lost. This will certainly be the position unless centres are open during weekends and in the evenings. We know that an employer of only three cannot afford to have an employee take a "sickie" for this purpose and we can imagine the position of an employer of 400 or 500 people.

At this stage no-one could convince me that it will be possible for an owner to drive into a centre and have his vehicle checked immediately. When I went in to have my plates changed over to the reflectorised plates, I waited one hour and 35 minutes.

I believe that we should have some idea, even if it is only a rough plan, of where these centres will be situated. We do not know the number of vehicles it is proposed will be inspected each hour. All these things are important and we should know the answers before we decide the issue.

The Hon. CLIVE GRIFFITHS: I indicated during the second reading debate that I intended to support the Bill, even before the Minister's announcement that the Minister for Police had given an undertaking that the regulations would be tabled in Parliament before they were gazetted.

The Hon. A. F. Griffith: Before the record I had to play, you mean.

The Hon. CLIVE GRIFFITHS: Yes. If any member had any doubts before, that announcement should have dispelled them.

The Hon. R. Thompson: You know how hard it is to defeat regulations.

The Hon. CLIVE GRIFFITHS: It is to be hoped that members will vote in the interests of justice, in which case, if the regulations are bad, they will be defeated. Members have said that because of the thousands of cars which must be checked, many hours of waiting will be involved. Mr. Ron Thompson cleared that point up when he stated that a notification would be sent to an owner to report on a certain date. Obviously, those in control will send notification in relation to only the number of vehicles for which it is possible to cater.

The Hon. R. Thompson: They did that in connection with the reflectorised plates, too.

The Hon. CLIVE GRIFFITHS: That would be an entirely different kettle of fish because the police were not involved in changing the plates but only in issuing them. With regard to these vehicle checks, although I do not know, I visualise that the set-up will be such as to cater for an assembly-line inspection. It is not a service station which is designed to service and grease vehicles. Anyone who has ever been involved with any mechanical devices for checking purposes would be very conversant with the extremely efficient and quick methods available on an assembly-line basis.

Sitting suspended from 6.7 to 7.30 p.m.

The Hon. CLIVE GRIFFITHS: Before the tea suspension I was remarking that my thoughts on the inspection centres were that they would be set up similar to those where vehicles go through an assembly line. Such a line would be designed to pass vehicles through quickly, and it is therefore not unreasonable to assume that there would not necessarily be a long queue of people waiting which would result in absenteeism from work, and so forth, as has been suggested.

Until we know what the regulations are we are only guessing as to what will happen and what the position will be. Many years ago I used to live with my grandmother and she had a motto on the bedroom wall which I will repeat in the interests of those who are concerned about this clause in the Bill. The motto was—

> Worry is interest on trouble before it falls due.

I feel that those members who are concerned about this clause are worrying about a situation which they do not know will come to pass. Therefore, I think we are quite justified in agreeing to the clause and when the regulations are laid on the Table of the House we can speak definitely on what the procedure will be.

The Hon. W. F. Willesee: You seem to have a leaning towards regulations. I wonder if you will be our watchdog on regulations from now on.

The Hon. CLIVE GRIFFITHS: I will not be frightened to have a go, and if regulations which are tabled are not in keeping with the best interests of the people I will certainly be the first to move for their disallowance or amendment. I think a lot of the obstacles are purely guesswork and for that reason I believe we should support the clause.

The Hon. A. F. GRIFFITH: I think a good deal of the subject matter of the debate has been sorted out during the discussion on this clause in Committee, and there is no occasion for me to say anything else. Although I have not seen the system itself, I understand this very method has been operating satisfactorily in Canberra.

Mr. Logan tells me that he has seen the system operating, and he described it to me as a sort of assembly line. One man does part of the check, and another man does another part of the check, and it is done reasonably quickly. If it is working satisfactorily in Canberra, then is there not every reason to believe that it could work satisfactorily in Western Australia?

The Hon. R. Thompson: Do you know what the costs are in Canberra?

The Hon. A. F. GRIFFITH: No. The system has also operated in New Zealand for something like 30 years. I hope members will agree to the clause.

The Hon. E. C. HOUSE: There is not very much more I can say on this clause, but I would like to take Mr. Syd Thompson to task for saying that I was unfortunate in the selection of my garages. I do not think at any stage I mentioned any particular garage and, in fact, I quoted 45,000 of them in one instance. I was talking generally and I would like to put it on record and make it quite plain because I have had a good spin from my own personal garage. This is not unnatural because I have a fairly modern car most of the time.

Generally, the standard of mechanical work is like everything else in this State. Labour is in demand and quality mechanics are hard to get. One has to get down to that horrible qualification "acceptable standard". It has existed in the building trade for some time and now it applies to mechanical work.

On a previous Bill I spoke about the 65 m.p.h. speed limit and at that time I was probably about as unhappy as I am with this particular legislation. However, at the moment I think the 65 m.p.h. limit is one of the best restrictions ever applied by the Government. The speed limit protects the public against the unscrupulous manufacturers who produce cars with high horsepower motors and with bodywork and framework which would prove fatal if there were not a speed limit.

The Hon. R. Thompson: It has not reduced the death rate.

The Hon. E. C. HOUSE: That cannot be proved, but if the speed limit had not been introduced I believe speed would have been an ever increasing contributory factor to death on the roads.

The speed limit forces drivers to think while they are driving, and steadies down a lot of the younger people. In the long run the speed limit must prove to be of great value. So I could be quite wrong on this occasion also. Problems are associated with all these restrictions but they can be overcome.

I am very mindful of the eye test for the Air Force. It was very strict, but much to my amazement when I arrived at the embarkation depot waiting to go overseas I ran into a pilot who had only one eye. That just goes to show that a person who is determined enough can overcome this sort of problem.

I am pleased that we have been able to voice our objections to this measure. I think the Legislative Council is the place for this sort of discussion—or it was originally intended to be the Chamber for this type of discussion. Perhaps we deviate quite a lot at times, but it does not hurt to get back to that plane now and again. The vehicle testing has yet to be proved to be of any value. A vehicle can be tested, taken to the north over rough roads, and within a fortnight it could be in a bad state, but it might not be tested for perhaps another 12 months.

I think we ought to start at the beginning; that is, with the manufacturers. Brakes and tyres are a disgrace today. The same applies to windscreens. I rang up an insurance company recently when I was trying to find out how many windscreens are broken. I was told that the company did not have the number of broken windscreens, but the person to whom I spoke quoted two companies, one with 154 vehicles and another with 130 vehicles, and in both cases the breakages were 30 per cent. per annum. Surely something can be done about the windscreen problem.

I said I would not vote on this measure, but I hope this regulation proves as effective as everyone hopes that it will.

The Hon. N. McNEILL: Because of the comments which have been made I feel myself drawn into the discussion on this particular clause of the Bill. I must confess I find it quite remarkable to hear some of the comments made in respect of the principle of the Bill.

The principle contained in this clause is to establish a certain procedure in regard to the inspection of vehicles. It is not precise, but what Bill or law, or what section, or clause of a Bill is precise to this extent? Provisions will be set out in the regulations, and this Bill will be the foundation for the regulations. They will be set out in precise detail and in precise terms. How can anyone really be opposed to a principle of this sort? Governments, Parliaments and people have been criticised because of their non-conformity to certain principles in regard to road safety, traffic control, and various measures which are imposed in an endeavour to correct the situation which has developed not only here, but throughout so many other civilised parts of the world.

I noted that Mr. House referred to the Air Force. I wonder how many people have, at some time in discussion and in consideration of the problems that arise in regard to the use of motor vehicles, said that perhaps it is a pity we are not in a position to apply to motor vehicles rules and regulations similar to those which apply in respect of passenger aircraft.

The Hon. V. J. Ferry: Very stringent regulations indeed.

The Hon. N. McNEILL: Australia, as we know, is regarded as one of the most air-minded countries in the world. I have no statistics or factual evidence to substantiate what I am saying but surely it is because of the policing of the regulations which apply in the operation of commercial aircraft which enables people to travel with confidence.

Not only have the people of this country been able to travel in comfort, but our airline companies have been able to achieve a most remarkable record in air safety. Let us face it: it is not because of Acts or regulations, or clauses in Bills which prescribe certain conditions—although I would agree with some of the things that have been said—that the regulations and the laws covering aircraft are far more penetrating and go into far more detail than those governing motor vehicles. It is a pity we were not in the same position with vehicular traffic as we have been with air traffic, where we were able to start off at the very beginning and apply stringent conditions. Had we been able to do this with vehicular traffic the position might have been entirely different.

I would like to think that with the introduction of a Bill of this nature, and a clause of this nature, we are making a belated attempt to achieve a level of safety and a level of inspection which at some time in the future may at least approximate that which applies in the world of air travel. If such a level is achieved we may be able to produce the same record of safety as has been achieved with air travel in Australia. I think we can do nothing but support the principle as outlined in the clause. We will have the opportunity to examine the regulations made in just the same way as we have the opportunity to examine other regulations that come before Parliament.

It is inconceivable that we should hear, as we have heard on this Bill, that the measure does not do this or does not do that; that we have incompetence, insufficient numbers, and so on. By a clause

such as this we are attempting to inspire confidence, get sufficient numbers, and the necessary services to meet satisfactorily and effectively all the requirements. I wholeheartedly support the clause because it establishes a most valuable principle and if we are concerned with road safety and traffic control we cannot afford to lay that principle aside at this stage.

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

Ayes—14

Hon. N. E. Baxter	Hon. N. McNeill
Hon. G. W. Berry	Hon. I. G. Medcalf
Hon. G. E. D. Brand	Hon. T. O. Perry
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. Clive Griffiths	Hon. J. M. Thomson
Hon. L. A. Logan	Hon. F. R. White
Hon. G. C. MacKinnon	Hon. V. J. Ferry
	(Teller.)

Noes—9.

Hon. J. Dolan	Hon. R. Thompson
Hon. E. C. House	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. R. H. C. Stubbs
Hon. H. C. Strickland	*(Teller.)*

Pairs

Ayes	Noes
Hon. J. Heitman	Hon. J. J. Garrigan
Hon. C. R. Abbey	Hon. R. F. Claughton

Clause thus passed.

Clauses 4 and 5 put and passed.

Clause 6: Section 30 amended—

The Hon. A. F. GRIFFITH: The amendment in my name on the notice paper is the one I foreshadowed in my second reading speech. As I said on that occasion, some doubts arose in another place on the wording of the clause and the application of the words "apparently exceeding in the aggregate." It was thought by some members there that it would be difficult for the average person to make a quick estimate of whether the damage was apparently $100 or some other figure.

I should like to refer to section 30 of the Act, which this clause seeks to amend. The section reads as follows:—

> Where, in the course of the use of any vehicle on a road, an accident occurs whereby damage is caused to any property the driver or person in charge of such vehicle shall (unless disabled by personal injury himself) report the accident forthwith to the officer in charge of the nearest police station or traffic inspector of the district of the nearest local authority.

With the amendment I have on the notice paper it would read—

> . . . . unless the driver or person in charge of the vehicle has reasonable cause for believing that the damage so caused does not exceed, in the aggregate, an amount of one hundred dollars and the owner, in each case, of any property damaged is, then or immediately thereafter, present or represented at the place where the accident occurred.

The words "reasonable cause" have had a very long-standing legal connotation, and as a matter of law, "reasonable cause" has been judicially determined. It is thought that the use of the expression in lieu of the word "apparently" provides some sort of legal objective rather than a thought that the damage was apparently $100 or more.

The purpose of the amendment is to relieve the necessity for a person having an accident where little or no damage is caused to report it. Perhaps I can give an example of this. Some time ago I was driving my car and there were two or three cars in front of me. Those cars were obliged to pull up when the traffic lights changed from green to amber. They pulled up in a concertina fashion, causing me to brake just as suddenly. The man driving the vehicle behind me, as I could see in my rear vision mirror—and probably his brakes were not as good as those on my car—did not have sufficient opportunity to stop and he ran into the back of my vehicle.

When I got out of the car I found he was a young man and he was no more to blame for the occurrence than I was, because I had to pull up suddenly. He said that he was all right and apologised for what had happened. There was scarcely a scratch on the bumper of his car or on the bumper of my vehicle but as, technically, it was an accident, I had to report it to the police. I made a statement as to what had happened and in the process I told the policeman who took the report that in my opinion the young fellow concerned—although I do not know his name to this day, but I took his car number—was not to blame in the slightest degree.

It seems unnecessary in a case like that to have to report the accident. The time of the policeman was occupied taking a statement from me and it was, in my view, quite unnecessary. I think the proposal is quite reasonable and it will relieve the necessity for reporting minor accidents. The draftsman considers that this is the best way to achieve our objective and the amendment on the notice paper is preferable to the wording in the Bill. In the Legislative Assembly the Minister for Police undertook to have the matter examined, and he asked me to make the necessary inquiries. I have done that and I move an amendment—

> Page 3, lines 28 to 30—Delete the passage commencing with the word "after" down to and including the word "dollars," and substitute the following:—
>
> > immediately after the word "authority", in lines seven and eight, the passage, ", unless the driver or person in charge of the vehicle has reasonable cause for believing that the damage so caused does not exceed, in the aggregate, an amount of one hundred dollars and the owner, in each case, of any property damaged is, then or immediately thereafter, present or represented at the place where the accident occurred".

The Hon. R. THOMPSON: I have no objection to the amendment but I wonder whether we should not include after the word "owner" in line 8 of the amendment the words, "or driver."

The Hon. A. F. GRIFFITH: I do not think this is necessary. It applies to the owner of the vehicle.

The Hon. J. Dolan: It could be a hire car which is hundreds of miles away from the owner.

Amendment put and passed.

The Hon. R. THOMPSON: Can the Minister tell me what happens if an accident is not reported and an injury occurs to one of the passengers in the cars involved? He could have had a passenger in his car during the minor accident he just cited. Would the insurance company pay a claim for medical expenses or other expenses under third party insurance if the accident is not reported, and how would the people involved go about lodging such a claim?

I would point out that up till 12 months ago the Trades Hall at Fremantle was next door to the Fremantle Traffic Office and we had innumerable people coming in asking us if we knew anybody in the Traffic Office, because the insurance company would not pay their claims as the police did not intend to prosecute. I have approached the officers in the Fremantle Traffic Office on many occasions, on some of which they have been undecided as to whether they intended to prosecute; they felt that the case did not warrant a summons being taken out. Will the insurance company accept responsibility if the accident is not reported to the police? I am sure Dr. Hislop will agree with me when I say that a person could suffer a neck injury and not feel the effects of it till a couple of days later. How would he stand if he wished to claim against the insurance company?

The Hon. A. F. GRIFFITH: As the law now stands it is obligatory for a person to report any minor accident. The section of the Traffic Act concerned refers to damage to property; it makes no mention of damage to persons or individuals. At the bottom of one's motor vehicle license there is the inscription that accidents should be reported immediately to the Traffic Office and to the Motor Vehicle Insurance Trust, 257, Adelaide Terrace.

It will be necessary to change the phrasing of the first part of the inscription at the bottom of the license because under this Bill it will not be necessary for accidents to be reported if the drivers involved consider that the damage caused is not over $100. If a person sustains injury it must be reported to the Motor Vehicle Insurance Trust, because it is at that point at which he makes his claim. If there is no injury, of course, there is no occasion to report the accident to the trust. I do not think it is a prerequisite to a claim under third party insurance legislation that the accident as such be reported. If it is not reported it would not necessarily prejudice an action before the court.

The Hon. L. A. Logan: They have their investigators.

The Hon. A. F. GRIFFITH: Many claims are paid by insurance companies because their solicitors feel their clients are liable. On the other hand, some claims are not paid because the solicitors might feel their client has a counter claim against the person involved in the accident. I am sure the situation with regard to a third party claim will not be nullified by the amendment. The expression, "reasonable cause" has a legal connotation which has been interpreted by the law for a long time. If a car is completely smashed it would not be reasonable for a man to say that he had had a look at the car and that he did not think the damage sustained was more than $100. It would be unreasonable for him to make that assertion.

The Hon. I. G. MEDCALF: This Bill seems to introduce a very curious situation which has been highlighted by the comments made by Mr. Ron Thompson. If one is driving in a motor vehicle and one experiences a situation mentioned by the Minister where another vehicle crashes into the rear of one's own vehicle it is possible that, though the damage is slight, we could have the case cited by Mr. Ron Thompson, of a passenger in such vehicle sustaining a fractured or dislocated neck as a result of the minor accident.

The Hon. A. F. Griffith: Then you would make a claim on your third party policy.

The Hon. J. Dolan: It could have happened as the result of the Minister jamming on his brakes.

The Hon. I. G. MEDCALF: That could be so, but I want to keep this as simple as possible. We have the case of one car crashing into the rear of another and a passenger in the first car having his neck dislocated. He might continue to sit there while an inspection is made of the damage and a decision taken not to report the accident, because the damage sustained does not exceed $100.

On returning to the first car however, the driver finds that his passenger does not answer when he is spoken to—I am now exaggerating the situation a little. It is possible that when the passenger gets home he has a stiff neck. The person who has suffered the injury feels that this is no good to him because he is going to be up for medical expenses and he has a third party claim against the Motor Vehicle Insurance Trust. Under the third party legislation he must give the trust notice of his claim, and he must prove to the satisfaction of the trust that the accident occurred and that somebody was negligent. He must either

prove that the driver who was driving the car in which he was a passenger was negligent, or that the driver of the other car was negligent.

It introduces difficulties of a practical nature. The driver may not have bothered to find out the name of the other driver and the number of the vehicle, because the accident was a minor one in terms of property damage.

The legal claim is still there. The passenger who dislocated his neck will have lost nothing in regard to a legal claim, but the driver will be required to prove that there was an accident and someone was injured. His difficulties are increased because nobody would know who the other driver was. There is no actual conflict between the two Acts. They are entirely separate transactions. One deals with infringements of the Traffic Act, and the other with claims for personal injury.

I admit it is quite material in the average case to know whether the accident has been reported. It would help the claim of an injured party to know the police had a note of it and to know who the witnesses were. Although the police will not divulge all the facts of an accident, they will say who the witnesses were. So a person can make inquiries in connection with a claim for personal injury.

The Hon. R. Thompson: Now there will not be any witnesses.

The Hon. I. G. MEDCALF: That is true. The difficulty is introduced that there will be no reported accident and it will be necessary for one to take a note of the name of the driver. If this were not done it would be difficult to establish the facts of the accident. However, an injured person could still claim that it occurred, and have the driver allege the facts that it did occur. The two can make out a *prima facie* case to the trust and may satisfy it that there was an accident, that it was not reported because the damage was minor, and that the other driver was negligent. I could not forecast what the attitude of the trust would be.

The Hon S. T. J. THOMPSON: This provision removes only the compulsion to report an accident. I think many accidents will still be reported. The police do not investigate minor accidents even though they are reported, but I think the present practice will still continue to a certain degree.

The Hon. A. F. GRIFFITH: Another point comes to my mind as a result of the remarks made by Mr. Medcalf. A hit-and-run driver never stops to report an accident, but the circumstances outlined by Mr. Medcalf could prevail. The man who drives dangerously and forces another car into the kerb, so creating a situation similar to the one mentioned by Mr. Medcalf, does not stop to report his bad driving, but the passenger could still suffer a fractured neck or some other injury as a result. I do not think either of these circumstances would lessen the chance of succeeding in a claim against the trust.

Clause, as amended, put and passed.

Clauses 7 and 8 put and passed.

Clause 9: Section 75 (as re-enacted by Act No. 35 of 1968) amended—

The Hon. F. R. H. LAVERY: When this provision is proclaimed and the demerit system is in operation, will previous convictions be taken into account? Some years ago when we provided a penalty for drunken driving, the same question was asked and it was stated that previous convictions would not count. However, a waterside worker who had a conviction in 1939 and another in 1944 was subsequently deemed to have committed the offence of drunken driving for the third time. I would be pleased if the Minister could advise me on this matter.

The Hon. A. F. GRIFFITH: If I understand the honourable member correctly, I do not think that previous convictions would count. The new provisions are for minor offences; and in the case of previous convictions, the person concerned would have been punished at the time in accordance with the law. Demerits will count from the time the system becomes operative.

The Hon. F. R. H. Lavery: Thanks, I am satisfied.

Clause put and passed.

Title put and passed.

Report

Bill reported, with an amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and returned to the Assembly with an amendment.

LAND AGENTS ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

STOCK JOBBING (APPLICATION) BILL

Returned

Bill returned from the Assembly with an amendment.

Assembly's Amendment: In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Justice) in charge of the Bill.

The CHAIRMAN: The amendment made by the Assembly is as follows:—

Clause 1, page 1, line 8—Delete the figures "1968" and insert the figures "1969."

The Hon. A. F. GRIFFITH: I move—

That the amendment made by the Assembly be agreed to.

Apparently I have misread Standing Order 298 of the Legislative Assembly. Apparently the figure "8" cannot be changed to "9" without a message from the Legislative Assembly to the Legislative Council for the reason that the Standing Order does not permit that to be done.

Question put and passed; the Assembly's amendment agreed to.

Report

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

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

LAND ACT AMENDMENT BILL, 1969

Second Reading

Debate resumed from the 30th April.

THE HON. F. J. S. WISE (North) [8.29 p.m.]: This is an interesting Bill, framed in an endeavour to overcome difficulties associated with the transfer of shares of pastoral companies, particularly companies that have interests other than in pastoral leases. Part VI of the Land Act, which takes in sections 90 to 115, refers to pastoral leases.

Through the years there has been very much concern in regard to the maximum area of 1,000,000 acres being held by one person. As the Minister said when he introduced this Bill, the Act did not envisage pastoral lessees other than persons. But through the years not only has there been a very serious departure from that contention, but very much confusion also in the administration of the Land Act. Because of this many companies—some of them of vast proportions—have been able to have beneficial interests in many properties. This applies because of the interpretation that each person in a company may hold up to 1,000,000 acres without infringing the law.

I am strongly of the opinion that the Land Act was never intended to be applied in that fashion. Section 113 of the Land Act has turned out to be a protection for company interests to lease in total many millions of acres. Section 113, part of which I will read, appears to be quite explicit on this point. Subsection (1) reads as follows:—

> The maximum area held under pastoral lease by one person, or by two or more persons jointly, or by any association of persons incorporated or unincorporated, shall not exceed one million acres; and the Governor may, in specified districts or localities, fix the maximum area to be held as aforesaid at less than one million acres.

And in subsection (3) of section 113 it is clearly stated as follows:—

> If any person acquires or becomes beneficially interested in a lease of pastoral land whereby the aggregate area of the pastoral land which he has acquired, or the aggregate area of the pastoral land in which he is beneficially interested, or the total of the aggregate area of the pastoral land which he has acquired and of the aggregate area of pastoral land in which he is beneficially interested when added together, as the case may be, exceeds one million acres . . .

That person is liable to forfeit portion of his acquired leases and there is a daily penalty associated with it. Although that may appear to be explicit it is obvious, by the presence of this Bill in Parliament, that that is not the way it is interpreted administratively or by the lesees.

Those words were, at the time of the passing of the Land Act, held to be quite explicit and not to mean that they would be a shield or a shelter for a number of associated companies to operate under many different names, as obtains in the northern parts of the State. They are really only one company.

There has been an acknowledgment in recent years by the Lands Department that in the case of one company some of the shareholders and some of the holders of beneficial interests are not known to the Lands Department. It is well known that in the case of one company in particular, which has interests in many properties—properties with the same set of directors but in different property names—the shareholders do not even reside in Australia. In another case resident shareholders are living in London, Paris, or in South America in spite of the stricture that is within the law, or intended to apply as a stricture, to ensure that those people have a responsibility by statutory declaration to say who the shareholders are. I again refer to section 113 of the Land Act, and I will quote subsection (6) as follows:—

> Any person being the lessee of or having any share or interest in pastoral land may be required by the Minister at any time to make a statutory declaration that his beneficial interest in pastoral land does not exceed the maximum area that he may lawfully hold or acquire.

That appears to be perfectly clear. It goes on to say—

> In the case of an incorporated company, such declaration may be made by any director or the secretary or attorney of such company.
>
> If any person refuses or, after the expiration of one month from being so required, neglects to make such declaration, such person shall be guilty of an offence.
>
> Penalty—Two hundred dollars.

Reading that subsection, and approaching it quite literally, one would imagine that the Minister has full authority given to him under section 113 to insist on a statutory declaraton being made by persons, in the case of an incorporated company or any other company, to say that its beneficial interest in pastoral land does not exceed 1,000,000 acres. The peculiar part of that situation is contained in a reply to a question which was given by the Minister who introduced the Bill in this House, on behalf of the Minister for Lands.

The Minister for Lands has had advice on this aspect and has found that he has not the authority to insist, in the case of foreign companies in particular, that he shall obtain the names of the shareholders and the amount of land they hold. If that is the case it is very hard to assess how that advice could be ascertained. I understand that in another place, when this Bill was being debated yesterday, the Minister stated by interjection that section 92 of the Constitution was in the way.

Now all of us here have, through the years, heard much of section 92. We all know of the famous cases such as the dried fruit case, and others when The Right Hon. Sir Robert Menzies appeared before the Privy Council. That case, and others, made it perfectly clear that free intercourse between the States was specific, and that section 92 applied. To me section 92 cannot be satisfactorily interpreted to prevent the Minister taking action along the lines I envisaged by implementing portion of section 113 of the Land Act which has application to such cases.

However the Minister has had advice and we must take the Minister's word that section 92 has proved to be in the way. The words contained in section 92 of the Constitution of the Commonwealth have been read in every House of Parliament in Australia many times, but I will read them again, as follows:—

> On the imposition of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free. But notwithstanding anything in this Constitution, goods imported before the imposition of uniform duties of customs into any State, or into any Colony which, whilst the goods remain therein, becomes a State, shall, on thence passing into another State within two years after the imposition of such duties, be liable to any duty chargeable on the importation of such goods into the Commonwealth, less any duty paid in respect of the goods on their importation.

The first part of section 92 of the Constitution has almost become a hackneyed phrase in some Parliaments in an endeavour by many interests—particularly transport interests in more recent years—to do things in an interstate sense which if not invalid, may be morally wrong.

I would like the Minister to give the House something more specific than the ruling he received from Crown Law because it is my view that if the sections already in the Land Act, particularly sections 113 and 115, were applied firmly and were tested, the Minister could get from any lessee or group of lessees the information he desires.

I say very clearly I do not intend in any way to oppose this Bill or attempt to prevent its being carried. I am absolutely on the side of the Minister in this endeavour to give him the authority to approve of, or disapprove, transfers of shares, and to disapprove transactions in connection with which, at the moment, he appears to have no authority.

I do think that sections 113 and 115 of the Land Act should be very closely scrutinised by very competent legal gentlemen to obtain a ruling to indicate whether the Minister has this authority now vested in him. Section 113 of the Land Act is not mentioned in this Bill; section 115 and section 115A are the two appropriate sections. In section 115 of the Land Act one will also find authority which, if it were exercisable by the Minister—and his advice suggests that it is not—would give him all the information and all the authority that he requires. Paragraph (c) of subsection (1) of section 115 of the Land Act reads as follows:—

> The Minister may, in his absolute discretion, refuse to approve of a transfer to any incorporated company.
> For the purpose of this paragraph the Minister may require any director, shareholder or officer of any such company to make one or more statutory declarations containing such information as the Minister deems necessary to enable him to exercise his discretion as aforesaid.

All of us who are not possessed of legal qualifications would assume, I think quite naturally, that that subsection gives authority to the Minister to demand the information he requires, whether it be from a personal lessee or a company—a local company or a foreign company. If that paragraph does not provide the required authority it is a very urgent matter and I suggest that on the first occasion possible

in these Houses of Parliament that situation should be rectified in the Land Act. I know that when this matter was being considered in another place the Minister made it very clear that his advice was to the contrary.

I am not satisfied with the advice that was tendered to him. In this case we have more than one instance of foreign companies holding very large tracts of land. The company to which I refer has many shareholders in many parts of the world, and holds over 5,000,000 acres in Western Australia, and many millions of acres of land in the Northern Territory. The Land Act was never designed or intended to provide that companies such as Vesteys—just a name—the Australian Development Company; William Angliss and Co.; the Blue Star Shipping Line, and many other large companies with vast interests should hold such large tracts of land. In the pastoral sense, it may be said that the holdings of Vesteys would be the world's largest privately-held land aggregation. It is also found that several companies have exactly the same directors as Vesteys.

I would suggest to the Minister that he have a map prepared with a white background and have coloured in, in any colour, the holdings held by absentee owners in the Kimberley districts of this State, and if he does I am sure the House and the community at large would get a very severe shock. I have such a map, but I would like to see another prepared so that it could be tabled at the first possible occasion when the House meets again in June. These are the companies, also, which have, in the main, been responsible for the very serious erosion about which much has been said by me and by my colleague in this Chamber.

East and west, in the riverheads in the Kimberley area, 1,500 square miles have been badly eroded. Siltation has taken some of that country; it has taken surplus soil down to a foot deep and down to channels of 40 feet and 50 feet, which I once described as chasms into which this Chamber could disappear. This has been brought about as a result of overstocking the river frontages. If there is a weakness in the Act to allow companies to purchase immense tracts of land in this State, something should be done to remedy it, especially in these modern days when the interests of many foreign companies—every company that is incorporated outside of Western Australia is a foreign company—are outside the State, and indeed the Commonwealth.

However, there has now been a stimulus created for the purchase of large tracts of land by land agents who, with a desire to invest capital, are coming to this country in numbers for the purpose of purchasing pastoral leases. In the speech by the Minister introducing the Bill there is an interesting comment. In referring to the legal impediment, in regard to the transfer of shares, he said this—

> Where this set of circumstances exist, there is no way in which the State can retain the right given under the beneficial interest clauses of the Land Act to ensure that no one person holds more than 1,000,000 acres of pastoral land.

If one compares that statement with what I previously read from the Act, one finds that they conflict. The Minister went on to say—

> On the other hand, it is not proposed to amend the Act to give a discretionary right to the Minister to approve the transfer of shares in companies which are shown on the West Australian share register and whose principal activity, or one of whose principal activities, is the working of a pastoral lease or leases. The intention is to retain as far as possible existing tenure as Western Australian companies.

I ask the Minister: Why should this be so? It would appear, from the authorities I have read in sections 113 and 115 of the Land Act, that unless he knows who the shareholders of all these companies are and to what extent they are to benefit, how can he know that the provision relating to 1,000,000 acres is not being exceeded in many instances? Apparently these foreign companies are the guilty parties.

The Minister has said the Bill will grant authority which will enable him to catch up with the local company. If there is a weakness in the Act it should certainly be removed as soon as possible. However if the Bill does overcome part of that difficulty, of course it will be very helpful. It was further said—not by the Minister in this House but in another place—that, in this connection, there are certain strictures in the Companies Act. Section 344 of the Companies Act reads as follows:—

> Every foreign company shall, within one month after it establishes a place of business or commences to carry on business within the State, lodge with the Registrar for registration—
>
> (a) a certified copy of the certificate of its incorporation or registration in its place of incorporation or origin or a document of similar effect;
>
> (b) a certified copy of its charter statute or memorandum and articles or other instrument constituting or defining its constitution;
>
> (c) a list of its directors containing similar particulars with respect to its directors as are by this Act required to be contained in the register of

> the directors, managers and secretaries of a company incorporated under this Act; . . .

Surely, that expresses quite explicitly that in the case of local companies there can be no evasion, even under the requirements of the Companies Act, from conforming with the provisions of the Land Act.

I urge the Minister very strongly to seek another opinion and to submit sections 113 and 115, in particular, of the Land Act to the highest legal authority to whom they may be referred in this State in order to see whether he can demand the details which the Act requires in connection with a million-acre holding or any other beneficial interest.

Rather than take the action which is proposed under this measure, in this connection I would have preferred to amend both the sections to which I have referred. I would have done this not by the sort of detail in this Bill, but by encompassing, also, the American companies which are invading our pastoral areas. From Anna Plains through to the Dunham, many properties have changed hands to American interests, to companies in other States, and to overseas companies.

I am afraid that the measure before the House is not going to help us identify the American interests or in any way to insist that they supply particulars of the shareholdings in order to enable us—or the Minister—to assess whether they have a million acres more or less.

I was attracted by the last sentence in the Minister's speech when he said, "It is also necessary to ensure that any future pastoral leases be not issued to a company or a body corporate without the recommendation of the Minister for Lands to ensure that prior knowledge is given to the company's shareholding both in relation to beneficial interest and other assets." Those remarks would seem to indicate that the Bill before us will ensure that the particulars are supplied, but it cannot. The only way to insist upon the particulars of company shareholdings being available is to enforce the actual provisions which are contained in sections 113 and 115 of the Land Act to which I have referred.

I admit that I asked for a legal opinion during the course of the day from a barrister friend who certainly did not charge me for his opinion. He is one of the learned gentlemen of this profession in this city and he is of the opinion that the sections, as printed, may be used to insist that the companies concerned are required to make a statutory declaration regarding shareholdings or interests in pastoral lands under the Act, as it now obtains. That opinion is contrary to the one given to the Minister; otherwise, the Minister would not be trying in this way to shut the door or plug the hole—however one may care to describe it—on what is not done by the people who hold vast areas of our land through abuses associated with the Land Act. As I said, some of these areas are up to 1,000,000 acres in extent.

I will not weary the House by reading the subsection again; but, in fact, the subsection of section 115 of the Land Act appears to be so clear that it could not be challenged. That is why I contend that a start should be made to examine and clarify subsection (3) of section 115 of the Land Act, which I read to the House, in order to ensure that the particulars are available to a Minister on demand. Certainly a State is entitled to have this information from any company involved.

To my mind, the Minister for Lands is to be congratulated in his endeavour to find a way around it; but I am afraid it will not meet the other requirements of the Land Act or effect the solution which he thinks may follow.

For the time being, I will say that the House is entitled to a greater clarification of the points I have raised, but I make it quite clear that I have no intention at all of opposing the Bill.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [8.59 p.m.]: I thank Mr. Wise for his clear and analytical examination of the Bill. Indeed, I think that could almost be made a standard phrase whenever he speaks to any Bill.

I am afraid, Sir, that I do not have at my disposal the sort of detailed information that Mr. Wise has asked for. I will try to explain the reason and do the best I can under the circumstances.

Certainly an examination of sections 113 and 115 of the Land Act must give anyone who reads them exactly the same impression as Mr. Wise outlined. It seems to me that subsection (1) of section 113 when read and compared with subsection (3) of that section does tend to produce some conflict, because section 113(1) talks in terms of a person or persons jointly and associations of persons incorporated, whereas section 113(3) tends to lay down that any person can in any circumstances, whether he is in a company or not, still hold 1,000,000 acres.

It is possible that this is where the conflict arises, although the wording to me, as a layman, particularly the wording of section 115(c), is so beautifully simple as to leave no possible loophole. Despite this, I am assured that the Minister for Lands made many inquiries of the legal advisers, because he wanted a blanket cover over all the companies. This has been his difficulty. Not only did he want a blanket cover over existing companies but also over future companies. He was told, however, that under section 92 of the Constitution Act which allows for free trade and commerce between the States it is not possible to control the shares of companies which have other assets, including pastoral leases.

The Minister has again asked the advice of the Crown Law Department as to how he could prevent the position from getting worse than it is at the moment. There could be some companies, such as Vesteys, as mentioned by Mr. Wise, which have been operating for a very long time and, as a result of this, they have set a pattern.

The Minister for Lands cannot be blamed for the position that has existed and which has continued for a very long time. Despite the inclusion of the words, "corporate body," and so forth, I think we are all aware that the original settlers in the north were pretty rugged individuals. We have such families as the McLartys, the Forrests, the Roses, the Duracks, and others who took up land on an individual basis, and who, over a period of time, formed companies for a number of perfectly reasonable and legitimate purposes in order to ease their taxation burdens and the like.

This problem has caught up with us. As Mr. Wise said, any company outside Australia is a foreign company, and these companies have not been slow to seize on the fairly obvious advantages. They have purchased areas and formed themselves into groups to develop those areas. It is, of course, a matter of debate as to whether this sort of thing should be discouraged, because this area of land could do with development capital; it would be welcome up there, provided, of course, it is backed by intelligent long-term management. It would certainly be in the best interests of the land and in its continuity of production.

The Minister in charge of the Bill, as Mr. Wise said, has become aware of a serious problem which has been analysed both in my speech and in that made by Mr. Wise. The Minister desires, of course, to find some way around this problem and to prevent the individual from getting a greater beneficial interest than that contained in the 1,000,000 acres. In other words, he seeks to ensure that the spirit of sections 113 and 115, as it has been understood over the years, should in fact be acted upon and preserved. I think we all want this.

The best advice the Minister for Lands has been able to secure is that section 92 of the Constitution Act prevents the Government from introducing effective legislation in Western Australia. It is quite right that this legislation is partly effective, but there is no doubt that whilst it does help it does not entirely cover the problem. I can assure the House that the suggestions made by Mr. Wise will be read very carefully, because the Minister has made it clear that if any way can be found around this problem he wants to be able to find it, in order that he might have complete control which, I think, all of us would agree on reading section 113 and 115, would be in the best interests of the State. Since this is so, the Minister wants to have this complete control.

The principle in the Bill is to try to give the necessary authority in order that the Minister might control the beneficial interest which could be retained in pastoral companies.

The Hon. F. J. S. Wise: And the share transfers.

The Hon. G. C. MacKINNON: That is so. I think we will need to control all the shares if we are to make this effective. To some extent the Bill achieves that objective, but it does not completely achieve it. I feel sure that Parliament would like to see the Minister concerned, whoever he might be at the time, attain this objective.

Reference has been made here to the Kaiser Company and it has been said that the owner of Moolaboola was a local company which sold its shares. In these circumstances the department is virtually presented with a *fait accompli*, and the Minister has no legal right to demand any information about the shareholdings of these people.

Under this legislation, however, he will have this authority. I am quite sure that in some ways the Minister will not be able to take the action he wants, even though he has made very real endeavours to secure this authority. From the conversation I have had with him, I can assure the House that the Minister for Lands will not rest if there is any suggestion that he can take advantage of the position in order to get the legitimate information he considers desirable.

I can give no information beyond that, except to say that this legislation will place the State on the right track and, by continued research along the lines suggested by Mr. Wise, we hope to accomplish all we desire.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. J. M. Thomson) in the Chair; The Hon. G. C. MacKinnon (Minister for Health) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 115 amended—

The Hon. F. J. S. WISE: I do not know to what extent the Minister has been supplied with notes that are requisite to clarify the provision in this clause, but one must imagine that the Minister holds the view that where he approves of a transfer of pastoral lands of a lessee to a body corporate he may require such terms, conditions and restrictions as he thinks fit, as provided for under the provision in this clause.

Can the Minister tell us whether it is the belief of the Minister for Lands that this can only apply to a single lessee or to a body corporate registered in this State, but not to one outside this State?

The Hon. G. C. MacKINNON: My understanding is that it will apply to single lessees or to bodies corporate which are registered within this State, and are not foreign companies. The Minister has some difficulty in obtaining information of foreign companies, and that is the limitation and where the problem lies.

The Hon. F. J. S. WISE: To follow that through to its conclusion one could say that in the case of a foreign company—let us say it is an overseas foreign company—the Minister will not have the authority vested in him under section 115 of the Act to alter the terms, conditions and restrictions provided under the Land Act in respect of a pastoral lease. If that is so the position is untenable and impossible, because we could have all kinds of foreign companies from overseas not being subject to the terms, conditions and restrictions of the Act.

Irrespective of section 92 of the Constitution, surely the Executive of this State through the Minister for Lands should have the fullest authority to determine the conditions and terms of leases. If there is any doubt on that point I hope it will be tested with great urgency before the highest authority.

The Hon. G. C. MacKINNON: The portfolio of lands does not come under my administration. The only limitation is that we cannot ascertain from the share register of foreign companies the extent of their beneficial interest, but the terms and conditions applying to the usage of the land in these pastoral leases are just as applicable to foreign companies as to local companies.

The Hon. F. J. S. WISE: I was the Minister for Lands for the second longest term of any Minister holding this portfolio, and I had a lot to do with the redrafting of many sections of the Land Act. My association with the pastoral industry goes back to the days when after seven years of drought I had the grave responsibility to prevent repossession of pastoral leases by those who had financed the lessees.

I say that to indicate that my interest is not of a passing kind. It is one which will be with me as long as I live, and I am very concerned especially on behalf of the province I represent that no more abuses of our pastoral leases and of our heritage of the land should be entertained, if it can be prevented.

I would be pleased if the Minister could give us an assurance that the various points which I have raised will be placed before the Minister for Lands with a special request from this Committee that methods to overcome the difficulties of controlling foreign companies and of getting information from them shall be searched for meticulously.

The Hon. G. C. MacKINNON: I thought I gave that assurance. I should point out that clause 4 gives the Minister an additional discretion in relation to the transfer of pastoral leases to any body corporate and enables him to add additional terms, conditions, and restrictions to the new leases being issued. To some extent that might reassure the honourable member. I will certainly pass on the points he has raised and I give him the assurance which he has sought.

Clause put and passed.

Clause 5 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. G. C. MacKinnon (Minister for Health), and passed.

STOCK DISEASES (REGULATIONS) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 30th April.

THE HON. R. H. C. STUBBS (South-East) [9.19 p.m.]: I do not intend to delay the House in speaking to this Bill, because a similar measure was debated in the 1968 session. As the Minister said, the Bill before us seeks to amend certain sections of the Act.

In November last the Stock Diseases (Regulations) Act was passed, and it will come into operation on a date to be proclaimed.

There is a deficiency of power to regulate matters required to be done under the vesicular diseases plan, and this amendment will rectify the position. I had a little to say when the original Bill was introduced, and pointed out the dangers there could be to our primary industries because of modern-day road and air travel. I also pointed out how vigilant we would have to be and expressed the opinion that any action we could take to stop disease from entering Australia would be a step in the right direction. I also spoke of various other diseases, but I did not mention vesicular disease. Vesicular exanthema of pigs closely resembles foot-and-mouth disease. The causal factor is unknown, but the disease is very contagious in pigs. However, it is not transmissible to cattle or sheep. Control is limited by quarantine and sanitary measures.

Vesicular stomititis in calves is a type of diphtheria, but it is not to be associated with diptheria in human beings. It affects the mucous membrane of the mouth of the animal.

At this late hour it is not my intention to weary the House any further. I heartily agree with this measure. It is encouraging to our primary industries to know that measures are being taken in regard to diseases. We have a wonderful veterinary service in Western Australia and I think we can safely leave matters in the hands of that organisation as it is well prepared to cope with these diseases. On behalf of my party, I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

CO-OPERATIVE AND PROVIDENT SOCIETIES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 30th April.

THE HON. F. R. H. LAVERY (South Metropolitan) [9.26 p.m.]: This Bill is rather interesting as it contains some amendments with quite an amount of significance. I would like to make the observation that the parent Act was first promulgated as No. 2 of 1903. It must have been of importance to the people concerned at that time because it has been amended only once, and that was in 1947. At that time the Act was amended on precisely the same lines as now. The amendments were to increase the allowable sum in regard to items of expenditure.

This Bill increases the amount of £750, referred to in section 3 of the Act, to $5,000. This is an acceptable amendment because societies have reached the point where depreciation in the value of money has restricted them to a small development programme.

The Fishermen's Co-operative in Fremantle has found itself in the situation where it could not diversify its operations because it could not raise sufficient money to put its plans into effect.

The Minister (Mr. Craig) who introduced this Bill in another place told me that when this legislation was asked for a year ago he had some doubts as to what the nigger in the woodpile might have been, but he apologised to the people concerned for his lateness in bringing the Bill down. He had investigations carried out and found that the amendment is necessary to allow these people to operate in a successful manner. The amendment to section 5 simply deletes the words "one shilling" and leaves the amount at the discretion of the Minister. It is only a minor amount.

I wish to point out two important matters. The first is that the shareholding of a member does not matter; because under the proposed legislation each person will have one vote. It does not matter how many shares he has; he has only one vote. A man may have 100 shares and he would still have only one vote in the same way as a man who had one share.

Not everyone is happy with this, of course; particularly the person who has invested a great deal of money. He could feel that sometimes a smaller man could pack the voting through a large number of small shareholders. On the other hand others are delighted with the new provision.

The most important clause in the Bill, apart from the two I have already mentioned, is the one which refers to the public auditor. It might be of interest to members if I pass a few comments on the structure of the co-operative situation at the moment. There are many co-operative bodies in the State today and the financial position has reached a stage now which was never dreamt of even 10 years ago. I would like to refer to the report of proceedings for the year ended the 30th June, 1967, by the Registrar of Friendly Societies. I shall refer to page 22 of the report as the operation of registered co-operative societies for the years 1965, 1966, and 1967 are particularly interesting. The total purchases for the year 1966-67 was $5,397,241 and the total profit at that stage was $150,878. This points to the fact that, when money of that magnitude is being handled, the audit must be of the highest standard, both in the interests of the co-operative itself, and the shareholders.

I intend to comment on the new type of co-operative business that has arisen. In 1961-62 the first operation of the credit unions registered as co-operative societies came into being and six societies were registered in that year. In the years immediately following eight, 11, 14, and 18 societies were registered respectively. Consequently the number has grown from six in 1961-62 to 18 in 1966-67. Members might be interested to know that there were 11,939 members of credit unions in 1966-67 and 4,148 borrowers in that year.

The sum of money loaned during 1966-67 was $2,520,422 and the total receipts for the same period were $3,565,224. At the same time the total loans to members were $3,405,997. These vast amounts of money surely indicate that

qualified auditors are necessary so that business affairs of this magnitude can be handled properly. This provision is very necessary.

I support the Bill and I conclude by saying that the public auditors, approved by the Governor, are listed on page 24 of the report to which I have referred. They number 87 and include very prominent individual auditors and auditing companies in Western Australia. The public auditors have been appointed under section 42 of the Friendly Societies Act. In addition, there are 85 auditors who have been appointed under the provisions of the Co-operative and Provident Societies Act and, in many cases, a duplication exists between the auditors appointed under the Friendly Societies Act and those appointed under the Co-operative and Provident Societies Act. The provision for public auditors approved by the Governor-in-Council is a very necessary addition to the Act and therefore we support the Bill.

The Hon. G. C. MacKinnon: Thank you.

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. G. C. MacKinnon (Minister for Health), and passed.

NOXIOUS WEEDS ACT AMENDMENT BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

THE HON. F. J. S. WISE (North) [9.40 p.m.]: This Bill is very small and simply worded and has come to this House through the Minister for Agriculture on the recommendation of the Agriculture Protection Board. Therefore, it comes to us with a very strong recommendation.

The Agriculture Protection Board Act, which will be found in volume 15 of the Statutes, gives us the information that the Agriculture Protection Board is composed of the Director of Agriculture or his deputy, two Farmers' Union representatives, one representative from the Pastoralists and Graziers Association, and five from shire councils of the State.

The purpose of the Bill is to effect greater control, exercise authority, and impose much greater fines. I do not know how many members have looked at the Bill but those who have will find that it proposes to delete words which do not appear in the parent Act.

The marginal note on clause 1 reads, "Volume 15 Reprinted Acts as amended by Acts Nos. 33 of 1963 and 113 of 1965." I have in my hand Volume 15 of the Reprinted Acts.

Further, the Bill suggests in clause 2 that the word "Forty" in line 5 will be deleted and the words "One Hundred" will be substituted in lieu in section 22 of the principal Act. It is interesting to observe that the word "forty" cannot be found anywhere in section 22. Nevertheless, that is the word that the Bill proposes to delete.

Consequently, we must turn somewhere else and the answer is to be found in the Decimal Currency Act. In the schedule to the Decimal Currency Act we find that the Noxious Weeds Act is amended in so far as rating associated with noxious weeds is concerned.

However, the Decimal Currency Act states very clearly that—

> Each of the Acts specified in the First Schedule to this Act is amended to the extent to which the Act so specified is expressed in that Schedule to be amended . . .

That is clear enough. The Act continues—

> . . .and subject thereto by substituting for every reference in that Act to an amount of money in terms of the old currency the reference that in accordance with the provisions of section 5 of this Act would be read and construed as the reference to a corresponding amount of money in terms of the new currency.

All the terms associated with the old currency still remain in this reprinted Act. Consequently the Bill before the House proposes to amend the parent Act and to delete words in six places which do not occur in the reprinted Act, simply because they are substituted by the words associated with the new currency.

All members who look at Bills and try to understand them—I have had this Bill only one hour—would naturally look at the parent Act for the words proposed to be deleted, but those words are not there. I wonder why the draftsman, in drafting a small Bill of this kind, did not refer to the Act, as printed, rather than the Act as amended by the Decimal Currency Act.

Then it would have been clear in all cases. The first amendment seeks to take out the word "forty" and the appropriate words in the line being amended are "twenty pounds." This is in the reprinted Act. In order to facilitate the understanding of a simple Bill like this when one reads it with the parent Act, I suggest it would have been better to delete the words "twenty pounds" as printed and altered to the words "forty dollars," and then to amend this and make it "one hundred dollars" which the Bill seeks to do.

One can imagine how perplexed a person would be in seeing six amendments in a simple Bill which are not contained in the reprinted Act but which the Bill seeks to delete. I am obliged to the Clerks of the House for the help they gave me in my inquiries at very short notice. They did all they could to help me in my endeavour to obtain a better understanding of what this is all about.

I do suggest that this is the first occasion our Clerk can remember when we have altered the old currency to new when the words to be amended are not in the parent Act. They are there because the Decimal Currency Act says they are there; they are meant to be there.

I do not intend to oppose the Bill, but for any easy understanding of amending Bills which have money terms contained in them I suggest that unless the Act has been reprinted the verbiage contained in the existing reprinted Act should be the portion that should be amended. I do not know whether the Minister will agree with that, although I think it will be a very simple procedure.

We have here eight amendments dealing with the deletion of words which are not in the Act and the adding of words to apply to another currency.

The Hon. N. McNeill: Could not you correct it by the addition of a marginal note, "as amended by the Decimal Currency Act"?

The Hon. L. A. Logan: I was going to suggest that.

The Hon. F. J. S. WISE: It should be in the marginal note as a guide. If one picks up the Noxious Weeds Act today and overlooks the existence of the Decimal Currency Act one will have an awful job to understand the varying of words which appear to be inappropriate, if in the marginal note there is no reference to the Decimal Currency Act.

The Hon. N. McNeill: If there were it would solve the difficulty.

The Hon. F. J. S. WISE: Exactly. So we must imagine that all the terms in the operation of the Decimal Currency Act, which I read, have reference to section 5 and the corresponding amount of money in the new currency.

I do not oppose the Bill, but merely draw attention to a peculiar situation where in a simple amending Bill we are taking out words which are not in the printed Act and introducing other words which apply to the new currency.

THE HON. S. T. J. THOMPSON (Lower Central) [9.49 p.m.]: I was about to say that I support this very simple Bill, but perhaps I should say I support this short Bill. I think it is a genuine attempt to make the present Act more effective in that it removes the escape clause which has made it very difficult in the past for the department to take action against various offenders.

This is rather debatable, of course, and the whole thing seems to hinge on our interpretation of "a reasonable effort." The prosecuting officers have found a case very difficult to substantiate. The problem of noxious weeds is a very serious one indeed in our State and although the Minister says the State is holding its own in this respect, there are still a mighty number of noxious weeds around, particularly in my area, where the Cape tulip does not appear to be getting any less. As a matter of fact it is appearing in new places every year.

If there is anything at all that we can do to eradicate this scourge we should make every endeavour to do it. I heard the Minister in another place make reference to the department's efforts in this direction. If one travels down the Perth-Albany road one will see the test plots which are being worked by the department. These tests have been carried out over a number of years and the results have been 100 per cent. satisfactory; the eradication has been complete.

Strangely enough, however, in the paddocks alongside these plots the spread of the Cape tulip continues in spite of the fact that they have been sprayed. Something appears to be very wrong. Either the departmental officers are using a lot more spray than they advise the farmers to use, or they are doing the job more efficiently. It is obvious that this weed can be controlled by spraying. The farmers, however, are only managing to secure a thinning out as against the complete eradication of the weed in these test plots.

Unfortunately the problem is of such magnitude that the farmers find it impossible to tackle it completely out of their own resources. Some properties are completely covered with these weeds and a number of farmers find it impossible to carry out this eradication on their own. We are tackling the problem on a piecemeal basis at so many acres a time, which means that it will be a very long time before the eradication is successful. I support the measure, because I feel it is a genuine effort to make the Act more effective than it has been in the past.

THE HON. J. DOLAN (South-East Metropolitan) [9.53 p.m.]: I might point out that there are plenty of noxious weeds in the metropolitan area quite apart from those in the country districts. If one visits the tennis courts at Parliament House one will find a noxious weed which is called onehunga; it is the weed which has a little prickle on it. There is no doubt that this weed is spread by the mowing of lawns.

As the lawn is mowed the seeds are picked up and dropped elsewhere. It seems to be most difficult to eradicate.

Perhaps the Minister could advise the Department of Agriculture that noxious weeds are being spread throughout the metropolitan area by lawnmowing contractors who move from place to place and carry the seeds of these weeds on their mowers from suburb to suburb. Quite often the householder gets the blame for allowing these weeds to grow and it is possible, through no fault of his own, he might face a penalty in the future.

I have some of these weeds down my way and I have tried to take them up by hand, but I find that after a few months they are back in the lawn. I support the Bill; it is long overdue.

THE HON. F. R. H. LAVERY (South Metropolitan) [9.55 p.m.]: Now that the standard gauge railway will run right through the city area I hope the Department of Agriculture, or the department concerned for the suppression of these weeds, will check such trains, quite apart from the motor vehicles which seem to carry these weeds.

I have spoken on this matter before and pointed out that the large motor trucks travelling from South Australia travel through miles and miles of thistles and these together with other seeds and dust seem to be caught up in the spring hangers and brought into Western Australia. I have reported this before and I hope something will be done to control the matter.

THE HON. L. A. LOGAN (Upper West—Minister for Local Government) [9.56 p.m.]: We are indebted to Mr. Wise for introducing an interesting point into this debate. It only goes to prove that we can always find something new if we try. I am not sure, however, whether I can agree with the honourable member when he suggests that we should make the Bill conform in every detail to the Act, because under the law the old currency does not exist. According to section 5 of the Decimal Currency Act any law now deals with new currency.

I would, however, agree with the suggestion made by Mr. McNeill, that it would be a great help if a marginal note could be included, as this would give everybody an understanding of the position. We can pass this buck onto our Parliamentary Draftsman and see what he thinks of it.

I will certainly pass on the remarks made by Mr. Dolan and I can assure Mr. Lavery that everything is being done to combat the problem of noxious weeds being transferred by rail and road transport. An endeavour was made to set up a centre to control this problem but this was found to be very difficult. Unless we can secure the co-operation of South Australia I do not know how we are going to control the problem of trucks coming in from that State. It would not be possible to establish a check point in the Nullarbor because we would not get any officers to stay there. I repeat, however, that the problem is being given very careful attention.

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.

TERMINATION OF PREGNANCY BILL

Assembly's Message

Message from the Assembly received and read notifying that it had rejected the Bill.

LAKE LEFROY (COOLGARDIE-ESPERANCE WHARF) RAILWAY BILL

Second Reading

Debate resumed from the 30th April.

THE HON. R. H. C. STUBBS (South-East) [10 p.m.]: This Bill is complementary to the Lake Lefroy Salt Industry Agreement Bill recently before this Chamber. Parliament is asked to approve of the construction of a spur line from Widgiemooltha to the salt harvesting site at Lake Lefroy, and the construction of a line from the present terminal at Esperance to the land-backed wharf.

I have studied the Standing Orders, page 187, and I find that all that is required has been complied with—the tabling of plans and the introduction of a special Bill. This will obviate the painful experience that happened here a few years ago in connection with a rail Bill, when the provisions I have just mentioned were not complied with. The line from Widgiemooltha to the salt site will be 10 miles 66 chains; and the line from Esperance to the land-backed wharf will be approximately two miles. We have been told in the debate on a previous Bill that Norseman Goldmines No Liability will provide $4,000,000, this being a ceiling amount, for the upgrading of the line.

I submit there has now been ample evidence of the deplorable state of the line, and that the Minister did receive confusing information regarding speed restrictions. The Minister for Industrial Development said there were severe restrictions, and he indicated that it was difficult to maintain tonnages. In today's paper the Minister for Railways said that the line was safe, but in bad condition, or words to that effect.

There is a publication printed each week by the Railways Department for its officers. This publication is called *Weekly Notice* and in the latest edition it states that there is a speed limit of 20 miles per hour from Widgiemooltha to Pioneer, in certain sections; 15 miles an hour from Norseman to Daniell, in certain sections from the 480 mile 15 chain peg to the 483 mile peg; and a 10-mile an hour speed restriction from the 457 mile 68 chain peg, to the 468 mile 5 chain peg. Certain repair work is going on at these places. I have spoken to several railway personnel and they are unhappy about broken rails, particularly on a bank, because a locomotive could, perhaps become derailed and fall down the bank. I am pleased there is a chance of getting the standard gauge railway from Kalgoorlie to Esperance. It will be a wonderful thing. I am sure everybody along the present line will welcome this announcement with open arms and count the days to when the standard gauge railway will be a reality.

The standard gauge railway will need about 40 miles of new track from Boulder to Kambalda. Because of nickel, in that 40 miles there is a considerable amount of activity. The line then skirts the lake for about 15 miles, still in nickel leases, to the Norseman Road. Then there is a 13-mile distance at present from the road to Widgiemooltha. I presume the line will be direct and will join the line further back. There will be 182 miles-plus of earth works and rerailing from Widgiemooltha to Esperance and, of course, 10 miles to the salt site.

There are a lot of advantages associated with a standard gauge railway, so I sincerely trust that the Government will be able to finance this work. One of the main advantages is in connection with transhipping. I understand the saving in this direction would be in the vicinity of $90,000 per annum, as well as a considerable saving of time—and time means money.

Before I elaborate on that, it is interesting to note that there was talk of a Hampton Plains line as far back as 1885, when the Parliament in this State consisted only of the Legislative Council. I also read that there was talk at that time of a trans.-line through Hampton Plains to Eucla and through to Adelaide. Having read that I carried out some research.

I came across the proceedings of the Legislative Council for Wednesday the 9th September, 1885, in which there is a proposal by a syndicate for the construction of a railway on the land grant system between Esperance Bay and Hampton Plains. We know that a lot of the ground presently being prospected for nickel is situated in the Hampton Plains. According to the proceedings of the Legislative Council, to which I have referred, there was quite a lot of controversy about the construction of the line. In those days, members were not very nice to each other. Someone said they were like a lot of sheep, without reason or intelligence. One member said he would support the proposal had it been to connect Eucla with our present railway system, and with the railway system of South Australia. In those days—nearly 100 years ago—they were talking of a trans.-continental railway. I thought the information I have given might be of interest to members.

Turning back to the advantages of the standard gauge line, north of Kalgoorlie there is the area of Scotia and Carr Boyd Rocks, and as far as Leonora, and one can visualise the big amount of traffic there will be attracted to this line. A huge area of ground is being prospected for nickel. This area is 70 miles east of Norseman. From Frazers Range it goes across to the trans.-line and then as far west as Southern Cross on the trans.-line, and down south to Ravensthorpe. It is a huge area with wonderful possibilities for nickel and the grazing of stock, and the production of minerals. Once there is a broad gauge line to Esperance, the places in between will have a terrific market in all parts of Western Australia and, indeed, in all parts of Australia that are served by the line. A huge amount of grain is grown there; there are about 1,000,000 sheep; and there are hundreds of thousands of cattle. In addition, as I said before, there is an unlimited quantity of nickel and there are big mines in the field.

The Western Mining Corporation is dripping with riches, so far as nickel is concerned. This could mean the erection of another refinery or, at least, of a smelter, and, it could be a custom smelter. I say this, because there are such vast possibilities in the area. One of the things I like very much is that a standard gauge railway would restrict road traffic. On the trans.-line as well as on the Eyre Highway there are a lot of sheep stations; and Western Australia does not gain any advantage from them, as their wool is back-loaded to Adelaide. If one were to go to these stations and pay a visit one would see jams, pickles, and sauces with South Australian brands on the labels. Perhaps with a standard gauge railway we might induce the owners of those sheep stations to trade with Western Australia. Who knows. there could even be wool-selling stores at Esperance, because of this vast hinterland above, and east and south of Kalgoorlie. The standard gauge railway could bring the wool through to Esperance. One could go on for a long time talking about the favourable possibilities of Western Australia, and particularly in the southern areas where the standard gauge railway will be situated. We know that the Esperance Plains comprise millions of acres on which there are 100,000-odd cattle and 1,000,000-plus sheep; and, until grain restrictions were brought into being, production was increasing dramatically each year.

If you will bear with me, Sir, before I conclude I think I should give credit where credit is due. Recently I read in the paper where Art Linkletter, the American comedian, gave credit to the wrong person for the original interest of American capital into Esperance. Someone wrote to the paper drawing attention to this fact. The credit is due to Mr. Frank Wise, a member of this House, who interested Mr. Chase in the Esperance area, while Mr. Wise was administrator of the Northern Territory. Mr. Chase followed the matter up, and we all know about the Chase agreement and its history. We know that Mr. Chase did not accept the advice that was given him and he fell by the wayside.

The important thing is that worldwide attention was drawn to this portion of Western Australia, and people have come from far and near; from all parts of Australia and the rest of the world to take up land. The Chase publicity brought people to Esperance, but the man who interested Mr. Chase in the first place was Mr. Frank Wise; and the people of Western Australia should be reminded of this fact, and they should be grateful to him. If honours are to be bestowed, Mr. Wise should be a recipient. However, I know he would not accept them, because at one stage of his career he was offered a very high honour by Her Majesty the Queen, but he refused it. I thought it would be fitting for me to pay a tribute to this gentleman. With those few remarks, I support the Bill.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [10.13 p.m.]: I thank the honourable member for his support of the Bill. I covered the ground in respect of the possibility and the investigation that is intended in relation to a possible extension of the broad gauge railway line from Kalgoorlie to Esperance when dealing with the salt agreement, so I will not go over that again. I am sure Mr. Stubbs would not expect me to. Again I thank him for his support of this Bill which, of course, is a supporting measure of the Lake Lefroy Salt Industry Agreement Bill.

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. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 to 3 put and passed.

First and second schedules put and passed.

Title—

The Hon. A. F. GRIFFITH: May I take this opportunity to advise the Committee that I do not propose to move the third reading of this Bill until next Tuesday. It will remain as the only item on the notice paper.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

TERMINATION OF PREGNANCY BILL

Reason for Rejection by Legislative Assembly: Motion

THE HON. J. G. HISLOP (Metropolitan) [10.18 p.m.]: I move—

> That the following message be sent to the Legislative Assembly:—
>
> > The Legislative Council, in reply to Message No. 121 from the Legislative Assembly, requests to be given the reason for the rejection by the Legislative Assembly of the "Termination of Pregnancy Bill."

The message received from the Legislative Assembly was most unusual and it simply meant that the Bill was not eligible to be discussed. I feel fairly strongly about this matter because the Bill has been available in this House for about three years and I think that some action might have been taken during that time.

I am keen to know the reason for the rejection, and if it is to be accepted legally.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [10.20 p.m.]: I am prepared to second this motion but I would like to make it perfectly clear, however, that I am not seconding the motion in order to debate the merits or demerits of the Bill which was rejected by the Legislative Assembly. I make that perfectly clear.

I speak on the principle of the situation. In my experience here, when the Legislative Council rejects a Bill sent to it for consideration by the Legislative Assembly, it is our procedure simply to reject the Bill and not to advise the Legislative Assembly of the fact. The Bill is laid aside.

Again, in my experience, where the Legislative Assembly rejects a Bill that House simply lays the Bill on one side. However, in this particular case—for some extraordinary reason—we received a message from the Legislative Assembly with perfunctory words in it to the effect that a Bill we sent to that House for consideration had been rejected.

I repeat—if I need to repeat it—that I am not discussing the merits of the particular Bill which the Legislative Assembly rejected, but if the Legislative Assembly decided to take this action, surely we are entitled to know the reason. It is for this reason I support the motion moved by Dr. Hislop.

In my experience in Parliament, in nearly 20 years, I have never known this to happen before and if I understand the words of the message, the Bill has been rejected—full stop. I think we are entitled to know the reason, if the Legislative Assembly is going to convey this sort of message to the Legislative Council. I regard it as an affront that we should be informed in such a manner that a Bill has been rejected. Whatever the title of the Bill, and whatever it deals with, if this is the manner by which we are informed, we are entitled to know why.

Question put and passed.

House adjourned at 10.23 p.m.

Legislative Assembly

Thursday, the 1st May, 1969

The SPEAKER (Mr. Guthrie) took the Chair at 11 a.m., and read prayers.

MINISTER FOR THE PREVENTION OF ROAD ACCIDENTS

Provision: Petition

MR. BERTRAM (Mt. Hawthorn) [11.1 a.m.]: I present a petition to the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled. The petition is sponsored by the Citizens Road Safety Association of Western Australia, and it bears the signatures of 1,025 people. It seeks and calls upon the Government to accept responsibility in accident prevention, and to take immediate action to create the office of Minister for the Prevention of Road Accidents with authority to direct and co-ordinate immediate measures to prevent accidents. A certificate pursuant to the appropriate Standing Order has been signed by me, and is endorsed on the petition. I move—

That the petition be received.

Question put and passed.

The SPEAKER: I direct that the petition be brought to the Table of the House.

QUESTIONS

Postponement

THE SPEAKER: I suggest, with the indulgence of the House, that questions be held over until immediately after lunch, if that is suitable. However, I trust that on this occasion the Government will make it possible to adjourn a debate so that questions can be taken and not left until after 4 o'clock as happened on the last occasion. As soon as possible after lunch, progress should be reported, or a debate adjourned, to enable questions to be taken.

STRATA TITLES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 29th April.

MR. T. D. EVANS (Kalgoorlie) [11.5 a.m.]: I will indicate at the outset that this Bill is to be supported, as it would seem to be an attempt to facilitate the means whereby a person living in what we term today a home unit will be enabled more easily to obtain registration, and the acquisition, of a title to his interest in the building concerned.

When the parent Act was introduced only a few short years ago, it broke new ground in this State. It has always been the law, at least in theory, that a person possessed of the freehold of land owned that land from the depths of the earth to the heights of the heavens. Of course, that general theory has been qualified by various forms of legislation; for example, the Land Act makes certain reservations to the Crown of royal metals, of petroleum, and of timber rights.

The Commonwealth air navigation legislation qualifies this theory in relation to the ownership of the air above *terra firma*. However, be that as it may, until the parent legislation was introduced a few years ago it was not possible in this State for a person living in accommodation above ground level to claim a title to his interest.

Since the legislation was introduced we have seen a rapid growth in this city of buildings which make the need for the legislation so much more important. The Bill seeks to remedy the parent Act—as I see it—in two important matters.

In March, 1966, the uniform by-laws made under the Local Government Act were amended. It is required by the Act that where an application is made for registration of accommodation of a strata level, a plan must be submitted to the Titles Office, and must be accompanied by a certificate from the particular local government authority certifying that the building concerned meets with the requirements of building by-laws.

The particular mischief which is sought to be overcome by this Bill is to be found if we examine the situation where buildings were constructed before March, 1966, when the by-laws were altered. Such buildings would, no doubt, in more cases than not, have met the requirements of the by-laws as they were at that time. But it may be that in some other matter the buildings may not necessarily meet—although they probably would in substance—the requirements of the building by-laws as they are at the present time.

So the position could arise that where an application was made for a strata title in respect of accommodation in a building, the local authority concerned could