BUILDERS' REGISTRATION ACT AMENDMENT BILL

Council's Amendment

Amendment made by the Council now considered.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Works) in charge of the Bill.

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

Clause 5, page 3, line 36—Delete the words "twelve months" and substitute the words "two years."

Mr. ROSS HUTCHINSON: I move—

That the amendment made by the Council be agreed to.

The Legislative Council has indicated its approval of the Bill to amend the Builders' Registration Act but has suggested that there should be this minor amendment. The part of the Bill affected deals with owner-builders who are not registered but who are permitted a certain amount of latitude to build, ostensibly, buildings for their own use. The passage of this Bill through Parliament will allow those builders to build two associated units on the same level.

As the Bill left this Chamber, there was a proviso that a permit could not be secured from a local governing authority to build a second unit within the space of 12 months. In the Upper House it was felt that this period was far too short to make sense, having regard to the tone of the Bill, the tone of the amendment, and the tone of the section in the Act.

The amendment is not unreasonable and will increase the period to two years. Indeed, a permit would probably not be sought prior to that. Therefore, I propose to agree with the amendment.

Mr. TOMS: The Minister will recall that during the second reading of this Bill I did state that 12 months was rather a short period for an unregistered builder to have to wait before he could build another house. It might also be recalled that the Minister interjected and asked what I was going to do about it. My answer was, of course, that it was the Minister's Bill and it was up to him to do something about it. Apparently, the members in another place have had a look at the clause and I have no objection to the amendment. Therefore, I support it.

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

Report

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

House adjourned at 5.34 p.m.

Legislative Council

Tuesday, the 11th October, 1966

CONTENTS

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (4): ON NOTICE

IRRIGATION

Waroona Area: Extension

1. The Hon. N. McNEILL asked the Minister for Mines:

With reference to the replies to my questions on the 1st September, 1966, regarding extension of the Waroona irrigation area, and the reference to this same subject on page 42 of the 1965 annual report of the Department of Agriculture, will the Minister advise—

(1) Does he agree that there could be some measure of disagreement between the two statements?

(2) Can he give precise details of the soil surveys that were carried out in the area north-east of Waroona in an attempt to assess its suitability for irrigation?

(3) Of the total area, from Waroona northwards to Coolup, between the highway and

the scarp, what actual area could be considered suitable for irrigation, subject to water availability and engineering feasibility?

(4) If experiments or trials have been carried out—
(a) what has been the statistical significance, if any, of the results;
(b) on what soil types have they been carried out; and
(c) on whose properties have they been conducted?

(5) Are private irrigation schemes in operation in the areas referred to, and on soil types indicated by soil surveys to be unsuitable?

(6) If such schemes are in operation, whether the resultant production is sufficient justification for such schemes?

(7) Does he agree that the present use of this land, and its geographical and agricultural suitability, is sufficient to justify a more intensive and detailed study of the area in question?

The Hon. A. F. GRIFFITH replied:

(1) No.

(2) Details of the soil surveys work were published by C.S.I.R.O. in 1959 in *Soils of the Pinjarra Waroona Area, W.A.* (Soils and Land use series No. 31).

(3) The area referred to is largely of Coolup sand which, with existing knowledge and species, is unattractive for irrigation. Within this area there are only isolated pockets of soils considered suitable for irrigation. Because of their scattered nature their use for irrigation seems impracticable and exact areas have not been measured.
The above area would be dependent on the use of the Murray River water which, when dammed, would be more saline than the present summer flow.

(4) (a) As a result of the physical nature of this soil, specific irrigation requirements are necessary; e.g. short bays, good grades, and high water delivery rates, otherwise perched water tables would give a potential salt problem. Water consumption figures obtained experimentally were considered too high for the economic irrigation of pasture species at present used.
(b) The soil type is classified in the C.S.I.R.O. publication as Coolup sand.
(c) The experiments were carried out on the property of the late Mr. Newman.

(5) Yes. Private irrigation schemes are in operation on the soil types indicated by the soil surveys as unsuitable.
These schemes, however, are not using water as saline as that which would be available if the Murray River was dammed.

(6) It is doubtful whether the resultant production justifies such schemes.

(7) Further examination would be justified if suitable water of low salt content could be impounded on the Murray River.

NAIRN'S CREAM

Withdrawal from Sale

2. The Hon. J. G. HISLOP asked the Minister for Health:

(1) With reference to the reply to my question on Tuesday, the 20th September, 1966, that H. E., P. W., and M. E. Nairn had "ceased selling raw cream of their own production from the 5th February of their own volition following an assurance that they would be granted an additional quantity to their contract in lieu of their own production retail"; and as this reply is not in accord with an extract from a letter published in *The West Australian* by P. Nairn on the 20th September stating "After ten years of trying to provide for this need (fresh cream)—a commodity I found in great demand—I was forced to cease production," will he request the Minister for Agriculture to investigate the position?

(2) Also, in view of the statement by Margaret Parker in *The West Australian* on the 19th September, 1966, that "I was told that if I persisted in going to Mundijong, Byford, or elsewhere, to get quality cream to sell in our shop, the whole milk quota—the dairy farmer's bread and butter for his family—would be cut off," is such action permitted?

(3) As the public desires to obtain this dehydrated cream, what actions are being taken by the Milk Board to provide it?

(4) Has the Milk Board considered the grading of milk and cream in relation to fat percentage, as in other countries?

The Hon. G. C. MacKINNON replied:

(1) The information given in reply to the previous question is correct.

(2) and (3) The board holds the view that, in the interests of public

health, only milk or cream pasteurised by a licensed treatment plant under supervision of the board is of a satisfactory standard, and action taken is in accordance with the Milk Act.

(4) It is considered by the board that such grading of milk and cream cannot be practically applied under existing legislation.

NURSES

Educational Standard of Trainees

3. The Hon. E. C. HOUSE asked the Minister for Health:

(1) Is there a uniform standard of education required in the nursing training schools?

(2) If so, what standard is required at—

(a) Princess Margaret Hospital;

(b) Government training schools;

(c) Fremantle Hospital;

(d) Royal Perth Hospital;

(e) Sir Charles Gairdner Hospital;

(f) St. John of God Hospital, Subiaco; and

(g) The Mount Hospital?

(3) Do applicants require to pass their Leaving Certificate in required subjects, or just educated up to Leaving standard, to gain entrance to each or any training school?

(4) Is it so that the students who fail to matriculate form the nucleus of some of the training schools because while failing to matriculate, they have been educated to Leaving standard and are therefore accepted before students who have not been educated to this standard?

(5) Is nursing still considered to be a dedicated profession, or has it become a refuge for those who do not matriculate for University professions?

The Hon. G. C. MacKINNON replied:

(1) and (2) The regulations laid down by the Nurses Registration Board prescribe a minimum educational entry to nurse training, as follows:—

Third Year High School Certificate of the Education Department of W.A., including the subjects of English and arithmetic and either geography, history or social studies, and two other subjects from the following list:—

A science subject (science, physics, chemistry, biology, physiology, hygiene)
Home science
Art
Music (4th grade practical and theory—A.M.E.B.)
A language
Algebra
Geometry
Geography
History
Social studies
Scripture.

Or such other qualifications as the board deems to be an equivalent or higher qualification.

(3) and (4) Training schools in accepting pupils give preference to students with the highest educational qualifications.

(5) The question is not fully understood. However, nursing is a highly skilled technical occupation.

STATE ELECTRICITY COMMISSION LOAN

Undersubscription

4. The Hon. H. C. STRICKLAND asked the Minister for Mines:

To what extent, if any, does the Treasurer attribute the failure of the State Electricity Commission Loan to statements made by Government members in the Legislative Council on the 21st of last month that the State Treasurer's guarantee is not worth the paper it is written on?

The Hon. A. F. GRIFFITH replied:

Not any.

QUESTION WITHOUT NOTICE

PARLIAMENT HOUSE BELLS

Volume of Sound: Reduction

The Hon. A. R. JONES asked the President:

Would it be possible for you, Sir, to give consideration either to issuing members with earmuffs or having something done about toning down the bells; because I think their noise is excessive and they are annoying to all members?

The PRESIDENT replied:

This is a matter which I think the honourable member could have discussed with me in my office. Nevertheless, I will have the matter attended to.

BUILDERS' REGISTRATION ACT AMENDMENT BILL

Assembly's Message

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

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

Third Reading

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

EXPLOSIVES AND DANGEROUS GOODS ACT AMENDMENT BILL

Second Reading

THE HON. R. H. C. STUBBS (South-East) [4.43 p.m.]: I move—

That the Bill be now read a second time.

This Bill is to amend the Explosives and Dangerous Goods Act of 1961. Its purpose is to ban the sale of fireworks in shops, and to allow the conduct of public displays, for public entertainment, by authorised persons who have obtained the necessary permit from the Chief Inspector of Explosives.

It is proposed to delete the word "sale" in section 63. The Bill proposes to add a new section 30A to provide for the granting of permits to purchase manufactured fireworks—that is, fireworks covered by class 7 divisions 2 and 3—and to use them to conduct a public display. It will be noted that the existing regulations, 141 to 145, provide for the granting of permits for public display purposes using manufactured fireworks covered by class 7, division 2 only.

Section 30 of the principal Act is to be amended to allow a permit holder under section 30A the authority to purchase fireworks in accordance with the provisions of new paragraph (ca) of subsection (3).

As previously mentioned, section 30A will provide for the granting of permits by the Chief Inspector of Explosives for manufactured fireworks for display purposes and for public entertainment. Section 30A(2)(a) will allow for the permit to be issued under such terms and conditions as the chief inspector thinks fit. Section 30A(2)(b) provides that an application may be refused when, in the opinion of the chief inspector, there is likely to be a danger to public safety, or when he is of the opinion there is other reasonable cause for refusal.

Section 33 of the principal Act is to be amended by inserting after the word "explosives" the passage "(other than fireworks of the shop goods class)."

Section 34 of the principal Act is amended by adding after paragraph (c) of subsection (1) the following paragraph:—

> (ca) In the case of manufactured fireworks, he is either the holder of a permit under section thirty A of this Act or uses the fireworks under the immediate supervision of the holder of such a permit.

This provision will ensure that the permit is given to some responsible person who will represent the organisation or body conducting the public display and who will supervise all who may assist him, and who should be a person with due regard for safety.

Section 63 of the principal Act is amended by deleting the word "sale." The effect of this amendment will be to bring the sale of shop goods fireworks within division 5 of part III of the Act, which deals with the sale of explosives.

The sale of fireworks composition (class 7, division 1), and manufactured fireworks (class 7, division 2) is already regulated by the Act and regulations 117 and 122.

I have previously stated that the purpose of the Bill is to ban the sale of fireworks of the shop goods class in shops in Western Australia. Fireworks will be available for public entertainment, or displays similar to those now conducted by Lions International and other organisations. All that will be necessary is for those organisations to obtain a permit from the Chief Inspector of Explosives.

New section 30A provides for the situation and subsection (2) will provide the terms and conditions. There will be power for the chief inspector to refuse an application if he has good and reasonable grounds for doing so. This is provided for in paragraph (b) of susection (2) of new section 30A.

Members will recall that on the 17th August, 1965, I moved a motion in this House to control the sale and restrict the use of fireworks in Western Australia. What I had to say on that occasion will be found at page 313 of Volume 170 of the *Parliamentary Debates*. The motion I moved reads as follows:—

> That as there is conclusive and ample evidence to prove that the unrestricted use of fireworks has caused serious damage to the eyes of children, and has been the cause of serious burnings to the body, and in addition has at times contributed a threat to property and crops, in the opinion of this House legislation should be introduced to control the sale and restrict the use of fireworks in Western Australia.

I gave my reasons for moving the motion on that occasion, but it was ultimately lost. However, the hazards of fireworks still remain; the danger of fireworks still remains; and accidents from fireworks are still occurring, despite the warnings of police and, in most cases, the vigilance of parents. Children still obtain fireworks by devious means; they spend their lunch or entertainment money, or money that has been given to them by their parents for buying things other than fireworks. Probably the first time the parents would know that their children had obtained fireworks would be when they were advised that the children had been injured.

Vandals are still using fireworks, and are still throwing lighted crackers from cars,

to the annoyance and danger of pedestrians, particularly elderly and handicapped people. These nuisances pick their spots; and they throw crackers after they have made sure that the police are nowhere to be seen. Fireworks are also thrown at people in cars, at houses occupied by families, and in the yards of those houses, and at animals.

The Hon. A. F. Griffith: I am tempted to wonder what they would throw if they were not allowed to throw crackers.

The Hon. R. H. C. STUBBS: At least we would be removing one cause of accidents. We could meet the situation mentioned by the Minister when it occurs. I want briefly to read some of the cuttings I possess, though I will not read all of them.

In August of this year, when fireworks became available, a 20-year old youth—a machine mechanic—was fined $20 by the Perth Police Court for discharging fireworks in a drive-in theatre. The magistrate said to him—

> You fellows are a pest. Other people go to the pictures to see them. Your type does not.

After my motion last year a youth was fined £10 for throwing fireworks. I have with me a cutting which I got out of a paper the other day. It states—

> About 1 a.m. the other morning two young men in a roaring de-muffled bomb, screeched down my street, throwing fireworks. My dog went berserk, so they turned round, threw a "banger" at the dog and as I opened my front door to get their number screeched out of the street with all lights off.

Those are the type of people who are able to obtain fireworks. The use of fireworks has not decreased despite our laws, despite the action of the police, despite the warnings of parents and teachers, and despite court proceedings and substantial fines.

I submit that while fireworks are available they will be bought and used. Accordingly, in my humble opinion, the complete banning of the sale of fireworks in shops in the only answer. The fire brigade authorities have agreed that there would be merit in banning the sale of fireworks, as have the insurance companies. As I have already said, in order to ban their sale in the shops it will only be necessary to delete the word "sale" in section 63(d).

I do not intend to go over all I said last year, but I would remind members that doctors, especially eye doctors, will be glad to see the sale of fireworks completely banned. Professor Ida Mann, an eminent eye specialist, said that every eye doctor abhors fireworks, and that eye doctors look with horror at the 5th November, and the days and weeks leading up to it.

I also have the opinions of two other eye doctors, though I will not mention their names, because I have not sought permission to do so. The House may be assured, however, that these eye specialists are of the same opinion as the others. Eye specialists and doctors have very vivid recollections of the tragedy and injury that can be caused to children by the use of fireworks. They know that very often they are injured for life, quite apart from any burning that might occur to the face and other parts of the body.

As members know, considerable loss of property is also caused by the indiscriminate use of fireworks. They are also instrumental in starting fires. We all know that around the 5th November the grass is fairly dry, and, at that time of the year, there is usually a breeze blowing. If a fire cracker is thrown into dry grass it will, with the aid of a strong breeze, quickly get out of control. I think we are all aware of the fact that a great deal of property has been destroyed in this manner.

The banning of fireworks will have the approval of farmers, and the farming community generally; it will also have the approval of the public. It seems rather ridiculous to carry on the farce of celebrating Guy Fawkes day, particularly as the attempt was made in the year 1605—361 years ago—when Catesby, a tool of Guy Fawkes, perpetrated the Gunpowder Plot. The celebration of Guy Fawkes day means nothing to the Australian people.

The Hon. J. J. Garrigan: He might have had the right idea.

The Hon. R. H. C. STUBBS: I feel that Leslie Anderson had the right idea when she wrote in *The Sunday Times*—

> You're crackers! . . . For aiding the plot.
>
> It's hard to decide who was and is the sillier; Guy Fawkes, for his attempted act of arson, or the clots who annually celebrate his failure.
>
> Fire and fireworks have a fatal fascination for the foolish. You have to be very ghoulish to play around with fire in this State at this time of the year.
>
> Over the centuries the celebrated Guy could hardly have caused more long-range damage if he'd succeeded in his treasonable aim.
>
> Blindness, burns and property damage are a few by-products of this act of remembrance.

From September—when fireworks first become available in the shops—till November, we constantly read of accidents to children, of acts of vandalism, and of hooliganism by irresponsible youths and adults. If we ban the sale of fireworks we will remove a cause of these accidents and acts of vandalism and hooliganism.

I received a letter from The West Australian Federation of Parents and Citizens'

Associations after I moved my motion last year. It states—

> Thank you for your letter of 8th November, 1965, regarding legislation concerning prohibition of fireworks.
>
> I am very glad to learn that you feel you have received enough encouragement to consider further action next year, and I know my Committee will continue to press our adopted policy regarding the availability of fireworks.

On the 29th December, 1965, I received a letter from the Perth Women's Service Guild which says—

> As you are aware we have been working on the subject of fireworks either for their complete banning, or for their use to be restricted to organised groups.
>
> We feel that there is a great necessity to have the sales banned for up to two weeks prior to November 5th, as we have evidence that fireworks are being let off from August to Xmas to the annoyance and frustration of the public, especially elderly people.

Here is one from the Eastern Goldfields High School Parents and Citizens' Association dated the 27th January, 1966—

> Last year at a meeting of the Eastern Goldfields District Council of Parents and Citizens' Association delegates expressed concern at the long period before November 5th that fireworks were being sold. Following upon this and upon reading an article in the P. & C. magazine I contacted Mrs. Devlin of the Home Safety Division of the National Safety Council who informed me that you had introduced a motion in the Upper House with the intention of restricting the sale of fireworks. She told me although the motion was defeated you intended pursuing the matter further.
>
> The purpose of this letter then is to let you know that this district council supports you in the matter. Should there be anything we can do to assist with it in this coming year please contact me.

I also received the copy of a letter from the Women's Service Guild that was written to the Premier asking him to do something about this question. There are numerous cuttings I could quote, but they are all in the same vein and tell of burning accidents and hooliganism on the part of youths in the possession of fireworks. I would only be reiterating what members already know if I were to give these further examples. Therefore, I rest my case.

Last year, in connection with my motion, I received great encouragement from some members of this House; so I sincerely hope and trust I will receive the full support of all members on this occasion. I do not think it will be any skin off the Government's nose if it lets this measure go through. I commend the Bill to the House.

The Hon. A. F. Griffith: Before you sit down, what about the orders for fireworks that have been given and stocks now held in shops for sale?

The Hon. R. H. C. STUBBS: That situation could be overcome perhaps by making this measure effective as from the 1st July next year, or something like that.

The Hon. A. F. Griffith: You concede the point in not making the ban effective for this year.

The Hon. R. H. C. STUBBS: Yes, as I realise stocks have to be ordered 12 months in advance. However, if we fixed the date as from the 1st July next, shopkeepers would know not to order them.

THE HON. R. F. HUTCHISON (North-East Metropolitan) [5.2 p.m.]: I support the Bill as I feel it is a measure that should have been on our Statute book a long time ago. I saw two children permanently injured by crackers. One was a little boy who was sitting in front of a small fire when a bigger lad threw a large firework which landed on the little boy's legs. As a result, he was injured for life. Therefore it is very serious when one knows that that can happen. Also, when I was quite young, a little girl was blinded by a sparkler. Other children held this little girl because she was frightened, and whilst she was being held the sparkler was lit in front of her face, with the result that she was blinded. I could go on enumerating instances of this kind because they are known to me.

Fireworks are sold because of their commercial value, but commercialism should not come before bodily injury. We all know that fireworks are used to celebrate an old historic incident which should have been forgotten long ago; and this incident certainly has no value in the present day.

I think Mr. Stubbs should be commended for introducing a Bill like this. I know it is hard to fight commercialism in this day and age, but the sale of fireworks is one thing which should be done away with for the benefit of the whole community. I support the Bill.

Debate adjourned, on motion by The Hon. A. F. Griffith (Minister for Mines).

OPTICAL DISPENSERS BILL

Second Reading

Debate resumed from the 6th October.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [5.4 p.m.]: We had a Bill similar to this before us in 1965, which was, in effect, an echo of the Bill that was before the Houses of Parliament in 1960. The Minister in charge of the Bill last year saw fit, as the result of his investigations, not to proclaim the amendments contained

therein; and, in the interim period, has produced this piece of legislation which is a clear compromise by all of the parties concerned on the medical side, on the optometrists' side, and the dispensing side of this particular field of medicine.

The new Bill, which will become the law of the State when passed, has in particular the title of "Optical Dispensers." The measure will give to those engaged in that field, an opportunity to avail themselves of a higher grading than that which they now possess; and they will have a separate form of registration. They are already considered to be skilled craftsmen because of the period of time they undergo in their training, and they will be subject to license by the Commissioner of Public Health.

The position of the optometrist and the oculist, or opthalmologist, is clearly preserved in clause 4 of the Bill. I think it is clearly understood by the reading of that clause that both of these persons will be fully protected by the provisions of their own Acts. The optometrist will not have his field of capacity and training interfered with at all, nor will the oculist. However, those men who are skilled in their present trades as journeymen will have an opportunity, on the completion of their five-year course, to move into the field of optical dispensing; and there are provisions in the Bill whereby this can be done by approval and by subsequent examination.

One of the basic factors that appeals to me in this legislation is that it will create a pool for dispensers, having in mind that a man serves a long period of probation to gain an entitlement to his occupation. Therefore it is fitting that some of these men, if they have the desire, should be given a further opportunity to learn more in order to obtain the necessary practical experience to better themselves in this profession.

I think it can be accepted that some of these people, as a result of the progress they would make from step to step, would be prepared to undergo the restrictions of a course at the level of an optometrist. Therefore, as I view it, in this legislation we are not only creating a basic situation for gradual promotion of men who desire it, but if they be of the type that wants to go on and on, then clearly the field will be open to them to do so.

In introducing the Bill the Minister stated he had discussed its provisions with all of the interested people—representatives of the technicians, the medical profession, and the optometrists—and the result of those deliberations is the measure now before us. It is to the credit of this measure that it gives to a person who is prepared adequately to train himself for five years, an opportunity to further himself within his profession.

I think the procedure to be adopted is basically that which applies to training in law. A law student, after a period of time—four years, in fact—goes into a semi-practical field, but continues training until a certain point of time. He has to take further examinations to obtain his full qualifications—and that is the case in this instance.

If a man, in the course of the two years allocated to him, does not find himself proven in this further field of learning, then he has lost nothing. But if, in the circumstances, it is found he has proved himself, then he will become an asset to this profession; and he will be a further asset if he studies at the level that would take him even higher.

It is important that we are providing an opportunity not for a period of learning to the point of stagnation, but a period of learning so that a person may qualify for the betterment of himself and resultant benefits to the public. Possibly, as a result of this, the public will obtain better general treatment—and I do not say that in a derogatory way. It is reasonable to assume that, with the higher level of study obtainable, the public will benefit. Without going into the cost structure of this particular field of medicine, I can see there is a possibility that it will be cheaper.

The other points of interest in the measure mainly have to do with haptic lenses. The Minister advised us that there is only one person in the city who is qualified to deal with this type of work, which is excluded from the ambit of the Bill.

I wonder, as a matter of public interest, whether any action is being taken to enlarge this field so that in the future we will have more than one course in this particular form of learning available to the public. If the population grows—as it surely will—and if there is an increase in eye diseases as a result of age and circumstances that can be attributed to the hazards of life, it seems that some measures should be taken now to ensure that this field is open to those people who wish to train in it.

I would say there is a distinct danger due to the fact that we have only one of the men to whom I have referred available in the State at the moment. Because of this, I see no opportunity for widening the field of choice for work of this nature.

In the regulations which will be promulgated by the Public Health Department, a standard will be set, quite apart from the normal forms and fees; and the necessary qualifications which will be required for registration under this Act will be prescribed. There is some restriction on the optical dispenser who can obtain immediate entitlement to operate within the provisions of this Act. I should imagine some thought is being given to the qualifications of people who are not essentially prescribed within the provisions of this Bill. This could apply to people from another State or people from an-

other country. I think it is praiseworthy that these people should be given the opportunity to enter this field, provided they have the basic qualifications essential for the conduct of the profession at the general level required by the department.

In all, I think this piece of legislation is the conclusion of what has gone before and that it is worthy of trial on the basis that it is an acknowledgment of a problem which has now been approached with definite consideration from the point of view of the trainee, from the point of view of the profession and, in the ultimate, of course, the very important situation that applies to the patient.

I think it unnecessary for me to say anything further other than that I appreciate the merit of the Bill and support it.

THE HON. J. G. HISLOP (Metropolitan) [5.17 p.m.]: I will not be very long in speaking to this measure because I believe it provides what is really required in these professions and industries. Something in the clauses which I consider to be most interesting is the fact that the optical dispenser will be under the control of the Commissioner of Public Health. Therefore, the optical dispensers will be a body more or less associated with but, at the same time, dissociated from the rest of the profession. I think this is justifiable on the basis that the people who act as dispensers will be able to arrange the methods of conducting their art with the Commissioner of Public Health.

In the previous measures, there has always been a certain amount of difficulty to overcome and I think this provision will accomplish all that is necessary. I do not think we need fear any great onslaught of optical dispensers from the other States, because, having questioned this, I learnt that most of the dispensers in the Eastern States were in very good situations and were not likely to disregard that in order to come to another State. However, I think some assistance should be given, and possibly some further thought given to introducing a Bill later on to see that the way is open for optical dispensers to become optometrists at a later stage.

Having read these measures, and having discussed them with certain, although possibly not all, of those who are interested in these two Bills, I would say they are acceptable to all concerned. As we realise, a conference was held at which these measures were discussed and accepted. I think we can look forward to a period in which the work of the oculist, the optometrist, and the optical dispenser will carry on without any interruption.

Clause 6 is interesting because this is the clause which deals with the individual who is capable of making haptic lenses. It is interesting from the point of view—and I think I am quite right in saying this—that this same man is the one who actually builds his own optical frames. I have seen numbers of people from time to time who have, on some occasion or other, received a pair of glasses which did not fit at all. There are many cases in which special fittings for the lenses are necessary and this is done by one man only.

Possibly some suggestion could be made to this man to the effect that he show his art to others with the idea of making certain that this occupation can be carried on in this State. Probably some members of this House have seen glasses previously in which the wings go right around to the back of the head because they cannot be held on by any other means. Various other measures are taken by this man for those people who have to use glasses under certain conditions, and these glasses are made to fit the one person's needs. I think this profession should be expanded. I will not name the gentleman who is engaged in it currently but I am certain he would be receptive if a move were made to suggest that others might be taken in by him and trained in this field and, subsequently, the State would be grateful and would be much better off.

Having spoken to such an extent, and having read these Bills through very carefully, I recommend them. Certainly, I would vote for them because I believe this legislation will place the whole activity of providing glasses for those in need of them on a very orderly basis. I support the measure.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [5.23 p.m.]: I thank Mr. Willesee and Dr. Hislop for their remarks. Really, there is very little I need say except that no matter how one studies something, there is always the odd question which pops up on which one is not absolutely sure. Therefore, with the permission of the House—and I know members will agree to my suggestion—I will ascertain the absolute situation with regard to haptic lenses and present it to the House at the third reading of the Bill. Nevertheless, my understanding is that there is not a great deal of this work done and probably it would not be an economic proposition at the present time to have more than one person who is capable of doing this work.

The Hon. J. G. Hislop: And one coming up.

The Hon. G. C. MacKINNON: I am not sure on that point but I think this is the position. Members will realise, as Dr. Hislop said, that at times one is faced with difficult situations, such as the person who, because of an accident, has very little of the right side of his face

left; or, perhaps, no nose. Of course, these cases require special treatment.

The Hon. J. G. Hislop: The person who has a flat bridge to the nose presents just as difficult a task.

The Hon. G. C. MacKINNON: These cases present technical difficulties and when a specific person specialises, he becomes very good in his particular line. With our limited population, there is probably not the economic need for this kind of work to encourage us to have a number of people trained as specialists. However, I will get specific information before the third reading and, perhaps, when I am armed with this knowledge I will be of more help.

Both Mr. Willesee and Dr. Hislop mentioned the study of optometry and, whilst I agree this profession could, at times, excite the interest and ambition of anyone who is able to move out into a slightly more advanced job, I still think it fair to say that the possibility of moving up exists for all of us and, if a fellow has done this training, and is prepared to study for his matriculation and go on and do the necessary course in either optometry or opthalmology, there is nothing to stop him, other than ability and a lot of hard work.

I have heard of people qualifying as medical practitioners at quite advanced ages. I have even heard of one or two men who have completed university courses in pharmaceutics—or perhaps a trade course in pharmaceuticals—and then moved on to become highly renowned physicians. Today, one can move from one profession to another providing one has the necessary knowledge. Of course, this depends on the determination of the individual. At the same time, when these opportunities to move a little further ahead exist, it often gives one—

The Hon. W. F. Willesee: More of a general encouragement.

The Hon. G. C. MacKINNON: —as the honourable member says, more of a general encouragement. I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. A. R. Jones) 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: Licenses—

The Hon. W. F. WILLESEE: Subclause (1) of clause 5 states—

> A person may, by application in the prescribed form and upon payment of a fee of five dollars, apply to the Commissioner for the issue to him of a licence.

and subclause (3) of the same clause reads as follows—

> A licence shall not be issued to a person who relies, in making his application, on the provisions of paragraph (b) of subsection (2) of this section unless his application is received by the Commissioner within one year of the coming into operation of this section.

I am wondering whether the Minister can enlarge on the reason why it was thought necessary to stipulate "within one year," and what specifically caused this particular period to be included.

The Hon. G. C. MacKINNON: It is considered that because all the people concerned have known of this measure; because there is a great deal of interest; and because not a great number of people are involved it is probably wise to end the grandfather clause in a fairly short space of time. If one were to let this loose, applications would probably be made for quite a considerable time.

This is relative to paragraph (b) of subclause (2) of clause 5 which reads—

> (b) has for at least two years of the period of five years immediately preceding the coming into operation of this section, earned his livelihood by engaging within the Commonwealth in the occupation of optical dispensing,

To a large extent, this particular field depends on skills which, whilst perhaps not of a very great magnitude, nevertheless still require constant use. The measuring of inter-pupillary distances is one thing which is done by a scale. It is really a matter of usage; one is doing it every day and consequently becomes fairly skilled at it. It is a matter of adjusting these different measurements and the successful application depends on constant use. It is not considered wise that a person who practised this for a couple of years some time ago should be licensed, if one remembers that the person practised without any licensing programme and he may not necessarily have the background of five years' apprenticeship training.

These people have performed the work for two or three years, then left it for about five years, and when they return to it they are automatically granted a license. Therefore, we are of the opinion that the allowable period should finish fairly soon.

The Hon. W. F. Willesee: Have you any idea how many are involved?

The Hon. G. C. MacKINNON: To my knowledge there are probably two or three who are interested in this provision.

The Hon. W. F. WILLESEE: When I queried this clause I had an idea there would be people who would need to be contacted, and the Minister has confirmed

this. From the point of view of equity, and in view of the fact that this is new legislation, involving many people, I wonder whether the department should notify those people that they have until such-and-such a date to make application for a license under this legislation.

The Hon. G. C. MacKINNON: The Leader of the Opposition has made a very good point which I think is well worthy of adoption.

Clause put and passed.

Clause 6: Dispensing, etc., of haptic lenses—

The Hon. W. F. WILLESEE: This clause deals with the dispensing of haptic lenses, and the information conveyed to the Chamber by the Minister was somewhat enlightening to me. I foresee some difficulties in regard to training dispensers in this field because it is so limited. I was wondering if the two fields of optometry and ophthalmology could not be merged with a view to making available sufficient work or interest in the isolated field of haptic lenses so that the dispensers' scope could be widened. If the work within these two skilled fields was merged a pool of young trainees could be formed for the future.

The Hon. G. C. MacKINNON: I have an idea that, currently, there is a young lad, the son of a Western Australian optometrist who has, in fact, completed a course for the dispensing of haptic lenses which means that, in this branch of optometry, there is now this extra dispenser of lenses. It is only fair that this man, to whom vague reference has been made in that he has no qualifications, should be registered because, until now, he has been the only dispenser of haptic lenses in the State. I will make inquiries concerning this young man and advise the Leader of the Opposition at a later date.

Clause put and passed.

Clauses 7 to 12 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

OPTOMETRISTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th October.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [5.36 p.m.]: Having just passed the Optical Dispensers Bill it becomes necessary to pass this measure also because it seeks to repeal the amending Bill of 1965, and to amend section 3 of the principal Act by making reference to provisions contained in the Bill we have just agreed to. The two main clauses in this measure relate the Optometrists Act to the legislation dealing with optical dispensers. It is purely a machinery Bill and I support it.

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.

BILLS (4): RECEIPT AND FIRST READING

1. Firearms and Guns Act Amendment Bill.
   Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.
2. Strata Titles Bill.
   Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Justice), read a first time.
3. Fisheries Act Amendment Bill.
   Bill received from the Assembly; and, on motion by The Hon. G. C. MacKinnon (Minister for Fisheries and Fauna), read a first time.
4. Companies Act Amendment Bill.
   Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Justice), read a first time.

EDUCATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th October.

THE HON. J. DOLAN (South-East Metropolitan) [5.43 p.m.]: This will probably be the last occasion we will be discussing the Education Act during the regime of the Director-General of Education (Dr. T. L. Robertson), who is on the eve of retirement. The occasion, therefore, is appropriate for me to say a few words in appreciation of the great work Dr. Robertson has performed for the State and for parents in Western Australia generally.

Perhaps the same tribute could be paid to him as was paid to Sir Christopher Wren, because I think it is most fitting. That tribute was: "If you would seek his monument, look around you." I am sure no other Director-General of Education has seen so much building and so much progress in the field of education as has our retiring Director-General. I will give just one example to the House. Only a short while ago, I attended the opening of the new branch of the Institute of Technology of Western Australia. That and other fine educational buildings are a tribute to the wonderful work that has been done by Dr. Robertson. We owe much to him and we ought to take advantage of this opportunity to express our appreciation of the excellent work he has performed for education in this State.

He is to be succeeded by Mr. Harry Dettman—an outstanding scholar, a dedicated teacher, and an excellent adminis-

trator. I am certain he will be a most worthy successor to Dr. Robertson. I express that opinion quite sincerely, because I had the privilege of working with Mr. Dettman for some years at the Fremantle Boys' School. I know his capabilities, and I feel that the educational future of Western Australia is in very good hands.

Clause 2 seeks to amend section 13 of the principal Act. When we discuss this amendment we should bear in mind that in this age the majority of parents and of children appreciate the great value of education, and they desire to get as much education—the parents for their children, and the children for themselves—as they possibly can. So generally speaking this amendment relates to three groups of children.

In the first group are the children who, because of family hardship, are compelled to seek exemption from attending school in order to supplement the family income.

In the second group we find children whose future is very often best assured by taking advantage of a suitable opportunity for employment before the statutory age of leaving—15 years of age—is reached. I can give one example from my own experience, and this occurred in the last couple of years. I made application for exemption on behalf of a lad. Certain steps had to be followed, and they will be followed still when this particular amendment in the Bill becomes law.

In the first place the parents of the child concerned apply to the headmaster or the principal of a school for exemption. He considers all the circumstances after they have been put before him, and he either recommends or rejects the application. If he rejects it that is the end of the application; but if he approves it then it passes through another stage. It is sent to a welfare officer of the Education Department who makes the necessary inquiries as to the future employment of the child, and he has to satisfy himself that it will be in the best interests of the child to permit him to leave school and take on the particular job.

The welfare officer makes a recommendation one way or the other and it is then sent to the Minister. Once the Minister is in possession of the reports of the headmaster and of the welfare officer, and is satisfied that they are favourable he grants the necessary permission.

The case I have in mind concerned a young lad who was a very good scholar, and who had reached 14 years of age. He had to complete the year at school unless he could obtain exemption. His mother was dead and his home circumstances while good would have been better if he had had the guidance of a lady in the house. The boy's heart was set on becoming a jockey and application was made for him to be exempted. The report of the principal on the capabilities and educational standard of the boy was good. The lad was in his Junior year and seemed certain to pass the Junior examination, but his mind was set on becoming a jockey and the opportunity was available for him to become an apprentice. If that opportunity had not been availed of at the time, the possibility was that he would have to wait a couple of years or more before getting a similar opportunity, and he might not have done as well as he did in this occupation.

After interviewing the boy and finding out the circumstances the headmaster agreed it was desirable that he be exempted. He approved the application. Subsequently the welfare officer visited the estabishment where the boy was to work, and he met the future employer and his wife. He reported that probably the boy would be better off there than he would be at home. As a consequence the Minister granted an exemption, and the boy was able to leave school and take up a position as an apprentice jockey.

From what I have gathered from the newspapers, although I am not a racing man, the sequel is that this particular lad has won a number of races and is very highly spoken of. I give that example because I think similar circumstances would apply in nearly every case where application has been sought and granted—that it has been to the best interests of the child in permitting him to leave school.

The third group consists of children who, because of persistent failure in their studies year after year have become sick of schooling, and probably their teachers have become sick of them, too. Such children tend to become a bad influence around the school. Very often children in this group have the opportunity to obtain employment before the end of the year when they are permitted to leave school, and when thousands of children are available for the labour market. When such an opportunity does arise it seems to be quite reasonable that permission could be given to enable them to leave school and take on a job. Probably by doing so they would become better citizens than their school record would indicate, but if they are denied the opportunity, and are compelled to remain at school, then I think the school and the community will have on their hands a prospective delinquent. From the viewpoint which I have expressed, and with the safeguards referred to, the amendment in clause 2 is a desirable one.

The Minister in another place referred to two sections of school children. He referred to migrant children who, on arriving in Australia, had reached an age when they had to attend school for only a few months before they were eligible to leave. As such children have to attend our schools for two or three months before they can do any good with their studies, because

they have to get used to a new environment, new subjects, and a new curriculum, very often the three or four months they have to remain at school are wasted. In those circumstances exemption is fully justified if they are given an opportunity of employment.

The other point raised related to native children whose parents move around in following seasonal employment. These children go from school to school. If they reach a certain age, and there is employment available to them, then exemption should be granted. I support the amendment in the Bill because I consider it to be most desirable.

The amendment in clause 2(4)(b) will empower the Minister to grant exemption to a child who has successfully completed three years of secondary education in Western Australia, or a course of education that the Minister considers is of an equivalent or higher standard, and who satisfies the Minister that he desires to leave school in order to undertake full-time education in a vocational course other than at a Government school. This amendment refers to exceptionally gifted children, who, by the time they have completed three years of secondary education, are still comparatively young as compared with the other children in their classes. These children may not wish to proceed with the course they are taking at the high school; for example, they may wish to take on a full-time course at a commercial college. In these circumstances they become eligible for exemption.

Clause 3 seeks to amend section 21 of the Act. This amendment will give the Minister power to declare the school to which children might be directed. This situation did not arise until recent years, and at the present time in the metropolitan area the position is such that some schools are overcrowded while others have empty classrooms. Where circumstances warrant it, the department should be able to declare an area, and the children of that area will then have to attend a certain school by direction.

Many examples can be given to support this provision in the Bill—a provision which might appear to be harsh to some parents. It is quite possible that the declared boundary for a certain group of children might cause inconvenience because over the road from where they live there might already be a school which they naturally hope to attend; but because of the powers which the Minister is able to exercise they might be directed to another school where there is accommodation for them. This power might appear to be harsh, but where boundaries are fixed no exemption should be made and children should be directed. If hardship results it is just too bad.

In all cases where children are directed —say in a family there are two or three children attending school—invariably it is the eldest child who is directed, while the younger ones are sent to the nearest school. In the circumstances which prevail I think this provision is warranted, because some schools are bursting at the seams whereas others have remained static for some years.

The Hon. A. F. Griffith: It could be a bit difficult in the case where the eldest child of the family has been used to taking his younger brother or sisters to the same school.

The Hon. J. DOLAN: Many difficulties arise, and particular cases can be quoted to indicate that the rule has not been applied fairly. I know of one case where the four children of a family attended four different schools, but of course this state of affairs will be cleared up gradually.

Difficulties arise where parents are faced with the need to provide two or three different sets of uniforms. In some families it is customary for the children to follow in succession the attendance at the same high school, and in these cases the blazer and the school uniform which were suitable for the first child can be passed on to the next child. By sending the children to different schools it would create a hardship in this respect, but I feel the department has at all times been reasonable, and has done its utmost to obviate these happenings.

Some schools provide special buses to pick up the children from the school to attend a school somewhere else, and in these cases no extra cost is involved for travelling and no hardship is created. The fixing of a boundary and the adherence to it will ensure that nobody can have cause for complaint of discrimination. As long as the children are treated the same the people will be satisfied.

The Hon. R. F. Hutchison: There is a lot of dissatisfaction.

The Hon. J. DOLAN: There will always be dissatisfaction, human nature being what it is. Some people would not be happy if they did not have something to complain about; they enjoy being miserable.

The provision in clause 4, which seeks to amend section 21B, will enable members of the Police Force to prosecute for breaches of the Education Act. I refer particularly to cases of truancy, or absence from school for long periods. Recently this position was brought to the notice of the authorities when a magistrate questioned the authority of a police officer to prosecute a child. To ensure that the position is legal the amendment in clause 4 is being introduced. If the Bill is passed then police officers in the future will have the power to launch prosecutions. If they are not given this power then the department will have to provide many more welfare officers, thus increasing the cost of running the department.

The Hon. R. F. Hutchison: Why should the department be sacrosanct?

The Hon. J. DOLAN: This is a provision with which I go along. I am sure the authority that is to be given to police officers will be exercised in exactly the same way as it is exercised by welfare officers.

Section 23 is to be amended by extending the scope of the assistance which parents and citizens' associations can give to schools. It might be appropriate for me to express appreciation of the wonderful work which these organisations have done over the years. Many of the amenities provided in schools, and which have been of tremendous assistance to school children and have made them happier in their school life, have been the result of the work of parents and citizens' associations. The amendment to increase the scope of the work of these associations is an excellent one and can be commended.

Section 28 is amended to provide for the reclassification of teachers' salaries at intervals of not more than three years. At present this is done every five years, and the teachers and the Teachers Union are in complete accord with this amendment. I think the Government promised it would introduce it.

Section 37 is amended to alter the election date for the representative and deputy representative of the union on the tribunal. Up to the present time the date for the election has been the 17th April, but because of the difficulties experienced by teachers in schools, especially with transfers and so on, it is felt that this date should be altered to the 17th May to give extra time in order that the election might be held on a more appropriate date.

The next clause contains an amendment to section 37AE. The purpose of this amendment is to give the tribunal power to hear appeals on salary reclassifications. This power will be in the hands of people well qualified to exercise it, and I feel that the amendment is most desirable.

Section 37AH is also amended to add the words, "or the respondent or both of them, as the case requires." At present the Act contains a provision under which, when an appeal is held, the tribunal may award costs. Under section 37AH at the moment, only the word "appellant" appears and it is felt that this section should be brought into line with the previous one to ensure that justice is obtained by both parties. No-one could cavil at this provision.

The final amendment concerns the changeover to decimal currency. This amendment has been made in many Bills this year, and is most desirable.

Before I resume my seat, I desire to draw the attention of members to the fact that I have an amendment on the notice paper. This amendment has been requested by the teachers through their union. If a teacher is transferred, or is relieving at a country centre, he often finds it very difficult to obtain board, and usually the only place available is the local hotel which is most expensive. It is felt that in these circumstances teachers who are perhaps refused the forage allowance, or are given only a little, which does not compensate them for the cost involved at a hotel, could be considered by the tribunal which could make a determination. I feel that this is a desirable provision and I have never found teachers or the tribunal unreasonable in their demands or requests.

This is a very small amendment and gives the tribunal a power which is very minor in comparison with the powers it has in relation to teachers' appeals, reclassifications, and so on. I hope that when it is considered, the Minister will agree to it.

I have much pleasure in supporting the Bill because I feel it is really worth while.

The Hon. A. F. Griffith: Thank you.

Sitting suspended from 6.6 to 7.30 p.m.

THE HON. F. R. H. LAVERY (South Metropolitan) [7.30 p.m.]: I have some support for this Bill, and some criticism of it. First of all I would like to be associated with the remarks of my colleague, Mr. Dolan, when he referred to the retirement of Dr. Robertson, and the filling of the position held by Mr. Dettman.

I would probably have as close an association with Dr. Robertson as anybody in this House. The association began early in Dr. Robertson's career and early in my employment. I happened to be a bus driver before we had the Metro buses—which commenced operating on the 2nd December, 1926—and I used to drive the first bus out of Perth in the morning. Dr. Robertson used to catch that bus to go to the training college. Little did I think, at that time, he would reach the high position which he did; and I guarantee he would never have thought that I would become a member of Parliament.

It is a matter of interest to point out that Dr. Robertson was highly thought of by the late Ben Chifley. Mr. Chifley appointed Dr. Robertson as the key planner—if not the complete planner—for the rehabilitation of the men who served in the armed forces. During my first or second speech in this Parliament—or during that early period—I congratulated the McLarty-Watts Government on appointing Dr. Robertson to the position which he now holds. I said this State was very fortunate in the appointment of an officer of his capacity and ability. I do not think anybody would deny that during Dr. Robertson's term of office the Education Department in Western Australia has advanced a great deal. That advancement applies more particularly to secondary education. For a great number of years Perth Modern School was the only metropolitan high school. Then

the John Curtin High School was built at Fremantle, and now there are 14 or 15 high schools in the metropolitan area, and one or two are in the course of construction.

I do not know of any officer who would be better able to handle the top position in the Education Department than Mr. Dettman, although I know that Mr. Dettman would say that he has many colleagues in the department who are of a very high standard and who would be capable of being the administrator. I believe all members would wish Mr. Dettman the very best in the future. The support which I can give him at this moment is to say that unless this State—and the Education Department in particular—can get further assistance from the Commonwealth Government, or until the Commonwealth Goverment sees fit to make available further large sums of money—not just some thousands, but in the vicinity of £4,000,000 or £5,000,000—then Mr. Dettman will have taken over at a bad time so far as his future programme is concerned.

The amendment contained in clause 2 of the Bill deals with a child reaching the age of 14 years and the Minister being able to grant exemption from school. I am not so sure that this is as good as it may sound, or as it may read. In today's rat race—I use that term in the kindest way—it is a case of the survival of the fittest. Very often we find that young children of parents who are in financial difficulties are brilliant but are put into employment to the detriment of their future. I do not know whether my colleague, Mr. Dolan, is right or not. I am of the opinion that it would be much better for a child to continue to attend school for the full period laid down. However, last year I took to the Minister the case of a boy who was 14 years of age on the 10th or 12th February, last year. Because the school year had started before that date, the boy had to continue at school until the end of his fifteenth year.

I took the matter up with the department and finally Mr. Boylan ruled that under no circumstances could this boy be released. The boy was from a very well-known fishing family in Fremantle. The family has lived there for 30 years and all its members have become fishermen. Under the very important rules and regulations governing fishermen they have to be qualified to do certain things on the boats. The lad of whom I am speaking was going to be apprenticed and become a bosun. The boy was difficult at school —not in character, but difficult to educate. Because of that I thought I would be helping the family, or the boy, by trying to have him exempted; but in the meantime I have come to the conclusion that the right thing was done in that boy's interests. He was kept at school.

It is all very well to say that families today are in a very prosperous position. But there are a number of homes where the children, if it were not for the Education Act, would be leaving school and going into employment. There is no affluent society where bigger families are concerned, and these mothers and fathers try to get their children out to work as soon as possible.

As I said, in the rat race to get ahead these days no child, in my opinion, should be denied the right to his last days at school. Who knows just what a particular child might be capable of and the stage in life he might reach. He might become a carpenter, or a plumber, or a bricklayer, or, in more fortunate circumstances, fill a position higher than that.

I very well remember a speech made by Kim Beazley in the Federal Parliament when bringing the matter of scholarships before that Parliament. At the time he asked why the poor-man's brilliant child should not have as much opportunity as the rich-man's duffer.

Clause 3 will give the Minister the opportunity, or the right, to say whether a particular child shall or shall not attend school. I wonder whether we have a Minister for Education who will make his own decisions.

The Hon. A. F. Griffith: You are losing sight of the fact that the Minister does not originate the situation.

The Hon. F. R. H. LAVERY: That is correct; but the Minister—and I am not referring to the present Minister for Education—generally accepts the recommendation of his officers, and I sometimes feel that recommendations made by people in authority are not always in the best interests of children.

I remember the case of a boy who was attending a Fremantle boys' school and he was talking about looking for work. The boy's father sent the money for the Junior examination to the school and Mr. Stewart, the headmaster, sent the money back and said that the boy should be taken away and employment found for him because he was not suitable to sit for the Junior examination. However, the father went along to see the headmaster, Mr. Stewart, and said that as he never had the opportunity to fail in the Junior, he wished his boy at least to have that opportunity.

Not only did the boy get his Junior Certificate in all the subjects for which he sat, but later he became a teacher in the Education Department. Yet that boy was going to be thrown onto the industrial scrapheap. Without any disrespect to Mr. Stewart, his judgment was wrong on that occasion.

When the Minister is called upon to exercise his judgment under this partic-

ular section, I hope he will look at all these points and not just at whether the family situation is such that the boy should find employment, or whether, as it says in the Act, it is suitable for the child and the best interests of the child would be served by his leaving school. It is all very well to put these things in the Act, but the operation of the Act is not always in the best interests of those concerned. I think it is the old old story that regulations, like pie-crusts, are made to be broken. They are usually broken right where it suits a particular person.

Clause 3 deals with the school which a child shall attend, and here again there are many anomalies insofar as parents and children are concerned. I was rather surprised to hear Mr. Dolan say in this regard that it was just too bad if hardship results. I do not think it is just too bad at all; I think it is most unfortunate.

I have a case in my own district at the moment in regard to the East Hamilton High School. I know this school is overburdened with students at the moment, but some families who have had some of their children attending that high school have been forced to send others to another high school.

That sort of thing goes on all the time and I had a case referred to me only this week where a man who lived in Hamilton Hill, not far from the Hamilton Hill School—whose three children, aged 10, 9, and 7 had spent all their school days until Thursday of last week at that school—shifted to Hilton Park, close to the Hilton Park School. This occurred six weeks ago. Whether the information I have is correct or not, it is all in black and white and has been forwarded to the Education Department but as yet I have not received a reply as to the results of the approach. The headmaster of the Hamilton Hill School, rightly or wrongly took the children's books from their desks, gave them to the children and told them to go home and not to come back to that school.

That bears out what I said earlier; amendments to the Act, and the Act itself, are interpreted in different ways by different people. For a teacher, in October, to send children who have been attending a particular school for the whole of their school lives to another school for the few short weeks that remain in the school year is certainly not commonsense, particularly as the new home in which the children will be living is only a mile from the school they were attending.

Therefore, when amendments such as those in the Bill come before us, it is only right that we should delve into the facts to see what effect the amendments will have. There is another point. Who makes the decision on whether a child shall attend a certain school, or some other school? I know my colleague, Mr. Dolan, who has just spoken to the Bill was well known as a school teacher, and when he speaks on matters such as this we have to listen to him with a great deal of attention because he speaks authoritatively on such subjects. However, I cannot agree that simply because the department says, or an Act of Parliament states that certain children shall go to this school and not to that school, it should be agreed to without some sort of reasoning being applied to the direction.

As I have just said, in one case three children were told that they had to leave one school and go to another school approximately one mile away. This happened in October, with only a few weeks to go before the end of the school year. Such a direction is neither fair to the children nor to the school to which they are being sent, nor to the teachers who have been teaching the children during the year so far, and awarding them marks for their examinations.

It is of no use saying that sending children to another school will not cause any hardship. Frequently it does cause hardship and I have to agree with Mr. Dolan that if three or four children in one family are attending three or four different schools, all of which have different uniforms, it causes hardship to the family concerned. It is not always people in comfortable circumstances who have a large number of children. The old saying of the depression days that the rich get rich and the poor get children is very often true, and frequently with large families only £18 or £20 a week is the family income. I know some members will say that child endowment has to be taken into consideration, but I am not referring to that at all. I am referring to the fact that it is not always economic for some parents to have their children attending different schools, even though the department lays down a certain line of demarcation.

In regard to amenities, section 23 of the principal Act is amended by adding the following words:—

> and by providing facilities and amenities for the school or group, including buildings, swimming pools and any type of recreational or educational facilities and amenities," .

The word "amenities" can be as wide in its interpretation as the Indian Ocean, and if it were not for those grand bodies, the parents and citizens' associations and the parents and friends associations, I do not know how some of the schools would get on for some of the nicer things of life that are placed in the schools for the benefit of the children.

I have a case in hand at the moment. The first action was taken in 1961 and from then until the 12th August this year, 33 letters passed between the department and the Applecross High School in regard to the paving of an area for the bicycle racks which have been provided by the school parents and citizens' association at

a cost of £600. If you were to read the correspondence, Mr. President, you would see that the Education Department has passed the buck to the Public Works Department, and *vice versa*. Three years ago a sum of £2,000 was on the Education vote for this job; it is still on the Estimates for 1966-67, and it does not look as though we will be getting anywhere even now.

I cannot believe that provision of the type of amenity we are now discussing is beyond the financial resources of the Public Works Department, or of the Education Department. A school room is just a room, and I do not suppose a school room could be built for much less than £3,500, and there have been many built throughout the State. Yet all that is required in the case to which I have referred is a sum of £2,000 and this would enable the work to be finished.

I know the Education Department has made great strides in recent years. When I entered Parliament in 1952 the Education vote for this State was only £880,000, but by 1956 it had risen to £2,000,000, and at the present time it is in the vicinity of £14,000,000, or $28,000,000. Because of the rise in population the department has moved forward a tremendous distance.

I told the Minister privately that I did not think he would need to answer anything that I might say when discussing the Bill, but there is one clause which does worry me, and I refer to new subsection (3) of section 21, which is to be found on page 3, and which reads as follows:—

> (3) Where a child who wishes to attend a Government secondary school—
>
> (a) did not attend a Government school during the year in which he completed his primary education; or
>
> (b) has since his last attendance at school prior to his commencing his secondary education changed his place of residence.

I am mainly concerned about paragraph (a), and I was wondering whether it means that a child who has been attending a private school in an area in which there is no secondary school to which he can go —that is a private secondary school—can be refused entrance to a Government high school in that area.

The Hon. J. Dolan: No.

The Hon. F. R. H. LAVERY: In my view this amendment will give the Minister power which I do not think is necessary. I cite the case of a school in my own district—the St. Benedict's Roman Catholic school at Applecross. The girls attending that school are sent to another school in Fremantle when they have passed the primary school stage, but there is no school to which the boys can go; and if the parents cannot afford to send their boys to Aquinas or Christian Brothers they have to go to a State high school.

It is my opinion, and it has always been my opinion that every child should have the right to secondary education, irrespective of whether his parents can afford to send him to a private school. But once again this is a matter which is to be left in the hands of the Minister, and it is of no use telling me that there are not officers who at times make recommendations to the Minister which are not in the best interests of the person concerned but to the best advantage of the officer concerned. I am not referring only to the Education Department, but to many departments.

The Hon. A. F. Griffith: What possible advantage would it be to an officer to do something to a child which would be to his detriment?

The Hon. F. R. H. LAVERY: I am making a statement; and when I make statements in Parliament I stand by them. I say there are times, and there have been times in the Education Department, despite the fact that Mr. Dolan eulogises Ministers, Governments, and everybody else in regard to education, when people have had a pretty raw deal if they have not been on the right terms with a particular teacher.

The Hon. J. Dolan: I could not go along with that.

The Hon. F. R. H. LAVERY: That is one of the reasons why I have always been keen about the accrediting system and I have come to the conclusion that if it is introduced it will be better than I thought it might have been. I have had experience on this score and so I know what I am talking about. I support the Bill with reservations.

THE HON. R. THOMPSON (South Metropolitan) [7.57 p.m.]: I do not intend to speak for very long on this Bill. I think the amendments to section 13 of the Act are quite good and I do not have the fears that Mr. Lavery has in respect of children leaving school. As a matter of fact, as regards the cases I have taken up with the department, and various Ministers from time to time—and I imagine most members in the Chamber have done likewise—where children are not learning anything at school, they have no interest in school, and opportunities come along through which they can be placed in an apprenticeship, or in a good occupation, it is not easy to get permission for the children concerned to leave school prior to the normal school-leaving age. As a matter of fact, the last communication I had from the Minister in this regard was on Friday last and I welcome the amendment in the Bill.

I think the Minister for Child Welfare would also realise that possibly there are many boys in Hillston, Riverbank, and similar institutions who, if they could be placed in gainful employment, could take their place in society and become useful citizens. However, under the present cir-

cumstances many of those boys are not permitted to leave school even though they have no interest in it. If the headmaster, the welfare officer, the department, and subsequently the Minister give approval permission is granted for children to leave school and on this score I have no fears about the amendment in the Bill. It has always been hard, and quite often not possible to get permission for children to leave school prior to the laid down school-leaving age.

However, when we come to the amendments to section 21, which are contained in clause 3, I have serious reservations. I can quote an instance which was briefly touched on by Mr. Lavery. Last year from such selected schools as the East Hamilton Hill School, the Hamilton Hill School, and the Hilton Park School—and these are all primary schools—the children were given a note on the day that school broke up telling them which school they were to attend the next year.

Incidentally, my daughter happened to be one of these children. I did not raise any objection to this, however, because she had been sent to what is termed the Hamilton Hill High School annexe, which is the old Princess May School building in Fremantle. It did not make much difference so far as transport was concerned, or in relation to the distance from the school.

Within hours of this happening, however, we had irate parents knocking on the door, and people meeting in groups and signing petitions objecting to the manner in which this direction was given by the department, and also to the direction which sent the children from the Hamilton Hill High School to the Princess May annexe. The parents had every reason to object, because we found that children who were living right opposite the high school were directed into Fremantle, a distance of some three and a half to four miles.

It is all very well to say that the department will do the right thing, but the department does not do the right thing. I am not at all starry-eyed about the Department of Education.

The Hon. A. F. Griffith: Perhaps it would be fairer to say that the department does not always do the right thing.

The Hon. R. THOMPSON: That could be so. But let us consider the argument, or the excuse that was given as to why these children were sent to the school in question. We were told that they were the most brilliant children from the various schools, and accordingly they were directed to the Princess May School, as we term it.

In some cases there were extra fares involved—this is a State Housing Commission area—while in other instances passes were given. Then we found that these brilliant children were to be in an accrediting class where their marks were to be added up over a period of years for their Junior and Leaving Certificates.

But after settling in at the annexe—and this goes on daily, and it is still going on daily—the children must carry their books to and from school each day. It is necessary for most students to do that these days if they wish to study when they get home. The children are given three-quarters of an hour in which to eat their meals and during this time the girls—and I believe this applies also to the boys—must carry their books and walk from the Princess May annexe to the John Curtin High School. The girls must carry their books for domestic science, and the boys also carry their books and walk to the technical school, which is a little further on.

If the children wish to participate in organised sport they may go out one afternoon a week; three and a half miles in another direction. When the school sports are about to be held—as is the case at the moment—and the children wish to be included in the school teams, they must go out after school and train in their own time. Some of them have to walk up to two miles back home because there is no bus service.

This is all necessary because the children are directed away from their proper school. Is our education system so silly—and that is the only word I can use—that the children living opposite a high school cannot attend it because they are too brilliant? That is the reason given. They were the best in their classes from the three schools, and that is why they were being sent to the annexe.

The Hon. A. F. Griffith: I cannot understand your reference to the child's own time. Anyone would think the child was working for the Government.

The Hon. R. THOMPSON: I am referring to this happening during the child's mealtime, when it is supposed to be having its lunch and relaxing.

The Hon. J. Dolan: That has always happened.

The Hon. R. THOMPSON: I am merely saying that these children are being penalised because of a stupid direction. That is all it is. It is the most badly thought-out proposition I have ever heard of, particularly when we find children who are living opposite a high school cannot attend that high school because they are too clever; they must go three and a half miles to another school, and they must carry their books and walk this extra distance because no provision is made at the annexe for them.

We also find that one of the teachers of these brilliant children has resigned, or left the department. She has been replaced, and this at a time when the children are at their third term for the year.

So we find the brilliant child being penalised through its being directed by the department to a particular school. I do not intend to support this clause of the Bill; I will vote against it.

THE HON. N. McNEILL (Lower West) [8.8 p.m.]: I support the Bill, but in doing so I use this as an opportunity merely to place on record some thoughts of mine in relation to some of the amendments that are proposed. Attention has already been directed by a number of speakers to what appear to be the most controversial amendments proposed; those amendments which may give rise to the greatest controversy so far as the parents and their children are concerned. These are the amendments referring to the power which is at present available to the department by way of regulation for the directing of children to particular schools; or, as I understand it from this Bill, they will authorise the Minister to refuse admission to children to certain schools when the children do not come from a prescribed area: or in other cases where the children have been to other than a Government school for their previous schooling.

Obviously the situation must be serious enough to warrant an alteration to the Act. One must accept this. It is also suggested that while this situation has been covered in the past by way of regulation, its validity is doubtful. I cannot help but devote a moment or two to the fact that, at the moment, its validity is doubtful. This presupposes, or already accepts the fact, that there has been, or may be in the future, a good deal of opposition to this proposal, to the extent that it will be tested.

I think the expression has been used that in the event of the regulation being found invalid the situation may well become chaotic. I wonder how a situation like this does arise? I have always been led to believe that any extension to schools is to cater for increased numbers; that the very first requirement of the department is the numbers—let us produce the numbers.

I suppose that numbers are as important to the department as they are to a politician. We must first produce these numbers and thus justify the school or the extensions. If this is the case, has there been some breakdown somewhere in school planning? There may well have been in family planning, but let us confine ourselves to school planning, whereby something has not been anticipated.

The Hon. A. F. Griffith: Not necessarily.

The Hon. N. McNEILL: I ask the question; I am not necessarily being critical about this.

The Hon. R. Thompson: Shifts of population can cause this.

The Hon. A. F. Griffith: Other circumstances might prevail.

The Hon. N. McNEILL: I accept the fact that there could be such circumstances, but once again we are not necessarily advised of the kind of circumstances which bring about a situation of this nature. It leads one to imagine and consider the controversy of the private school system versus the State school system and the like. In the past we have been fortunate in being able to enjoy a State educational system whereby there has been a minimum of direction. But it appears that a greater and greater degree of direction is being introduced. Perhaps it is inescapable; I do not know. But surely while there is this ever-increasing, what we might call, necessity for direction, does not this also highlight the fact that there is a greater need for individual choice to be available to the ordinary person to send his child to a school of his choosing?

It likewise follows that in order that this might be done the schools shall at least be in existence; that the system shall be available to the people who wish to send their children to a school of their choice.

It has, perhaps, little to do with this Bill, but Mr Lavery did refer to the fact—I think these were his words—that the Commonwealth may make available not thousands but four to five millions. Let me say at this stage that Mr. Lavery suggests that there be special Commonwealth funds available for education. For the record let it be said that for a long time in this State we have accepted the fact that education is the State's responsibility; that the allocation for education in this State shall be made from this particular source; and whether it be from loan funds or out of grant funds is largely immaterial.

Mr Lavery has suggested that there be an actual amount available for the purpose of education—made available by the Commonwealth to the State. Whether it is right or wrong, and whether one agrees or disagrees, we must accept that in those circumstances there will be strings attached which will give greater Commonwealth responsibility in the field of State education.

I will not explore that line at this stage, but it goes without saying that there will be specific funds made available for this purpose, and if there are we must accept a degree of direction and a degree of responsibility.

The Hon. F. R. H. Lavery: We have Commonwealth-State housing, which is the same principle.

The Hon. N. McNEILL: Without examining that in any detail, I suggest it is not quite comparable. However, I use this as an opportunity simply to express that thought. A great deal has been said about the shortage of funds for education. There is a great need for increased funds. We can think of scores of things throughout the countryside for

which there is an ever-increasing need for greater funds to be made available.

Education is, no doubt, of basic importance to the economy and to our social life. This brings me to the subject of one of the other amendments which suggests the regulating of the actions of parents and citizens' associations and empowers them to contribute funds in order to take an active part in the provision of amenities, swimming pools, buildings, and the like.

In general terms I must comment that I have often wondered whether there is a need for a fairly close re-examination of the utilisation of some of the funds which are made available for educational purposes, irrespective of whether they are capital or for the day to day running of the school. I have heard more than once the cry that comes from teachers, "We have only been allowed one box of chalk this year. We have run out, so what are we going to do for the rest of the year?" There is also the story of children running out of pads and the cries as to what are they going to do for the rest of the year.

The Hon. F. R. H. Lavery: Call on the P. and C. for help.

The PRESIDENT: Order!

The Hon. N. McNEILL: These are not my replies. What I am concerned about is that funds are made available. Mr. Dolan has eulogized the director-general and has referred to magnificent buildings which have been erected throughout the entire State. I applaud this as the buildings are virtually a revolution in State education in this State. However, the fact remains that an enormous amount of money has been put into these buildings; and an enormous amount of money likewise goes to teachers' salaries and reclassifications; and there is provision in this Bill for reclassification.

The Hon. J. Dolan: They are worth every bit of it.

The Hon. N. McNEILL: If members knew my circumstances they would know I would be the last to dispute Mr. Dolan's comment. I do not say there is anything wrong with this. One sees these buildings and, in some cases, very nice gardens and lawns; and I believe the schools should have these. However, not all schools have them. Some schools are developed to a far greater degree than others. Senior high schools are fairly well served.

The Hon. F. R. H. Lavery: The P. and C. finds the money for them.

The Hon. N. McNEILL: Perhaps Mr. Lavery could bide his time.

The Hon. A. F. Griffith: He has had his time!

The Hon. N. McNEILL: I do not necessarily disagree with him. I am saying that senior high schools are, in most cases, fairly well served with these things. Junior high schools are not so well served; and the primary schools have little in the way of lawns and gardens, if anything at all. So parents of children going to the junior and primary schools look askance at a situation such as I have mentioned.

I know of a case where there is a great need for an oval—a grassed area. I admit a subsidy is available. This school has a beautiful garden and a gardener, but it is not possible to find the funds for the development of the oval that is needed. There is an added problem, even if the P. and C. did generously come to the party, because water is not available from the mains for the purpose of watering the oval.

How does one overcome this sort of thing? In a big high school the position is easily solved because the parents and citizens' association is a big body and there are considerable funds to call upon in order to provide water. Perhaps, in some cases, funds for this purpose are provided by the department. When one sees what may appear to be certain inconsistencies, I believe one is justified in asking is it not possible that a closer look be taken into the matter to see that children and teachers are not going without the basic necessities for learning in a school.

In some cases other funds seem to be directed without much question. There are known instances where certain things are provided in a school, and yet funds are not available for basic needs.

Some attention has been directed to the question of the school-leaving age and whether or not the Minister should be empowered to grant an exemption for a child prior to his fifteenth birthday. I am completely satisfied that this situation is well covered. I believe this opportunity should be available to a particular child, after appropriate representations, whereby the Minister may agree to it. For the record, I say this: Much publicity has been given to this matter and it would be easy for the public to obtain the impression that it is now going to be somewhat easier—

The Hon. J. Dolan: It will probably be much harder.

The Hon. N. McNEILL: —for a child to obtain exemption from school. However, such is not the case; and I believe it should not be the case. I have today, at the University, as an invited participant, attended a seminar on the future of agricultural education in this State and it was, shall we say, a follow-on to the preparation of a most learned report by two prominent people on agriculture in this State. I refer to this only because of the reference made by a member of that seminar to the necessity for a full secondary schooling for children—how the need is becoming greater every day that children should be provided with a full secondary schooling—and that one must—this is my purpose in saying this—resist the continual pressures to enable children to undertake vocational

work before they have completed an adequate secondary schooling.

In the case of a child who shows some predisposition to carry out some vocation, it would be easy to say, "Why leave him at school; let him go to a technical school. Let him serve some sort of apprenticeship." In such a case, the child may be denied an opportunity for a full secondary schooling. At the time, it may appear the right thing to do; but in later years, with more mature thought people will realise they have not done the right thing by the child by allowing it to leave school at an early age.

I recall that at higher-university level, one could get into the service of the C.S.I.R.O. by having a degree of bachelor of agricultural science, but now it is difficult without a Ph. D. The same thing applies to nursing. At one time the Junior, or something less, was sufficient but now there is more and more insistence on a higher degree. This is something we must accept; and while there should be an opportunity for exemption to be granted, it must be an exemption that is seriously and jealously guarded. With those remarks, I support the Bill.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [8.24 p.m.]: First of all I would like to thank those members who have spoken to this Bill for their support. I think the remarks made in regard to the retiring Director-General of Education are most timely and I am sure he will appreciate the compliments that have been paid to him at the end of his period of service with the Government when he is due to retire.

I feel somewhat compelled to say that I think the debate on the amount of money which should be expended on education is perhaps timely. I think perhaps it would be a good idea if we could have a full debate on this subject so that we can realise just what the demands on the Education Department are in connection with the educational facilities of the State. We could then perhaps turn to public health. I do not know whether I am right in saying this, but I think that department is the next greatest spender of loan funds. Then we come to housing, traffic, and other things. At the end of these debates we would say to ourselves. "How are we going to get all of this money?" Of course, the answer is that we can get it only by means of additional taxation. As this session goes on we will hear a contrary view to the question as to how we should get the money. I am sure members will say, "Do not obtain the money from this source but get it from another source" without being able effectively to say what the source should be.

It was interesting to listen to the divergence of opinion on the two subjects contained in this Bill. One is whether the Minister should or should not have the power to allow a child to leave school before the proper age; and the other is whether there should be something in the legislation to direct children to go to one school or another. I imagine a person like Mr. Dolan would share my view. The most desirable thing is to leave a child at school for as long as it is possible, according to the particular vocation in life the child intends to undertake, and according to the circumstances at the time.

The Hon. F. R. H. Lavery: I could not agree more.

The Hon. A. F. GRIFFITH: Of course, as Mr. Dolan told us, the opposite situation might prevail where it would be to the best advantage of the child for it to leave school. I think the interpretation being given to this particular amendment in the Bill is that it will be administered liberally rather than cautiously. I think it is a wrong approach if that is in the minds of some people.

The Hon. F. R. H. Lavery: My wish is that is shall be cautiously.

The Hon. A. F. GRIFFITH: I think the honourable member's wish will be fulfilled; and I would say—as I did by way of interjection—that this is not something the Minister will originate. This is something that will originate within the family. In the first place, a child will say to its mother or father, "I want to do so and so." So this is something that will originate from the family and representations will be made to the Minister through the department. I cannot imagine that an officer of the Education Department would make a decision and a recommendation to the Minister which is contrary to the interests of the child, if this was the insinuation that has been made.

The Hon. J. Dolan: That is not true.

The Hon. A. F. GRIFFITH: I would be horrified to think that was the case. However, I do not think there is much purpose in pursuing this aspect; and I am satisfied to accept a situation where I do not think this would purposely prevail.

On the other point, there is in existence —and has been for a long time—an authority known as the school sites committee, which is representative of a number of Government departments. It is the job of the school sites committee to keep constantly on the alert and to make inquiries about the growth of the population in certain areas of the State, and to make recommendations to the Education Department in respect of the demands for this area, or that area, in relation to the children who are going to school in that area. However, circumstances will change this sort of thing.

What yesterday, or last year, or 10 years ago, was an urban area where a lot of people were living may become less of an urban area; it may, in fact, become substantially an industrial area. However, the school which was put there some time ago does not change—it is still there.

Because of the cost of buildings and the difficulties of replacing them, as has been demonstrated to us tonight, surely there must be some rationalisation on the part of the people whose children are going to attend that school. If one pursues the line of argument that has been advanced, what we will have is one school full of children wishing to attend it and another school half full.

The Hon. R. Thompson: I have no objections to boundaries being provided.

The Hon. A. F. GRIFFITH: I, too, was a private member for some considerable time—up to the time I became a Minister—and I have had this kind of recommendation made to me. In some circumstances I, too, have fought battles. I gave an indication as to how I felt towards this matter when Mr. Dolan was speaking of the senior child in the family who is accustomed to taking his younger brother or sister to school. This has been broken up by a certain set of circumstances and I do not see how we can avoid this because, if there is not someone in authority who can lay down a set of rules, then, as the population grows, we will have complete chaos. I can see no other way out because, plainly, many parents want their children to go to one school and not to another.

The Hon. R. Thompson: How would you, yourself, feel as a parent living opposite a high school if you had to send your children three miles to another high school?

The Hon. A. F. GRIFFITH: The honourable member can put these leading questions to me—he has been trying to do so for years. I know how I would feel; I am a human being and probably a lot more human than Mr. Thompson.

The Hon. R. Thompson: You might be but you appear to be a bit dumb sometimes.

The Hon. A. F. GRIFFITH: I am not so dumb that I cannot see through you at times; but I do not think we should pursue this. If the honourable member wants to continue along this line I will match him, but I want to proceed with the Bill.

The Hon. R. Thompson: The Minister started it.

The Hon. A. F. GRIFFITH: I think this is plainly the situation we have to accept: that somebody has to regulate the situation. I would hope the Education Department would endeavour to do it, and I am sure it will endeavour to do it to the best of its ability. Some mistakes will be made but, if mistakes are made along the lines which Mr. Ron Thompson has indicated tonight then, because he is an active member of Parliament, I am sure he will make the representations to the department in order to have these blatant and obvious mistakes rectified.

The Hon. R. Thompson: The department would not rectify it.

The Hon. A. F. GRIFFITH: Then it is about time your constituents changed their member.

The Hon. R. Thompson: It is about time the department was changed.

The Hon. A. F. GRIFFITH: Joking aside, I think this is the only point one can make; that is, there must be rationalisation in a matter such as this. To my mind two opinions have been expressed. The opinion expressed by Mr. Dolan was based on experience over a long period of years; he also sees it from the point of view of the teachers, the parents, and the children. Then there was the point of view expressed by Mr. Ron Thompson. I do not propose to match one against the other beyond saying that there must be some rationalisation otherwise complete chaos will prevail.

I think the two clauses to which I have referred are the only real points of issue, apart from the clause upon which Mr. Dolan has an amendment on the notice paper. I am sure, Mr. President, you would like me to deal with this when the Bill goes into Committee rather than comment on it now. I will do that and satisfy myself by commending the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

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

Clauses 1 and 2 put and passed.

Clause 3: Section 21 amended—

The Hon. J. DOLAN: I feel a few comments are necessary in view of the debate that has taken place on this point. The question of taking children from one area and making them travel over certain distances to go to another school; the question of directing the children, and so on, is nothing new.

The Hon. A. F. Griffith: No.

The Hon. J. DOLAN: I can remember—and I will be perfectly fair about this—when the John Curtin High School was opened. It was opened by the Premier of the day, The Hon. A. R. G. Hawke, M.L.A. To that school came children from as far up as Broadway, from areas such as Subiaco, Swanbourne, Claremont, and from the other direction as far as one likes to go, and up as far as Canning Bridge. Those children came from every direction and it was anticipated that the number who would attend John Curtin High School would be 1,500; but in the matter of a few years, the number was nearly 3,500. I do not know whether this could be called terribly bad planning, but the rapid growth of population was such that it could not be avoided.

The Hon. A. F. Griffith: Kent Street High School was exactly the same.

The Hon. J. DOLAN: It was necessary not to have one annexe as some of the high schools have today but, in fact, the main school of the John Curtin High School had a number of annexes. There was an annexe at Fremantle Boys' School; another annexe at Princess May Girls' School; another annexe at North Fremantle School; and another one at Finnerty Street. Therefore, there were four annexes and the headmaster was responsible for the supervision of all those, in addition, of course, to his own school.

That is the position which existed a matter of 11 years ago and the children travelled miles and miles. One can understand that, in matters such as sport, which the teachers wanted held for the entire body, they tried to get the children John Curtin-minded. At the individual annexes individual sports days were held but, for big carnivals, such as athletics and swimming, all the children would come together. It was my experience to look to the football teams and I would draw children from all the annexes. Some of the footballers came from the annexe at North Fremantle to the central buildings in order to train. These children were not at any great disadvantage.

The Hon. A. F. Griffith: Wasn't that about the same time as Perth Boys' High School closed down?

The Hon. J. DOLAN: Yes, it was about the same time, but that situation has existed ever since the John Curtin High School was built. In order to accommodate the children, there are the senior high schools such as those at Applecross, Swanbourne, Hollywood, Hamilton Hill, and one at Kwinana, and two or three others which have been built to try to relieve the pressure.

As I said in my second reading speech, I feel that without direction there will be chaos. I said also that we would be faced with individual cases where people feel a sense of injustice and feel that they have been harshly treated. In a way it is harsh because, under this clause, a child who lives opposite one school may have to go somewhere else, but, I repeat, this is nothing new and I would say it is something which is likely to continue for some years yet.

At Princess May the position exists where the ground floor accommodates children belonging to the John Curtin High School. After 11 years, the high school still cannot accommodate the children who should be going there and the top floor of this particular school is kept for six or seven classes of children who come in from the Hamilton High School. I feel the position will rectify itself and that the department is trying to do its best.

The teachers themselves are not too happy. Personally I would have preferred it had my teaching been done at the John Curtin High School. I had some years there but then I had to take charge of the annexe at Princess May and, also, I taught at the Fremantle Boys' School. I was not nearly so happy because the conditions were not as pleasant as in the other place. However, these are the things which are caused by expansion and which cannot be anticipated.

Perhaps, while I am on this clause, I can give another example. On the other side of the river there is a new suburb of Bridgewater, and Lynwood which is a new housing settlement. It is not known how many houses finally will be built and the children from that area were directed to Cannington Primary School and the high school near Boans. The department had to erect demountables in order to accommodate the children and, also a church hall was used for this end. Next year a school will be built in the Bridgewater-Lynwood area, but all the children will not be able to be accommodated by the school. The top class—seventh grade—will still have to go into Cannington. However, gradually the pressure will be relieved and I feel this is a state of affairs with which we have to go along.

I do not say that the Government or the Education Department do not make mistakes; of course they make mistakes because they are composed of human beings. However, I could never go along with the thought that anybody ever did it for personal motives. If a child was directed a certain way, it was because the department thought it was in the best interests of the child, of the department and, in the long run of education. I feel this clause is absolutely necessary and I support it.

The Hon. R. THOMPSON: I disagree entirely with what Mr. Dolan has said. The areas and the time he was speaking about in respect of children coming into the John Curtin High School are well known and appreciated. However, Hamilton High School now has been officially opened for about three years and was constructed before the time it was officially opened; probably it has been in existence for about six years.

I have no objections whatsoever to boundaries and, in fact, these are set for primary schools. They are adhered to and not too many parents object to this. However, they do object to children being sent away from one high school, a distance of three and a half miles, to another school. Neither Mr. Dolan, the Minister, nor anyone else can justify action such as this. I will not accept it.

Let us have a look at the position which exists at the present time. Some children are travelling in a north-westerly direction for three and a half miles; some children are travelling in a south-easterly direction for another two and a half miles, and some children are travelling in a westerly direction for a comparable distance. These children are living right opposite a high

school, and yet they have to travel this distance to another school. That is a ridiculous situation.

As a parent, I did not object to this because it suited me and it suited my child because of her other studies. However, the people living in and around the high schools objected to it. In all, I think there were 29 people who signed their names to a petition within one day, expressing their objections to the things which were happening.

The department did not rectify the position; I know this because I took it up with the Minister. I lodged this petition which had been taken and handed to me—my name did not appear on it—to the Minister on behalf of my constituents. I received a very short reply; in fact, it took about a month for the Minister to reply but he came up with it eventually. The reply was to the effect that, because these children were the top children in their classes, they were being put in special classes at the annexe.

That is no excuse for this happening. The children from Hilton Park, or those adjacent to a regular bus service, could have been channelled to the annexe without any trouble. There should not have been any argument about that. It was ridiculous to channel the children living in and around the high school to the Princess May School. I could cite another case which possibly is the main reason for the amendment in this Bill. However, it does not come within my province so I shall not mention it. I move an amendment—

Page 3—Delete proposed new subsection (2).

The Hon. A. F. GRIFFITH: Apparently Mr. Ron Thompson is aiming to achieve chaos instead of some relative position. If the amendment is agreed to a ridiculous situation will be created. It may be correct that a child is directed to a school which his parents do not wish him to attend.

The Hon. J. Dolan: These children are attending three or four different annexes of the same school. They are not attending different schools.

The Hon. A. F. GRIFFITH: The same school by name, but a different building.

The Hon. J. Dolan: That is correct.

The Hon. A. F. GRIFFITH: If we agree to the amendment we will revert to what is in the Act now. A regulation exists dealing with the same position. If the amendment is agreed to any parent may object to his child attending a certain school and as there could be 5,000 objectors there could be complete chaos.

The Hon. R. Thompson: We have not had it in the past.

The Hon. A. F. GRIFFITH: No, but this amendment will prevent any such occurrence.

The Hon. R. Thompson: Then why are you putting the amendment in the Bill?

The Hon. A. F. GRIFFITH: Because there is a doubt about the legality of the Minister's action, and it is felt it may be challenged. If the regulation were challenged and found to be *ultra vires* we would be in a mess similar to that in which we would find ourselves if the amendment moved by Mr. Ron Thompson were agreed to. I trust the honourable member will not pursue his amendment, because if it is agreed to the situation could become chaotic.

The Hon. R. THOMPSON: I appreciate the Minister's sentiments, but I also appreciate the feelings of parents whose children are directed to various schools when they are living closer to another school. This is absolutely ridiculous.

The Hon. A. F. Griffith: Because of that you are prepared to take the lid off?

The Hon. R. THOMPSON: Parents are paying for the education of their children through taxes and as I am their representative I am entitled to speak in this Chamber on their behalf. I do not like 29 people complaining to me about a situation of which I know nothing, but when I am fully cognisant of the situation which is the basis of their complaints, this is the place where I can rectify obvious errors of children being misdirected to schools they need not attend. I have sufficient faith in the teachers to realise that no matter which school a child attends the headmaster educates the child to the standard required.

At the moment I know the children are being directed to three different schools, whereas if commonsense prevailed they would be directed to a school in accordance with the boundary system, to which I have no objection. The boundary system has been proved over the years in widely scattered areas. Mr. Lavery can recall an argument we had about six years ago over children in the Brentwood-Mt. Pleasant district attending certain schools when the boundary line was changed. The Mt. Pleasant school could not cope with any more students because of the large housing settlement in the Brentwood area, and so children were directed to another school. There is nothing wrong with that principle when the boundary is set, because we cannot expect children to be taught in cloakrooms when proper school accommodation is available half a mile distant.

However, I object to children travelling three and a half miles one way and two miles in another direction in order to obtain the same standard of education.

The Hon. C. E. Griffiths: The Bill will tidy up that situation.

The Hon. R. THOMPSON: The reason for this amendment is because of the action of an arts teacher who brought his child to the same school at which he was teaching. The battle between this parent and the school was highlighted in the Press for some months and that case is probably the reason for the amendment. That parent

achieved his objective and possibly beat the department, but we cannot accept that case as being an invalid one, because his child was residing within the recognised school boundary.

If my amendment will upset the objectives of the Bill and I am given some assurance that the parents I represent will not continue to be fooled around and that their children who reside opposite a high school are not sent three and a half miles to another school I will not proceed with it.

The Hon. F. R. H. LAVERY: I support the remarks made by Mr. Ron Thompson, and we have to accept Mr. Dolan's first-hand knowledge on this matter. The point that has been raised in connection with the Hamilton High School is that the children of one family, although regarded as attending the Hamilton High School, were, in fact, attending three separate annexes. Mr. Dolan has assured the Committee that this is a fact. The John Curtin High School also has three annexes.

The Hon. J. Dolan: Four of them.

The Hon. F. R. H. LAVERY: We also cannot deny the fact that although the John Curtin High School was supposed to house 1,500 students, in actual fact the number exceeded 3,000. We must bear in mind that for 50 years we had only one high school in the metropolitan area. That was Modern School, and the John Curtin High School was the second high school to be established at that particular time. The other high school that came into existence was the Kent Street High School in Victoria Park. Some children residing at Applecross had to attend the Kent Street High School, but others residing in the same suburb had to travel to Fremantle to attend the John Curtin High School.

Why should Mr. Ron Thompson, the Minister in charge of the Bill in this Chamber, or myself be subjected to complaints from parents that children belonging to one school are attending three different annexes, when this could be avoided by the exercise of a little common sense? This is no joke for those parents whose children are affected in this way.

The Hon. A. F. GRIFFITH: Because I do not have the authority to do so, I cannot give Mr. Ron Thompson the assurance he asks, and I am sure he appreciates this. Nevertheless, I suggest to him that he should withdraw his amendment. At present there is a doubt as to the validity of the department's action in directing children to certain schools, and as a result section 21 is sought to be amended to put the matter beyond doubt. If the amendment is agreed to the doubt which now exists will remain, and if the Act is challenged and found to be *ultra vires* a chaotic situation would arise by parents refusing to accept a direction. I undertake to draw the attention of the Minister for Education to the point which has been raised.

The Hon. R. Thompson: You will be wasting your time, because he has virtually ignored my letter.

The Hon. A. F. GRIFFITH: If the honourable member does not want me to do so I will not do it.

The Hon. R. THOMPSON: I am prepared to withdraw the amendment. If the section of the Act in question is challenged difficulties will be created, but let us not forget the fact that the department has caused a lot of trouble and that is what I want to rectify. The department should be more considerate to parents and children.

The Hon. A. F. Griffith: Would you like me to convey your comments to the Minister as a complaint?

The Hon. R. THOMPSON: Yes.

The Hon. H. K. Watson: What did the headmaster have to say?

The Hon. R. THOMPSON: It was a direction by the department to certain children attending a primary school. On the afternoon of the day that school broke up they were given a note directing them to the Princess May annexe of Hamilton High School. Between 50 to 60 children were involved, and of those approximately 30 lived within 250 yds. of that high school. I hope the department will not make the same mistake in the future.

I did not raise the question of school uniforms, because it is not relevant to this question. In this district there are the Melville, John Curtin, and Hamilton High Schools which the children of Hilton Park attend. The difficulties of the different school uniforms could be overcome if the department were to work on a boundary system. For those reasons I seek leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 4 put and passed.

Clause 5: Section 23 amended—

The Hon. F. R. H. LAVERY: This clause seeks to add, "and by providing facilities and amenities for the school or group, including buildings, swimming pools and any type of recreational or educational facilities and amenities" to section 23 of the Act. I have raised the question of Commonwealth finance to bring the educational facilities of this State up to requirement, and if the Commonwealth Government could make available to Western Australia a sum of £5,000,000 for the Education Department the lack of classrooms, amenities, high schools, science laboratories, and teachers would be overcome. I know there is a shortage of teachers, because relieving teachers have been recruited from teachers who have retired.

When I suggested the sum of £5,000,000 that was the base figure, and I am rather surprised that a member of this Chamber should question a request by the States to

the Commonwealth for financial assistance for education. After all, the Commonwealth Government collects most of the taxes and makes the distributions to the States. The Treasurer of this State is far from satisfied with the amount that has been made available.

Throughout the Commonwealth there is a move by the teaching profession and by others concerned with education for Commonwealth financial assistance. Recently an amount of £16,000,000 was made available to the universities, but spread over the total number in Australia this sum is inadequate.

Clause put and passed.

Clauses 6 and 7 put and passed.

Clause 8: Section 37AE amended—

The Hon. J. DOLAN: I propose to move an amendment to insert a new paragraph as follows:—

(b) by inserting after the word "teachers" in line 7 of paragraph (g) of subsection (3) the passage, ", to forage allowances provided for in regulation 107 of the regulations made under this Act."

Regulation 107 provides that the Minister may in his discretion grant to a teacher the costs incurred by him under the forage allowances. This amendment sought by the Teachers Union will provide for an appeal against a decision of the Minister on this question. It is not an unreasonable request, because at present there exists a right of appeal against salary classifications and appointments, etc. This is a comparatively minor request, compared with the rights which are available to teachers in appeals to the tribunal.

I move an amendment—

Page 5, line 14—Insert after the word "amended" the paragraph designation "(a)".

The Hon. A. F. GRIFFITH: If the Committee agrees to this amendment it could be taken as a general acceptance of the following amendment. I thank Mr. Dolan for putting this amendment on the notice paper, because it gave me an opportunity to find out the reaction of the department. The view of the department is as follows:—

As the name implies, this allowance emanates from the horse and buggy days and was devised as a means of assisting a teacher to meet the cost of maintaining a horse where it was needed to get him to and from school. Nowadays it is granted on relatively rare occasions. There would not be more than six teachers in receipt of it at the present time. The amount is calculated on the out-of-pocket expenses of running a vehicle between home and school.

The criteria used in deciding whether the allowance should be paid includes the availability of other transport, including, e.g., school buses, and whether suitable accommodation can be obtained within reasonable proximity to the school.

Whether the allowance should or should not be paid is a policy matter—

I think that is the important feature. To continue—

—and has never been subject to appeal, but once the allowance is granted there is right of appeal to the tribunal against the amount.

When the tribunal was set up in 1961, it was conceived not as a policy-making body, but as an appeal authority and it has been so regarded ever since. The proposed amendment would, in some measure, give the tribunal authority to determine the policy of the department. For the efficient functioning of the Education Department, it is essential that policy making should be the prerogative of the departmental administration, and not handed over to some outside body.

In any case the teachers' tribunal is not constituted to operate as a policy-making body and its membership was not determined with such a purpose in mind. In granting the teaching service through the teachers' tribunal appeal rights with respect to salaries and promotions, the Government put it on the same footing as other Government salaried workers. There is no justification for giving teachers the additional right of having their working conditions and amenities determined by an independent tribunal.

The granting of this right of appeal would no doubt result in a veritable avalanche of appeals on policy.

Every teacher who suffered some inconvenience with his transport arrangements would be encouraged to apply for the allowance and, if refused, appeal to the tribunal. He would have nothing to lose by doing this, and possibly much to gain.

The allowance was never intended as a travelling allowance but was designed to meet special circumstances where a teacher, through no fault of his own, of necessity had to find his own conveyance between home and school.

The Minister for Education had an opportunity to consider the amendment and he supplied me with these reasons to submit to the Committee. To me they sound logical, and I therefore hope the amendment will not be accepted.

The Hon. J. DOLAN: I thank the Minister for his explanation. Members will recall that he said that this amendment will affect only about five or six teachers so it is not really a big matter, as I suggested when I moved the amend-

ment. However, the Teachers Union and the teachers themselves who suffer in these circumstances, feel that when their request is rejected, if they had the right of appeal, they would be much more satisfied.

Amendment put and negatived.

Clause put and passed.

Clauses 9 and 10 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

METROPOLITAN REGION IMPROVEMENT TAX ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th October.

THE HON. H. C. STRICKLAND (North) [9.20 p.m.]: The contents of this Bill are not strange to this Chamber. Similar Bills have created quite a lot of debate on a number of divergent views. When introducing this Bill, the Minister stated that its purpose was to increase the metropolitan region improvement tax from 0.15625c in the dollar to 0.25c in the dollar, which represents an increase of 60 per cent. This is rather a steep rise in a tax imposed on some people who have property within the metropolitan region scheme area. It seems only a small rise—a matter of a fraction of a cent—but in reality it represents a 60 per cent. increase.

According to the Minister this rise will sufficiently increase the funds of the authority to enable it to finance its loan commitments and other expenditure until 1971. One could reasonably expect that between now and the year 1971 legislation will be presented to us to provide for further increases.

Since the inception of this tax there has been a reduction on one occasion. For the first three years following its introduction the rate was ½d. in the pound, and then the Government reduced that amount to ⅜d. in the pound which represented a reduction of something like 25 per cent., which was quite substantial, too, on the small amount involved.

I feel we have not been supplied with sufficient information in connection with the justification for imposing an increase of 60 per cent. on those who pay this tax. Because this amendment will have no effect until the financial year commencing the 1st July, 1967, the Minister could have delayed this Bill until such time as the authority's overdue report for the last financial year was tabled. It is interesting to note that under the parent Act the authority is not required to report at any particular date. It is required to report when practicable.

I have many times complained about the lateness of reports being submitted to this House. We know a delay is caused in the printing of these financial statements at this time of the year because this is the printer's busiest time as a result of Parliament being in session. However, I again suggest that Ministers might find it possible to table at least a typewritten report so that members can be appraised of the dealings which various departments have had over the last 12 months, particularly those which affect the business before the House.

Here is a particular instance. We must look back to the 1964-65 report to ascertain the financial position of the authority; and, I might say, very little is contained in that report in connection with the authority's views as to whether or not the tax should be increased. It does outline the expenditure and it is interesting to note that although the tax was reduced by 25 per cent. after its first three years of operation, it does now in fact return a higher total amount than it did when it was originally imposed. That, of course, is due to the fact that the valuations of properties have been increased. Quite a number of properties have been purchased and demolished by the authority, and therefore no tax is being paid in respect of them. Therefore, despite the fact that quite a number of properties are no longer taxable, the amount of tax collected each year has steadily increased. This increase has not been very great but, nevertheless, it has been an increase.

For instance, in the 1964-65 financial year $474,280 was collected by the ⅜d. in the pound tax. From the Minister's speech we are able to gather that during the last financial year, 1965-66, an amount of $489,428 was collected. This again represents an increase on the previous year.

We are entitled to more information in connection with the necessity for an increase. We are able to ascertain from this 15-month old report that the expenditure of the authority is increasing very steeply, and we can only agree with the authority that it must be facing some financial difficulties.

I was rather amazed to read that the amount which the authority has already spent in purchasing properties in connection with the Mitchell Freeway and its incidental roads is tremendous. I have tried to compile some figures from the 1964-65 report, and the Minister's speech which includes some figures of the last financial year, but to which this Chamber has no access. I have worked out that the amount spent on the Mitchell Freeway and incidental roads was $4,911,826 to last June. The Minister might perhaps tell me I am not correct there, but as I have pointed out, I have had to work these figures out for myself from stale statements and the Minister's speech.

The Minister also mentioned, in his speech, that it was anticipated that the expenditure facing the authority this

present financial year would be, on the Mitchell Freeway and its ancillary roads, $2,627,775. So far as I can make out from the expenditure of the authority, it has—or will have by the end of next June—spent on the Mitchell Freeway and its ancillary roads $6,539,601, which in our old currency is £3,250,000 in round figures.

So, one can express some amazement at the huge amount which the authority is called upon to find to purchase properties so that the freeway can be built. Of course, that is not the end of it. There is a lot more property in Leederville where the traffic has to spill out, and there is a lot more to be bought for the inner ring road, and so on. As I said earlier, by 1971 or long before—I would say in 1969 at the latest—this Chamber can expect to find another Bill before it further to increase this tax.

I have never, at any stage, been happy about the incidence of the tax—never at any stage. I will have something to say in connection with that when the Bill is proceeded with further.

Debate adjourned, on motion by The Hon. L. A. Logan (Minister for Town Planning).

MEDICAL ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th October.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [9.33 p.m.]: This amendment to the Medical Act is essentially, I would say, a domestic issue between the Medical Association members and the Medical Board. In general, it seeks to widen the present powers of the Medical Board. The board, in presenting its case for the Bill to the Minister, thought that the present powers were inelastic and often inappropriate. This applied particularly where a rehabilitation procedure rather than discipline should be applied.

The passing of this legislation will allow the board to impose a fine or a suspension, or require a good behaviour bond, or a good behaviour bond plus treatment of an individual affected by the excessive consumption of alcohol or the excessive use of drugs. It is to be applauded that if a doctor finds himself in the unfortunate situation of having succumbed to either of the disabilities I have mentioned, he is to be given a chance to rehabilitate himself so that he can again become an asset to his profession and be a benefit to the public.

The practice of medicine must take a lot out of those people who learn it and who practice it. The constant association with sickness must have an effect on the health of doctors. Sickness does not always attack different people in the same way.

If a person is afflicted with a known and conventional sickness he is treated without any of the drama associated with a person who is affected by drugs or alcoholism. The excessive use of drugs, or alcoholism, has a more drastic sound, but in my opinion the person concerned is still sick and should be helped and rehabilitated to make him as proficient in his profession as he was before his illness.

Further amendments are consequential. It is required that the Director of Medical Health notify the Medical Board whenever he becomes aware that a medical practitioner is suffering from an illness affecting his profession. This seems to me to be a preventive measure. Where a disability is apparant to someone in authority, that person in authority should use the powers vested in him and notify the appropriate people concerned.

I feel this Bill is one that has been looked at carefully by the medical profession before it asked for the additional powers. I think the powers will be used to the best advantage of the profession and the public generally.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [9.38 p.m.]: I would like to thank Mr. Willesee for his very lucid explanation, or analysis, of the Bill. The Bill is a liberalisation—or an application of more intelligent and up-to-date methods in the handling of these problems. I thank him for his support.

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.

PUBLIC WORKS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th October.

THE HON. H. C. STRICKLAND (North) [9.40 p.m.]: This Bill deals with that very controversial matter, the resumption of privately owned land for public works and public buildings or institutions of some similar nature, which come under the heading of public works.

Whilst we realise that at one time—or we did realise it—a person's home was his castle, I am afraid we have reached the position in the metropolitan area where a person's home can no longer be guaranteed to remain his own.

There is a constant demand on residential areas and commercial areas by the Government for the purchase or resumption or expropriation—whichever term we care to use—for public works, so that they can be used in the interest of—it is said—posterity.

We cannot quibble about that. We have been told, on more than one occasion in this House, that town planning is a never-ending procedure. I do not know where the City of Perth is likely to extend to,

but I feel it is time that notice was taken of the experience of other countries where there have been booms, and works of great magnitude have taken place in areas similar to the small area of the City of Perth—particularly the central area.

If one takes one's mind back first of all to the building of the Narrows Bridge and then recalls what was going to happen to the traffic on the Perth side of the river once the bridge was built, the original scheme provided for a much smaller roadwork system than is now planned to handle the traffic from the Narrows Bridge. I would think that instead of channelling all the traffic between Perth and Fremantle to one or two bridges—that is, the one at North Fremantle and the other one at Perth—the planners might have given more thought to dividing the traffic. A lot of the traffic which does not want to go to Perth or Fremantle has, of necessity, to go through those places. One would have thought that the planners could have built a bridge somewhere in between to reduce the strain which is being placed on both the City of Fremantle and the City of Perth.

I hope there will be no more town planners to extend the existing roadwork system which is already planned and decided upon in connection with the Mitchell Freeway and ancillary roads. I do not profess to be a town planner, or know any more about the matter than the ordinary man in the street, but it does strike me that instead of dispersing the traffic which, as I have already pointed out, has to travel through one of two cities, the planners seem to have concentrated the traffic into one particular place.

When one planner succeeds another, it is found that he will enlarge on the original plan. That has been the case in Perth. As each new planner has come along he has enlarged on the previous planner's ideas and views; and so we have reached the stage where we are not too sure what is going to happen to the Barracks Archway, to anybody's home on this side of the river or, later on, to people's homes in the Rossmoyne and Mt. Pleasant areas. There is no doubt we will have to have an outlet somewhere in those areas because the stage will be reached where it will not be possible to handle all of the traffic with the Canning Bridge and the Freeway.

With those few remarks in connection with town planning, I shall now discuss the Bill which affects those who own properties which are involved in resumptions for town planning schemes. As I have already said, the Bill has some good points but it is deficient in others and, in addition, it has some bad points so far as the victims—as I will call them—of the resumptions are concerned.

The Minister has explained some of the amendments which have been introduced to widen the scope of the valuers and assessors so that the amount of compensation paid can be increased under special circumstances. When he replies to the debate, the Minister might tell us more about that because I believe the valuers already have sufficient scope to give a fair valuation initially on any property which they propose to resume. There is a difference between properties which are resumed and those for which negotiations are proceeding. The difference is, of course, that some people might be keen to dispose of their properties and are happy to negotiate for their sale, and negotiations will start, perhaps, at about the owner's figure.

In the case of resumptions the Government submits an offer and some of the offers of which I have experience are absolutely ridiculous; and I would say, without hesitation, that the officers employed in assessing properties should not be so employed. Some of the values that have been assessed have been absolutely out of line with real values and the prices subsequently paid. It is not right, when the Government resumes land, for it to allow its assessors to impose upon people from whom the land is being taken.

I know in some cases which have come to my notice the valuations made have been laughable. For instance, I know of the case of a property situated at the corner of George and Hay Streets. A deceased estate was involved and it was being managed by a trustee company. The valuers valued this property at less than the valuation which the Taxation Department had placed upon it for probate purposes. Surely that is laughable! On the one hand, when the Government wants to receive money from a property by way of its valuation for death duties it sets a much higher figure than when it wants to take over the property for its own purposes. That example illustrates how the officers in charge of these departments are not capable of submitting a valuation or an offer to a person whose property is being resumed.

I have another case on the file in connection with 10 acres of land which are being reserved for public open space. The owner did not wish to dispose of his land, but he was prepared to negotiate for its sale or arrange for an exchange of land in the same locality—in the hills area. The Government, of course, would not tolerate that and so it made him an offer. I have the assessor's name in this case but I will not mention it. He is termed as an expert assessor and he has a doctorate. That expert valued this property at a price which was lower than the Taxation Department's valuation for taxation purposes! Surely there is something wrong when that sort of thing can happen!

The Hon. N. E. Baxter: At less than the unimproved capital value.

The Hon. H. C. STRICKLAND: We all know that the unimproved capital value of

land is much less than the price which can be obtained for it. Everybody knows that, and in this case the owner of the property was offered a price lower than the unimproved capital value of the land. In any case, where a person is having his land appropriated it is not of much use his trying to get sympathy from the land resumption office; because the officers of that section start off by offering a very low figure, one which is out of all proportion with reality, and then they finish up adding quite an amount to that figure.

I hope the Government will pay some attention to these cases. I have mentioned only a couple that have come to my notice, and although I know of a few others I shall not refer to them because I have no concrete evidence to support what I might say. I have been told of several cases but unless I can be accurate about something I will not mention it in this House. From memory, the property in the hills to which I referred was valued, on an unimproved basis, at £2,600 and the owner was finally offered £3,000. This man inspected some blocks that were advertised, and also some that were not, and one of the properties nearby in which there were two five acre lots was priced at $30,000, or £15,000.

So it can be seen that the victims, as I call them, have very little hope in the first instance of obtaining fair value for properties that are resumed, or of which they are being dispossessed. In the case I have just mentioned the owner of the land had no hope of buying another property in the same area and at the same price he was being paid for the property being resumed.

While the Minister has told us, when moving amendments to the town planning legislation, that persons who lose their land in this way will be paid current values, when pressed in relation to "current values" the Minister has said that they were those applicable to adjacent properties, or recent sales of nearby properties. Of course the Minister told us that in good faith but the facts are that the land resumption office has not taken any notice of that.

The Hon. H. K. Watson: You wanted to put a definition in the Act, did you not, that current values meant current values?

The Hon. H. C. STRICKLAND: What Mr. Watson has said reminds me of an amendment we put into the town planning legislation—current values were meant to be current values—and that amendment was inserted by this Chamber. But there again, what is done under the town planning legislation, and what is done under the Public Works Act, are two different things; and now the Public Works Act is to be amended in a fashion we do not quite understand.

Under the Act as it stands, a person whose property is taken over by the Government has the first option of repurchase if the Government finds that it has no use for that land. The Minister proposes to amend the Act in several ways so that in some cases it will not be necessary to take that action. I agree that that is quite right, and in cases where small pieces of land are left over, and the former owner has no use for them, or if he has sold out or subdivided the rest of his land, it would not be fair to offer it to him for repurchase. Neither do I think it fair that the land should be offered to the owner of adjoining property.

I thought all land owned by the Government had to be disposed of by public auction and, after all, resumed land is owned by the Crown. I know it would be unfair to auction small pieces of land which could be useful only to an adjoining owner; because somebody, because of spite, might come along to the auction and run the price sky high. I have known that to happen in a small place like Denham, which is commonly known as Shark Bay.

Therefore, we must agree on some of these points but, on the other hand, there are properties which the Government has purchased because it has thought it may want to use them at some time and, as they have been for sale, it has purchased them on that understanding. In those cases, if a property has not been taken over for a specific purpose, I do not think there is any obligation to give the original owner the option of repurchase if the Government wishes to dispose of that land.

However, if pieces of land comply with the requirements of the Town Planning Act, and the Government does not want to use them, that land should be disposed of by public auction and not by giving someone a prior option over the land.

While there are some good points in the Bill, there are also some bad ones. I agree with some parts of the measure. I, too, have certain amendments on the notice paper, though they may not be understood at a glance. While the Government intends to be more liberal in respect of compensation, I feel that my amendments may encourage the Government to be a little more liberal in relation to the price it pays for land when it is resumed—not when it is negotiated, but when it is resumed, taken, or seized by the Government. That is all my amendments seek to do.

I feel that in such cases the owners should be adequately compensated. For the benefit of those members who may not understand the amendments I have on the notice paper, I might say that where land is compulsorily taken the court may add to the valuation up to 10 per cent. as a reward for the compulsory taking of the property. My amendment says that the amount shall be not less than 10 per cent. I support the Bill with the reservations I have mentioned.

Debate adjourned, on motion by The Hon. L. A. Logan (Minister for Local Government).

House adjourned at 10.3 p.m.