The idea of the option which, of course, will be given by way of *caveat* lodged with the Titles Office, is that the title is still in the hands of the purchaser—which is very necessary for him to raise money for the erection of his home. In addition, it is a protection to any other would-be purchaser because it will be shown on the title deed that there are certain requirements attaching to it.

It is therefore felt that this procedure is the most equitable to all concerned: to provide for an option to be expressed by way of a *caveat* lodged with the Titles Office, and endorsed on the title deeds. The price shall be on identical lines with the requirements of the Rural and Industries Bank. In other words, the price received by the council on the sale, plus the rates, water rates, and land taxes paid in respect of the land since the sale by the council, plus the value of improvements effected to the land by the purchaser from the date of purchase to the date that the council decides to exercise its option.

Perhaps my legal adviser is able to express more clearly than I have endeavoured to do the theory on which the Transfer of Land Act operates. In a communication addressed to me, and dated the 11th May, 1970, it is set out as follows:—

> The theory on which the Transfer of Land Act operates is that the registered proprietor takes free of all encumbrances save those appearing on the title. If that provision is maintained by requiring the council to lodge a caveat, the possibility of an innocent purchaser becoming involved is avoided. On the other hand the council would not be protected unless and until it lodged a caveat, a very simple matter.

That is the process which has been followed, and no doubt the process that has been adopted by the Rural and Industries Bank.

It will be appreciated that the Bill is simple in itself, and that it has certain aims which I trust will appeal to all members as being correct and commendable. It is designed to assist those who genuinely seek to establish homes for themselves. It does nothing but lock out those whose presence at an auction sale is to acquire land for the purpose of profit, and in the process of so doing force the price of the land either beyond that which can be afforded by the genuine home seeker, or forcing him to pay prices which are ridiculous in the extreme and involving him in all sorts of financial difficulties when he sets about the task of endeavouring to have a house built.

I cannot emphasise too strongly that it is possible for land to be sold and the proposed option not exercised. In other words, there is nothing harsh or unconscionable in the proposition which I am asking this House and, I trust, this Parliament to consider. It is not my intention to quote the figures which have been obtained for land in various sales. There has been a steep upward spiral and we find that certain lots have attained the tremendous price of $17,000 for virgin land. That land was owned by the Crown, if I can use that term in its broadest sense; in other words, a public authority created by Statute passed by this Parliament. Surely it has a responsibility to the public! It is not there as a first priority to fill its coffers, but to render a public service. The public authority has not been asked to sacrifice land at less than its worth, but to make the land available to those who are *bona fide* purchasers.

After all, there is nothing new and novel about this proposition because, for instance, taxi plates are available to *bona fide* taxi operators, and are not available to the public at large. I think this Bill has something to commend it, and I conclude on this note: There is nothing new and novel about it. It follows the pattern that has been set by this Government and approved by this Government. Indeed, approaches have been made to me by a certain Perth city councillor for action along these lines. I acknowledge here the work and effort and the attempts of that councillor to provide a better crack of the whip for young people and, indeed, people of all ages who seek to establish homes for themselves.

My final word is to express my appreciation to the Premier to whom I appealed last week for an opportunity to be given, if possible on what was normally a private members' day, to proceed with such business as private members already had on the notice paper. Whether that opportunity has been as a result of my prompting, I know not and neither do I care. However, I am grateful for this opportunity, and I am also grateful to the member for Victoria Park for giving notice of this Bill during my absence abroad. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Nalder (Minister for Agriculture).

House adjourned at 10.29 p.m.

Legislative Council

Thursday, the 22nd October, 1970

The DEPUTY PRESIDENT (The Hon. N. E. Baxter) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS (7): ON NOTICE

1. DOOR TO DOOR (SALES) ACT

Intimidatory Tactics by Salesmen

The Hon. R. THOMPSON, to the Minister for Justice:

(1) Is the Minister aware of the intimidatory tactics being used by book salesmen representing "Global Readers Service" who gain admittance, mainly into the homes of widows, deserted wives and women, on the ruse that they will gain an overseas scholarship and that the women themselves could benefit for a prize of $500, and then demand payment from, and insult these women who refuse to co-operate?

(2) Have the Police received complaints in respect to this matter?

(3) Would the Minister investigate this firm, with a view to amending the Door to Door (Sales) Act to protect the public from such unscrupulous salesmen?

The Hon. A. F. GRIFFITH replied:

(1) I think I have some recollection of a Press statement covering the matter referred to.

(2) Yes. Proceedings have already been taken by the Police.

(3) The Door to Door (Sales) Act is not the appropriate legislation to control the tactics referred to in (1). There is adequate power as shown by the answer to (2) to deal with complaints.

2. MINING

Claims on Garden Island

The Hon. R. THOMPSON, to the Minister for Mines:

(1) Have any mineral claims been applied for on Garden Island?

(2) If so—

(a) when were these claims recommended for approval;

(b) who were the applicants;

(c) what minerals were the claims applied for;

(d) what is the total area of the claims;

(e) is the claim-holder complying with the provisions of the Mining Act in respect to such claims;

(f) is it anticipated that these claims will be worked when the proposed causeway to Garden Island is completed; and

(g) do any of these claims encroach on any leased properties on which holiday homes are established?

The Hon. A. F. GRIFFITH replied:

(1) Some Dredging Claims applied for in Cockburn Sound include narrow strips of the North and East shorelines of Garden Island.

(2) (a) No recommendation has been made.

(b) Australian Iron and Steel Pty. Ltd.

(c) Limestone and Limesand.

(d) 2,146 acres of which only a minor portion is on the Island and must be excised from the applications as Garden Island is Commonwealth property.

(f) and (g) Decision regarding approval of these applications is to be deferred awaiting the outcome of the Commonwealth programme for development of Cockburn Sound.

3. *This question was postponed.*

4. MINES DEPARTMENT

Documentary Material

The Hon. R. H. C. STUBBS, to the Minister for Mines:

What printed or documentary matter is available at the Mines Department to assist overseas companies who desire to participate in the current mineral search in Western Australia?

The Hon. A. F. GRIFFITH replied:

There is a large amount of printed information available from the Geological Survey Branch of the Mines Department. This includes:—

Geological Bulletins.

Mineral Resources Bulletins.

Geological Maps with Explanatory Notes and a number of miscellaneous smaller publications.

These publications are listed in the "Publications Catalogue 1970". Due to the unusual demand, many of the older publications are now out-of-print but may be consulted in the Geological Survey Library where there is a photocopying service available.

This library is open to the public and has all the published information of interest to exploration for minerals on Western Australia by other organisations, such as Bureau of Mineral Resources, C.S.I.R.O. etc., available for perusal or copying.

There is a service at the Geological Survey to assist persons in their search for information and to advise on the known potential

of any particular mineral. In some instances unpublished information can be made available through this service.

In addition, the Mines Department Annual Reports are also available.

5. LOCAL GOVERNMENT ACT

Caravans

The Hon. F. R. WHITE, to the Minister for Local Government:

(1) With reference to the Local Government Model By-law which restricts the parking of a caravan to a three month period in any one caravan park, in any one year, would the Minister advise—
   (a) the date on which the by-law was first gazetted; and
   (b) whether this by-law has been in existence continuously since that date?
(2) Are caravan park licenses applied for and approved subject to the conditions of the by-laws?

The Hon. L. A. LOGAN replied:

(1) (a) The 28th September, 1961.
   (b) Yes.
(2) Yes, and all applicants know the conditions of the By-laws and licenses for which they applied.

6. *This question was postponed.*

7. CARAVAN PARKS

Duration of Tenancy

The Hon. CLIVE GRIFFITHS, to the Minister for Local Government:

Further to the replies to my questions on caravan parks on Wednesday, the 21st October, 1970, will the Minister advise—
   (a) how can the number of registered caravan parks be obtained;
   (b) of the eight owners of caravans who appealed for permission to remain in a caravan park for a longer period than three months, how many had their appeals upheld; and
   (c) in which registered caravan parks were the eight appellants residing at the time of lodging their appeals?

The Hon. L. A. LOGAN replied:

(a) By circularising all municipalities which have adopted the Draft Model By-laws.
(b) Seven, one decision pending.
(c) Narrogin—3.
   Bunbury—2.
   Merredin—3.

BILLS (4): THIRD READING

1. Local Government Act Amendment Bill (No. 5).

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

2. Painters' Registration Act Amendment Bill.

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

3. Government Railways Act Amendment Bill.

4. Traffic Act Amendment Bill.

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

BUSH FIRES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st October.

THE HON. T. O. PERRY (Lower Central) [2.40 p.m.]: I rise to support the Bill, but I think it does not go far enough in some respects. It provides for several amendments to the Bush Fires Act, the first of which deals with the burning of carcases of dead animals. At present it is necessary only to clear an area 20 feet in perimeter around the carcase of a dead animal and notify adjoining neighbours of the intention to burn. It is then possible to burn the carcase between the hours of 6 p.m. and 11 p.m. of the same day.

The amendment seeks to make it a provision that it will also be necessary to notify the local fire control officer. I think this is a good idea. However, if we look at section 18 of the principal Act we see that it is necessary to give a neighbour four days' notice during restricted burning times. We must get clear the difference between restricted burning times and prohibited times. The fire danger could be much less in a restricted time but, under the Act, the requirement exists to give a neighbour four days' notice. Nevertheless, during prohibited burning times, and possibly when there is a much greater fire danger, a notice of a few minutes is sufficient before setting fire to a pile of brush or logs, or whatever is used to help dispose of a carcase. I think it would be quite reasonable to make it a requirement of the Act that 24 hours' notice at least must be given to a neighbour.

One's neighbour, or the fire control officer in the area, might be extremely busy. This could apply particularly in the case of a fire control officer who may wish to inspect the site to see that it is reasonably safe. I do not think it is fair that, with five minutes' notice, he is expected to satisfy himself that it is safe to light a fire.

It could be argued that the fire control officer has total authority under section 46 of the Act to prohibit the lighting of fires. This being so, a fire control officer could prohibit the lighting of a fire if he did not think it was safe to burn a carcase. However, a fire control officer might live several miles away from the site where it is wished to burn the carcase and he might be put to great inconvenience to call and inspect the site to see whether or not it is safe.

As we have a provision already in the Act stating that a landholder must give four days' notice during restricted burning times, to be consistent it would be reasonable to provide for at least 24 hours' notice to be given to the adjoining neighbours and to the fire control officer whenever someone wishes to dispose of a carcase by burning.

Another amendment deals with the burning of rubbish within the municipal boundaries of a shire or town. The legislation is quite good, but the Crown Law Department has cast some doubt as to whether this can be restricted to a specified area. If the measure is passed it will enable the Bush Fires Board to specify an area in which this can take place.

The appointment of a fire weather officer is limited at the present time to one fire control officer and his deputy for each local authority. Take, for instance, my own shire. The dividing range runs roughly through the centre, separating the Collie watershed from the Blackwood watershed. The conditions which apply in the Collie watershed, which is mainly jarrah forest country, do not necessarily apply in the eastern portion, which is lucerne country and where much more grass is in the paddocks than further west in the jarrah forest country. The appointment of a number of fire control officers for different parts of the shire where different conditions exist is a good provision. At present the membership of a bush fire advisory committee is limited to 12. If the number of fire brigades in a local authority area is in excess of 12, a brigade may not be represented at the bush fire advisory committee meetings. This has a double disadvantage because a fire brigade may not know what is taking place at the meetings; it has no representative to pass the information on and, also, it has no opportunity to put forward its points of view.

To my way of thinking there is a weakness in the legislation under discussion. As we are dealing with amendments to the Bush Fires Act, I would appreciate it if the Minister would not proceed with the Committee stage until early next week. This would allow members the opportunity to consider an amendment which would cover the position I have raised in relation to the burning of carcases to enable sufficient notice to be given to a neighbour and a fire control officer. I would like to have the opportunity to consult with other members, particularly with country members who experience the same problems as I do. I consider it is unreasonable to suggest that anyone should be allowed to light a fire after 6 p.m. on a hot summer's night in December or January without giving reasonable notice to his neighbour and to a fire control officer. In other respects, I support the Bill.

THE HON. C. R. ABBEY (West) [2.47 p.m.]: The matter brought to the notice of the House by Mr. Perry is of some importance. Most of us cannot imagine that anybody would be so foolish as to light a fire to burn a carcase on a day when there was an extremely high fire hazard, even if the burning took place between 6 p.m. and 11 p.m. However, there are some rather foolish people about who will do this very thing. Perhaps there are not many but sufficient to make us wary of including anything in the legislation which would give them the opportunity to do this without giving proper notice.

My personal opinion is that no such fire should be lit during the 24 hours of days when there is a severe fire hazard.

The Hon. G. C. MacKinnon: Mr. Abbey, the amendment is strengthening and not weakening the provision.

The Hon. C. R. ABBEY: I hope that is correct.

The Hon. G. C. MacKinnon: It is correct; it is there in black and white.

The Hon. C. R. ABBEY: If this is the case, and the Minister can prove his statement, the position would be covered. In other respects, I support the Bill.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [2.49 p.m.]: The speakers to this measure have studied it fairly closely and, in the main, support the Bill. The main query, and perhaps the only query, was raised by Mr. Perry.

I would point out that the Bill has been before both Houses of Parliament and considered by a number of members who are vitally interested in bush fire prevention, as bush fires are such a tremendously serious problem in country areas.

The amendment to which Mr. Perry refers is not weakening a section of the Act. I gained the impression that he thought it would do this, and he may have conveyed that impression to other members.

The Hon. T. O. Perry: I said it did not go far enough.

The Hon. G. C. MacKINNON: I realise the honourable member said that, but the impression given was that it would be

weakened. When the amendment is included, subparagraph (iv) of section 25 (1) (c) of the Act will read as follows:—

> the fire shall not be lit unless and until notice of intention so to do has been given to the occupier of all land adjoining the land on which the burning is to take place and to a bush fire control officer of the local authority in the district in which the fire is to be lit.

So a person wanting to light a fire will be required to do something additional. This Act is the culmination of work done, and suggestions made, by local bushfire brigades, local authorities, and the Bush Fires Board. From time to time amendments are brought forward to strengthen the Act as changing circumstances demand. Strangely enough, the only criticism of the Act I have heard is that it tends to be a little too much along the lines of dotting every "i" and crossing every "t," and that a greater degree of flexibility in administration might be desirable.

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

The Hon. G. C. MacKINNON: In case one or two members jump to the conclusion that I am putting forward an argument of my own, I repeat: that is one of the criticisms of the Act I have heard. I just do not believe that a fellow in an area of high fire risk will burn a carcase on his farm when he could just as easily hitch the tractor to it and drag it away if it was becoming smelly. Despite what Mr. Perry or Mr. Abbey may say, I just do not believe that anyone is that confoundedly stupid.

The Hon. C. R. Abbey: It would be odd.

The Hon. G. C. MacKINNON: "Odd" would be the word, in capital letters! Such a person would not have a mate left for miles around. Anybody that stupid would not be deterred by any type of penalty we may put in the legislation. Mr. Deputy President, you live in the country and you would know that anybody that stupid probably would not be able to read, and would not understand the situation if it were explained to him, anyway. There are some things for which we cannot make provision, and I think it is undesirable to try.

I would suggest that we proceed with the Committee stage. If my assessment of the situation is completely wrong, and Mr. Perry receives the support of a sufficient number of members to make it worth while, I will refer the matter back for further consideration. Although the Bill has been in both Houses of Parliament for a considerable time we cannot preclude the possibility of a vital matter being discovered at the last moment. Personally, I do not believe that anyone could be that silly. I think we might as well let the Bill go through because the Act is amended every couple of years. Therefore, I ask that the Bill be read a second time.

Question put and passed.

Bill read a second time.

In Committee

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

Clause 1 put and passed.

Clause 2: Amendment to section 25—

The Hon. T. O. PERRY: I noted with interest the comments made by the Minister. However, I must support Mr. Abbey in what he said. Although the amendment takes nothing away from the legislation, and although it assists the fire control officer of the local authority by requiring that he be given notice of what is to take place, the fact remains that foolish things do happen. Just after the war, when war service land settlement operations were going on in my area, so many fires got out of control that the fire control authorities refused to issue permits of any nature, and the local fire brigade took over the control of all burning in the war service land settlement section.

I held the position of Chief Fire Control Officer in the Shire of West Arthur for 17 years and on many occasions I was called out by a fire control officer, fire fighter, or resident in the district for the purpose of speaking to people who had broken the law and lit fires without a permit during the prohibited period. I could quote 30 or 40 instances where I was called out to speak to such people.

The Hon. G. C. MacKinnon: When was this? Just after the war?

The Hon. T. O. PERRY: I am talking about the 17-year period prior to my being elected to this Parliament. I have no doubt that other members in this Chamber who have been fire control officers have had to perform this most unpleasant task.

In my area many of the farms belong to absentee owners. Those farms are managed by people who, in some instances, do not have a great deal of knowledge of how to control a fire. People from other States buy farms in this State, and they possibly would not appreciate the danger of fire as much as the local people do. The Act already provides that during restricted burning times—although the fire hazard may be low—a person who wishes to light a fire must notify the fire control officer and the adjoining neighbours four days prior to lighting the fire. I think that during the prohibited burning times, when the fire danger can be much higher, a period of 24 hours' notice is not unreasonable, and should be required under the legislation. On those grounds, I would ask the

Minister to consider giving us the opportunity to consult together and come up with an amendment which is acceptable to all.

The Hon. G. C. MacKINNON: I notice that several people in this Chamber have had a great deal of experience in connection with bushfires. I ask this question: What are the restrictions during the prohibited burning time?

The Hon. S. T. J. THOMPSON: Whilst I agree largely with what Mr. Perry has said regarding the number of times complaints are received about the lighting of fires, I think in this instance we are dealing specifically with the burning of carcases. Admittedly, there are people who will light fires along roads at two o'clock instead of waiting until 4.30. This goes on every year, but it is well policed by the various brigades. We will always have the chap who burns rubbish at the wrong time.

However, we are dealing with the burning of carcases, and during the period I have had anything to do with the fire brigade I have never experienced a problem in this regard. I believe the fact that the matter now has to be referred to the fire control officer gives that person the authority to say "Yea" or "Nay." Of course, it is ridiculous to say that four days' notice should be required. I could not even agree that 24 hours' notice is required. In most cases the carcase would have been there for 24 hours before the farmer found it and the position would be too difficult if he had to wait for a further 24 hours before burning it—bearing in mind that he is still required to wait until six o'clock. I think the Minister put his finger on it when he said the average farmer would remove the carcase by using his tractor. But if he wished to burn the carcase, and had everything ready to do so, is would be a rather smelly process if he was delayed for 24 hours. If we are to have any restrictions then I think the control officer should be able to waive them if he is satisfied the conditions are right.

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

Ayes—11

Hon. C. R. Abbey	Hon. N. McNeill
Hon. G. E. D. Brand	Hon. I. G. Medcalf
Hon. V. J. Ferry	Hon. S. T. J. Thompson
Hon. Clive Griffiths	Hon. F. R. White
Hon. L. A. Logan	Hon. J. Heitman
Hon. G. C. MacKinnon	*(Teller)*

Noes—12

Hon. R. F. Claughton	Hon. T. O. Perry
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. W. F. Willesee
Hon. R. P. Hutchison	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. R. H. C. Stubbs
	(Teller)

Pair

Aye	No
Hon. G. W. Berry	Hon. H. C. Strickland

Clause thus negatived.

Clauses 3 to 5 put and passed.

Title put and passed.

Bill reported with an amendment.

WESTERN AUSTRALIAN MARINE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th October.

THE HON. R. THOMPSON (South Metropolitan) [3.06 p.m.]: The amendments in this Bill relate to sections 81 to 85 of the Western Australian Marine Act and, as the Minister said when introducing the measure, they are designed to incorporate certain recommendations from the conference of Commonwealth and State navigation authorities in the legislation of the various States so that the position, so far as load lines and deck lines are concerned, will be standard throughout Australia.

I agree with most of the amendments and I cannot see any reason for disagreeing with the legislation. However, that does not mean to say that I think the amendments will do a great deal of good other than to bring about uniformity throughout Australia.

It has been said that a large number of vessels of 15 tons and up to 80 tons, and even over 80 tons, are operating along our coastline, and that the number now engaged in this work is greater than was the case hitherto. That is true up to a point, although throughout the history of Western Australia numbers of these craft have been operating along our coastline.

In my view the regulations made under the parent Act should be given close consideration by this Chamber because they are of prime importance. Clause 5 of the Bill allows for exemptions in certain cases.

I am sorry, Mr. Deputy President, but I cannot even hear myself speak.

The DEPUTY PRESIDENT: Order! There is a little too much conversation in the Chamber.

The Hon. R. THOMPSON: I believe that clause 5 is one provision to which we should give a great deal of consideration and we should make suggestions to the Minister in charge of the Act because he has the responsibility of drafting regulations and granting exemptions from those regulations.

For instance, if a ship which comes within the jurisdiction of this Act is sailed into waters outside the boundaries of Western Australia a certificate from the Commonwealth Department of Shipping is required—it is what is known as a foreign ocean-going certificate. Any vessel operating outside Western Australian waters does not come within the scope of the Western Australian Marine Act.

As regards the question of load lines, I think this is something that should have been attended to many years ago. Provision should have been made in the Western Australian Marine Act to cover this aspect. Prior to 1948, in which year the Western Australian Marine Act was passed, we had some dozen or so Acts of Parliament in force to cover marine navigation and other aspects of marine transport.

Although I have not discussed this matter with Mr. Wise, I understand that he was responsible for drafting, and for consolidating the other Acts into, the existing Western Australian Marine Act. I can recall, and I am sure other members who over the years have visited Fremantle Harbour can also recall, that at one stage there were 13 coal hulks in the harbour. These vessels used to transport coal across the harbour.

In the main they were old sailing ships which had been converted. These vessels used to cart the coal direct to the ships which required bunkers. The coal hulks would be towed alongside the ships or tugs which required bunkers, where the coal would be unloaded.

Towards the end of the second World War one of these coal hulks was sunk between F and G sheds. This disrupted the movement of shipping; and at the time there was much shipping in the harbour. Consequently G shed was rendered virtually useless. For almost two years, until the coal hulk was raised from the bottom of the harbour, this part of the wharf was used for ships to tie up, rather than as a transit point.

The American Navy, which was using Fremantle Harbour at the time, undertook to blow up the coal hulk, but for some unknown reason the Fremantle Harbour Trust would not allow that to be done. Consequently the berth remained idle.

Had there been load lines on coal hulks at that time the sinking of the particular vessel between F and G sheds would not have occurred. This vessel sank because it was overloaded. About 2,000 tons of coal would have been loaded into this hulk, but it had only a gross tonnage capacity of something like 800 tons, and this was the tonnage which it could safely carry.

I could refer to the *Norwhale* incident in later years. This vessel was at the time loaded with oil and was tied up in Fremantle Harbour. It was berthed against the aircraft carrier *Eagle*. It was alleged that water was pumped from the *Eagle* over the top of the *Norwhale*. The weight of this water, together with the oil in its tanks, caused the *Norwhale* to sink. A great deal of controversy arose over this incident, and a large sum of money was required to raise the vessel from the bottom of the harbour. In cases such as this it is only right and proper that load lines should be marked on vessels.

I now turn to the next type of vessel to which I wish to make reference; that is, fishing boats which may be over 15 tons—and many of them are over 15 tons. In these cases the Minister should use the utmost caution in the granting of exemptions. I am aware that in another place a great deal of argument was raised several years ago on the question of exemptions which were granted under section 29 of the Western Australian Marine Act; and these exemptions related to vessels which were operating on the north-west coast. If the exemptions contemplated in the legislation before us are granted along the lines I am thinking of, then I would support them.

I feel that to require small craft—such as fishing boats, crayfishing boats, or vessels carrying out charter work and seismic surveys—to be marked with load lines would give a false sense of security. These vessels are virtually sailing in from blue waters, to operate in the shallows and over reefs.

The skipper of such a boat could load it down to the load line, and would think the vessel was quite safe. He would not be breaking any laws or regulations by doing that, because competent surveyors would have decided that the load line on the boat was correctly placed. The skipper could find himself in serious trouble when he operated in shallow waters or over reefs; he could lose the craft, and in the process there could be loss of life.

We are fortunate that at present so few of the small craft operating off our coast are lost; but in past years, during the initial upsurge of the crayfishing industry, many of them were lost. In the main that was due to the actions of foolhardy people who were inexperienced with the sea. However, at the present time we have possibly one of the best groups of skippers of small vessels to be found anywhere on the Australian coast, or the coast of other countries of the world. The skippers operating vessels off our coast are experienced; they know what their vessels can carry and what the vessels are capable of doing.

In the operation of small craft it is common sense which prevails. I do not think the marking of load lines on vessels will provide any added protection for them. I hope that in this respect the fishing industry, in particular, will not be affected.

I now turn to the other type of vessel which is employed in the fishing industry; namely, the carrier craft that ply between Geraldton and the Abrolhos. The skippers of these boats are experienced. Because these vessels operate mainly in deep water, and because they are of a larger size than the fishing boats, they would be covered by this legislation; and they would not be exempt. From time to time the waters in which the carrier craft operate can prove to be difficult, because the conditions differ

very greatly between the morning and the afternoon. So, common sense must prevail in the operation of these vessels.

I want to put this question to the Minister, because it exercised my mind when I looked at the legislation: Who will carry out the survey? The Minister said that competent people would be engaged to carry out the surveys and to indicate the position of the load lines on the sides of vessels. This might be all right as far as the question of safety is concerned.

I have worked on the waterfront, and I realise there is only one competent authority to undertake this survey work to ensure safe navigation; and that is the Commonwealth Department of Navigation. This is the only reliable and competent authority to do the job in Western Australia, although we know there are independent surveyors—mainly insurance surveyors. I do not think these independent surveyors are interested in any shape or form in doing this survey work, because insurance surveying is a much more lucrative occupation, when compared with the arduous task of surveying vessels under this legislation.

It was not very many years ago when the Harbour and Light Department was the authority which policed the Western Australian Marine Act, but it did not have any competent staff to do the work. At one time this department was run completely by civil servants who had no experience at all in navigation.

Therefore, who will do this work? It would be ridiculous to appoint someone simply because he has a surveyor's certificate; unless he has had experience either with Lloyds of London, or with the Commonwealth Department of Navigation, he would not be competent. A surveyor might have a ticket stating that he was competent to do the work but he could possibly be completely inexperienced in carrying out the functions of the job. It is a difficult situation to overcome, and unless an experienced man is employed, many mistakes can occur, particularly when dealing with small craft.

Possibly the argument could be raised that the Commonwealth department has not had experience in the handling of small craft. To a point that would be true, but at least the Commonwealth department does have knowledge of and experience with the small craft that come under its jurisdiction. The Commonwealth does have some small craft, and the people concerned with those small craft are the only ones who should be directed to carry out this work.

Earlier I mentioned coal hulks. Strange but true, one of the coal hulks which was in Fremantle Harbour, and which was possibly used for 40 or 50 years, was named the *Samuel Plimsoll*. In dealing with this legislation there has been mention of the Plimsoll line, more commonly referred to now as the load line. In 1868 Samuel Plimsoll, who was then a member of the British House of Parliament, fought many battles on behalf of the seamen and firemen to bring in the use of what is commonly known as the Plimsoll line. Samuel Plimsoll was the secretary of the union which looked after the seamen and the firemen.

Two Royal Commissions were held in 1872 and 1875, and Samuel Plimsoll figured prominently at both inquiries. As a result of those two Royal Commissions Samuel Plimsoll won the day. According to the record, Samuel Plimsoll was a radical reformer and he fought bitterly on behalf of those men who were being sent to sea in overloaded and unseaworthy ships. However, as I have said, he won the day. I understand that in 1875 there was a furious scene in the House of Commons when the legislation was passed.

From that year the load line, or the Plimsoll line, has been marked on ships. As the Minister has stated, a load line is a circle 1 ft. in diameter with horizontal lines running through the circle. Sometimes three lines and sometimes five lines run through the circle.

The Hon. G. C. MacKinnon: They are both the summer and winter load lines.

The Hon. R. THOMPSON: That is the point I am coming to. Samuel Plimsoll was the originator of the load line and we find that the ship which was named after him, in recognition of his work, finished up in Fremantle Harbour. I am not sure, but I think that ship was the coal hulk which was sunk between F shed and G shed. If the hulk was not that of the *Samuel Plimsoll* it was that of the *Concordia*. So it can be seen that at least one radical did something worth while for the rest of the world.

As was mentioned by the Minister, the load line on a ship is applicable only to those ships which sail under the register of a country which has Acts to cover navigation and insurance. From time to time we hear about ships which are termed "flags of convenience ships." That term is in common usage around the waterfront, and it is known that the Plimsoll line means nothing to ships which sail under the Panamanian or Liberian registers. Those ships are not covered by Lloyds of London, and in the main they carry their own insurance. The ships are usually loaded to the limit, particularly when carrying bulk wheat. It is often said that such a ship does not have a Plimsoll line, but when it is loaded one will be painted on it. I believe that statement because some of the ships are loaded lower than the water line, and I have worked on those ships. The old type of ship is the hardest to trim, whereas the modern type ship is easy to trim to get the right draught fore and aft.

It is difficult for a layman to stand up in Parliament and say where the load line on a ship should be, because although a ship might appear to be overloaded when it leaves a port, the draught of the ship—strange, but true—depends on the salinity of the water, the temperature of the water, and the length of the waves through which it is sailing. Ships are usually built to the length of a wave and a half, and the length of the waves, in some instances, will give a ship added buoyancy. The surveyor who will mark the load line on the small craft operating around our shores might have to take into consideration the length of the waves through which the small craft will sail. In the main, I think the small craft will be in choppy waves close to the shore, and the surveyor will not be able to use the waves encountered in deep water as a guide line.

I do not think there is any necessity for me to say any more. As I said earlier, clause 7 of the Bill provides the regulation-making powers. It is the main clause in the Bill because it sets out in detail what shall be done, and the paragraphs extend from (a) to (p). Nothing has been left out.

The Minister has covered the situation completely and everything which could be desired is contained in the Bill. I say in all sincerity that I cannot see much reason for this legislation, other than for its application, possibly, to some boats carrying out charter work, and others which are plying across the harbour. However, at least the Bill will offer some protection and it will possibly give someone a very hard job to carry out.

The policing of the regulations will be impossible if the legislation is applied to all craft over 15 tons. I do not think we should get starry-eyed about the legislation because it will not be a profitable exercise to employ enough inspectors to police our coastline. The seamen on small boats operating along our coast are quite capable of using their common sense. In the future, some consideration may have to be given to Port Hedland, Fremantle, and possibly to Kwinana and Albany. With those remarks, I support the Bill.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [3.31 p.m.]: I would like to thank Mr. Ron Thompson for his comments on the Bill and for the interesting information he gave us about the Plimsoll line. I remember that one of the jobs which Mr. Gordon Freeth—erstwhile member for Forrest—had to do in the Albany area was to influence the Russians to have Albany taken out of the winter load line area. That was outside the scope of this legislation because it concerned international freighters. This Bill covers those areas in which load lines of different degrees can be used.

I will bring the matters raised by Mr. Ron Thompson to the attention of the Minister concerned. I think the honourable member is quite right in making the differentiation between types of ships, because the very small ones are frequently owner-skippered, and the owner, knowing he is taking his own life into his hands, has a slightly different attitude towards overloading than might sometimes be the case where men are employed on big ships and they know they have no alternative but to continue the round voyage. If one or two members of the crew of a small boat think it is overloaded, they can say, "You know what you can do," and stay ashore. Considerable discretion must be, and is, used on very small boats.

I thank the honourable member for his interesting comments and I will draw them to the attention of the Minister for Works.

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.

TOURIST ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th October.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the Opposition) [3.35 p.m.]: The confines of this Bill are simple, inasmuch as the Treasurer seeks the right to delete the amount of $200,000 per annum that he was committed to raise by way of loan for the Tourist Development Authority. The Treasurer now seeks to have an unlimited right as to the amount of money that he, as Treasurer and head of this tourist authority, would allow tourist organisations to spend. Therefore, in doing away with the existing limit of $200,000, we leave the Treasurer with the right to state how much money he would offer in any given year to organisations needing more than that particular sum.

I am a little concerned about the principle that surrounds this form of loan. Up to date, the funds have come from the Superannuation Board and the Motor Vehicle Insurance Trust, and one might well question whether this source of revenue should be applied to the hotel trade. If we look at the companies listed by the Minister, we find that many established organisations are to receive very large sums of money. I do not wish to particularise, but when an established organisation, such as a hotel in a given area, has to turn to the Treasury, through the Premier, to obtain money for tourism, I think very careful consideration must be given before making that money available. We are told that a strict investigation

takes place when a loan is applied for. I think that is putting it mildly. To take an example: If the proprietor of a hotel which was a substantial establishment went to a banker for money to erect additional rooms or buildings for the purpose of tourism, the banker might very well say, "No," and the company, individual, or hotel syndicate concerned would have the right to present the problem to the Tourist Development Authority. It seems to me that this leaves a very easy loophole for a bank that has supported a hotel for many years to say, in these circumstances, "This could be for tourism. This could be something in regard to which you need only apply to the Tourist Development Authority, which is under the auspices of the Treasurer, to obtain an X amount of money."

In support of my argument along those lines, I would point out that the following loans have been approved:—

	$
Commercial Hotel, Northam	51,000
Margaret River Hotel	30,000
Amber Motel/Hotel, Eucla	60,000

I have never seen a more up-to-date and modern establishment than the Amber Motel at Eucla, and during the short time I was there it was a most active place. Continuing to quote—

Victoria Hotel, Roebourne $200,000

This hotel is situated in the midst of affluence. Surely in that area this would be a proposition that any banker would jump at, because it would be a foolproof business proposition. I will leave that comment for consideration by minds that are greater than mine. A loan of $30,000 was also approved for the Palace Hotel, Ravensthorpe. In all, the loans totalled $371,000, leaving a balance of $29,000 available. Also, a further sum of $100,000 has been approved for the Port Hotel, Carnarvon, subject to funds being available.

I would say that the proprietors of the Port Hotel, Carnarvon, could command a loan of $100,000 in almost any field of operation, particularly if it were required for the enhancement of their business. Let us look at the loans which are at present under consideration. They are $50,000 to the Commercial Hotel, Kojonup, and $60,000 to the Esplanade Hotel, Busselton. So the list continues until we get beyond the $200,000 limit. Where do we stand on these issues? What are the priorities? If, in the interests of tourism, we can make these extremely large sums of money available to hotels, I cannot help but think of the secondary people who are associated with, but who in business are subservient to, the hotels.

Also, how does the shire cope with the influx of tourists when there is no provision to cater for them? How does the local storekeeper augment his building? Where does he go for finance if he does not go to a bank when possibly there is an increase of population travelling through the area and he considers that he has to cater for such increase? It is possible that we could do too much for the sacred cow of tourism.

The Hon. F. J. S. Wise: You mean, as a government?

The Hon. W. F. WILLESEE: I think as a people. I think tourism is very overrated. I am not one who is enthusiastic about the tourist. As a shire personality, my experience was that they were a nuisance in many cases and the shire had to go to very great extremes to cater for their needs. Therefore I cannot see that, in many instances, tourism is of any great advantage to local government.

Let members consider the caravan parks that have been established in most country towns. The proprietors of them want everything, but they give little. Let us then go to the extreme and consider the very highly educated traveller who wants a drink of Cinzano—I am merely quoting that in trying to think of something unusual—in the most out of the way place, and if he does not get the service he requests he tends to rubbish the town. It boils down to a question of everything in its place, I think.

I am not enamoured of this legislation. I would not like to think that we are taking money from the W.A. Superannuation Fund and from the people who contribute to it as Government employees. I would not like to think that we are taking funds from the Motor Vehicle Insurance Trust for the purpose of giving it to hotels for further development in the name of tourism. I think better value could be obtained from that money by investing it within the State. I think that any money obtained from the Motor Vehicle Insurance Trust could well be spent on the source from where it came; that is, on the roads, and also on the better conduct of traffic.

How many people who travel through an area as tourists are any advantage to this State? Let members tell me of somebody who has come back to this State to live and to help to develop it by investing money in it. It is true that people travelling through the State accept every advantage that comes their way. Should we be committed to the unlimited issue of money which is dependent only upon the whim of the Treasurer of the State? In saying that I am not in any way speaking derogatorily of the present Premier, but the issue of these loans in the future will need only the approval of any Treasurer. Therefore, do not members think we should look where we are going?

In the present situation I would much prefer to see the limit raised from $200,000 to, say, $300,000, and allow consideration of the additional $100,000 to be brought before Parliament, but do not let us grant

an open cheque. In the light of the present situation where will the money go in the future? Will the Treasurer in the future say, "This is what I intend to grant for tourism" when people like myself consider that tourism is a very doubtful asset?

I know it can be said that tourists travel to this State and spend a great deal of money. Perhaps they do in the larger cities, but when they travel through the country areas they are no asset; instead, in terms of accounting, they are a debit. I feel hesitant to oppose the Bill, because I believe it is backed by goodwill, but I would like to see the limit raised from $200,000 to $300,000 so that members in this Chamber would have the opportunity to see whether it should be increased, in the light of what I have said. Members may disagree with me, but that is all to the good. However, do not let us grant an open cheque at this stage. On that basis and on that principle, I oppose the Bill.

Sitting suspended from 3.48 to 4.07 p.m.

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [4.07 p.m.]: The fears expressed by Mr. Willesee could be well understood by all of us if it were not for the fact that Treasurers do not get to be Treasurers unless they are responsible people.

I recall having read on one occasion that it was considered that only one such case could be regarded as a failure. The person concerned has died, and I cannot remember who it was. Such was the choice and though the hurdles a leader has to overcome are tremendous there has only been one case which was considered to be a failure since Cabinet Government was introduced into the United Kingdom.

Treasurers become fairly responsible people—there is little doubt about that. As members are aware, the limit on loans without reference to the Loan Council has been lifted from time to time. Loan money has always been a problem, and in order to get as much as one can within the confines of the State a number of groups has been empowered to raise money extensively. The Carnarvon case specifically mentioned by Mr. Willesee is one loan which cannot be met until money becomes available.

The Hon. W. F. Willesee: I would point out that I did not mention Carnarvon specifically; I merely mentioned it as one on the list.

The Hon. G. C. MacKINNON: With the works in progress at the present time there is some $19,000 under the current loan received which could be let out, but the limit remains as it is, within the current $200,000, which, of course, does not encompass very much these days.

The legislation was originally agreed to by both Houses of Parliament in the belief that this would make it easier to encourage certain hotels to provide accommodation in certain key areas for various holidaymakers, travellers, and so on, to encourage them to stay

This has proved to be moderately successful for the small type of loan which it is relatively difficult for business houses of this type to secure on the open market. I am advised that other methods are explored very carefully before this particular source is used.

Mr. Willesee also raised the question of the utilisation of superannuation and Motor Vehicle Insurance Trust funds. These are investment funds which are invested in business undertakings. They show adequate return to the boards of the particular organisations and they are treated purely as investment funds.

We believe this is a reasonable step to take, bearing in mind the responsible attitude of Treasurers over a long history of Parliament, and also the undesirability of having to introduce amending legislation every time the loan limit is altered or desired to be altered. I hope, therefore, that the House will agree to the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee

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

Clause 1 put and passed.

Clause 2: *Amendment to section 10A*—

The Hon. W. F. WILLESEE: I feel my position very much at this moment. I am speaking on what I believe is essential for the conduct of Parliament, and I am speaking against a Bill which is sponsored by one who has been a very eminent Premier of the State for many years. Accordingly, I must be very careful not to develop an emotional issue on the principle. The cold fact is that we are lifting an aggregate of £100,000 per annum to an unlimited figure. I accept the fact that we can double that figure under the right, the advice, and the enthusiasm of the Premier, Treasurer, and Minister for Tourists.

I do not want to develop the possibility that the Premier could lean a little more towards one portfolio than towards another. Having accepted this legislation on a basis of a given figure of £100,000, or $200,000, I fail to see why we should step it up because of a case submitted on the facts contained in this legislation.

What do we do after we have agreed to this legislation this afternoon? Can any member of this Committee, which represents the people of Western Australia, tell me that he knows what the limit of this figure could be, particularly as it is subject to the whim of a Treasurer, who might

happen to be in the situation of being Minister for Tourists? Can any member say where the funds will come from?

We will have no right, even as members of Parliament, to say any more once we pass this Bill today. That is how I see the situation. I am sure the Premier did not intend to do this, but, nevertheless, he is doing it unwittingly. It would be improper for me to suggest an amendment which would restrict him to a given figure.

Therefore I ask the Minister in charge of the Bill to consider the situation in this light, and present this point of view to the man I believe to be so fair. I am sure that when the Premier considers the principle of the original legislation, which included a maximum figure, he will on this occasion again accept a maximum figure.

What harm would such an amendment create? The Bill contains only one clause. If it included a maximum figure, so what? We must be cautious. Each year we could raise the maximum figure while at the same time indicate to the people why the money was needed and from whence it would come. However, if this Bill goes through in its present form today we will never have the right to stipulate a maximum figure again.

The Hon. G. C. MacKINNON: I want to say that I do not think any member in this Chamber, irrespective of the party to which he belongs, would for one moment doubt the sincerity of Mr. Willesee, the Leader of the Opposition in this Chamber. I appreciate the difficult situation in which he finds himself, and members in both Houses would take umbrage if anyone doubted his integrity. Therefore, in order to have an opportunity to adopt Mr. Willesee's suggestion, I intend to move that we report progress.

Progress

Progress reported and leave given to sit again, on motion by The Hon. G. C. MacKinnon (Minister for Health).

House adjourned at 4.20 p.m.

Legislative Assembly

Thursday, the 22nd October, 1970

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

PHILIPPINES PARLIAMENTARY DELEGATION

Visit to Western Australia: Announcement by Speaker

THE SPEAKER: Before we start today's proceedings I would like to make an announcement. Yesterday we had a visit which, I suppose, is historic—at least so far as I can recollect in having an official visit from a parliamentary delegation from a country which is not a member of the British Commonwealth. The visit was from the President of the Senate and the Speaker of the House of Representatives of the Philippines, accompanied by two senators, three congressmen, their wives, and officers of the House.

They were in Western Australia for a very short time. The purpose of their visit was not to visit Western Australia at all, but to return a visit which was made to Manila four years ago by a parliamentary delegation from the Commonwealth Parliament. While returning this visit it suited the delegation to return to Manila *via* Perth.

Some members of the delegation stepped off the plane at Kalgoorlie and visited Kambalda while others proceeded direct to Perth. All were only with us for three or four hours and it was not possible for them to visit the House to see us at work, or to meet members of Parliament generally.

We did, however, take the opportunity to show the delegation around the city and environs and we were able to give them a very hurried buffet lunch at Parliament House. It had to be hurried because they had to leave the building at 1.30 p.m. to catch their plane.

While the delegation was here the Speaker of the House of Representatives in the Philippines made a presentation to me, as Speaker for the time being of this House. Beforehand he asked whether we used a gavel. I said that we did not, but I accepted this very lovely gavel which I propose to lay on the Table of the House so that members may examine it. Later we can decide where to keep this memento, being a nice gesture from a visiting parliamentary delegation.

It is possible that we will have further visits and more presentations made at some future time and it may be necessary for us to obtain a cabinet in which to keep mementos of this nature.

The gavel was tabled.

BILLS (6): INTRODUCTION AND FIRST READING

1. City of Perth Parking Facilities Act Amendment Bill.

   Bill introduced, on motion by Mr. Craig (Minister for Traffic), and read a first time.

2. Police Act Amendment Bill (No. 2).
3. Betting Investment Tax Act Repeal Bill.
4. Bookmakers Betting Tax Act Amendment Bill.
5. Totalisator Agency Board Betting Tax Act Amendment Bill.