Conference, arranged by the Commonwealth and State fisheries authorities and held in Canberra from the 20th to the 22nd February, 1967, an industry committee was elected and discussions were held with a view to the establishment of a Federal organisation of fishermen with State committees. The Western Australian elected to this committee was Mr. F. Pensabene, at that time Manager of Planet Fisheries Pty. Ltd. in this State.

Later in 1967 the Australian Fishing Industry Council was formed on a Federal basis, and on the 8th November, 1967, a Press release stated that the first meeting of the Western Australian branch of the Australian Fishing Industry Council had been held, and that Mr. F. Pensabene had been appointed chairman. In an address to the first meeting, the then Minister for Fisheries and Fauna expressed the support of the State Government for the council and the Western Australian branch. The Minister said he felt it would assist the Government in solving a number of problems confronting the fishing industry by being able to discuss policy matters with a united body representing the industry.

The W.A. Branch of the Australian Fishing Industry Council is now accepted by the Government as representing the fishing industry in this State. However, financing its activities has caused difficulties. The branch meets in Manufacturers Building and is serviced secretarially by the Chamber of Manufactures (W.A.) Inc. Also, the branch is required to meet other administrative costs and its annual contribution to the Federal council. The branch's only source of revenue is by way of subscription from the affiliated associations in the fishing centres of the State. However, this source provides only about $1,300 per annum, which is less than that required for the efficient operation of the branch. Consequently, the branch has sought assistance from the Fisheries Research and Development Fund on the basis that their activities are in the better interests of the development of fisheries in Western Australia. With this I agree, but have found it difficult, if not impossible, to accommodate the request under the present purposes set out in the Act.

I am, therefore, seeking an amendment to the Act giving the Minister for Fisheries and Fauna power to authorise payment of moneys from the Fisheries Research and Development Fund for the purpose of assisting the fishing industry and any organisation whose objects include assistance to and promotion of the fishing industry. This type of assistance is provided for other primary industry associations established for the purpose of benefiting the primary producers. I refer to the administration of the Potato Growing Industry Trust Fund and the Fruit Growing Industry Trust Fund.

I believe that the better interest of the fishing industry will be served by granting the Minister power to assist the fishing industry association. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Williams.

House adjourned at 5.56 p.m.

Legislative Council

Tuesday, the 14th September, 1971

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

BILLS (7): ASSENT

Messages from the Lieutenant-Governor and Administrator received and read notifying assent to the following Bills:—

1. Stamp Act Amendment Bill.
2. Bulk Handling Act Amendment Bill.
3. Clean Air Act Amendment Bill.
4. Snowy Mountains Engineering Corporation Enabling Bill.
5. Anatomy Act Amendment Bill.
6. State Electricity Commission Act Amendment Bill.
7. Industrial Arbitration Act Amendment Bill.

QUESTIONS (3): ON NOTICE

1. DAIRYING

Production and Imports

The Hon. N. McNEILL, to the Leader of the House:

(1) For each of the years 1969-70 and 1970-71, what was the total quantity of—
  (a) butter;
  (b) manufactured milk;
  (c) whole milk;
  (d) manufactured milk products other than butter—
    (i) produced in Western Australia;
    (ii) imported into Western Australia; and
    (iii) exported from Western Australia?

(2) What was the value of all dairy products imported into Western Australia in each of those two years?

The Hon. W. F. WILLESEE replied:

(1) (i) Produced in W.A.—

	1969-70	1970-71
(a) Butter (tons)	5,809	5,034
(b) Manufacturing Milk (mill. gals.)	31.2	29.3
(c) Whole Milk total used	26.6	27.2
(a) Sales of milk and cream through Milk Board	23.3	24.2
(b) Other, incl. on farms	3.3	(est.) 3.0
(d) Cheese (tons)	1,712	1,901
Condensed Milk (tons)	41	52
Full Cream Powder (tons)	28	25
Skim Milk Concentrate (tons)	2,075	2,011
Skim Milk Powder (tons)	1,832	2,160
Butter Milk Powder (tons)	1,127	1,296
Casein (tons)	166	122
G.M.S. Bread Powder (tons)	330	398

(ii) Imported into W.A. (tons)—

	1969-70	1970-71
Butter	3,394	3,801
Cheese	2,518	2,945
Evaporated and Condensed Milk	2,651	N.A.
Dried Milk	1,717	N.A.
Cream and Fresh Milk	441	N.A.
Infant and Diet Preparations of Milk	625	N.A.

(iii) Exports from W.A. including interstate trade (tons)—

	1969-70	1970-71
Butter	201	N.A.
Cheese	250	N.A.
Cream and Fresh Milk	448	N.A.

(2) Value of all dairy products imported into W.A.—

1969-70—$8,895,000.

1970-71—not available.

2. COURTHOUSE

Port Hedland

The Hon. W. R. WITHERS, to the Leader of the House:

Further to my question on Thursday, the 26th August, 1971, and in view of the fact that within the next two months the temperature inside the Port Hedland courthouse will have an upper range between 105° and 115° Fahrenheit; plus the fact that the existing old fans can not be used during court because of their noise; and that the windows cannot be opened during a court because of the noise from the powerhouse—will the Treasurer reconsider the deferment, and re-allocate funds so that the Public Works Department may install the airconditioning as planned?

The Hon. W. F. WILLESEE replied:

Only works of relatively higher priority can be financed this year and consequently a re-allocation of funds to install airconditioning in the Port Hedland Courthouse is not practical.

3. DAIRYING

Wholemilk Standards

The Hon. N. McNEILL, to the Leader of the House:

It has been noted that successful seminars have been held in dairying areas in recent weeks stressing the importance of quality and solids-not-fat content in wholemilk, and I ask—

(1) What are the minimum standards for—

(a) butter fat; and

(b) solids-not-fat content—

adopted by the Milk Board of Western Australia for licensed milk suppliers?

(2) Are the standards in (1) the same as that prescribed under the Health Act, if not—

(a) in what respects do they differ and

(b) what is the reason for such difference?

(3) What are the criteria on which the standards are based?

(4) Does a significant problem exist in Western Australia in maintaining the solids-not-fat content of the wholemilk supply at, or above, the required standards?

(5) If a problem does exist, what are thought to be the main contributory factors?

(6) To what extent does the problem vary according to the geographical area from which the milk is drawn?

(7) What effect do influences such as season, climate or temperature have on butter fat or solids-not-fat content?

(8) If the answer to (4) is "Yes"—

(a) is a resolution of the problem possible with existing resources in Western Australia; and

(b) if not, what additional resources would need to be obtained and utilised?

The Hon. W. F. WILLESEE replied:

(1) (a) 3.2%.

(b) 8.5%.

(2) Yes.

(3) The standards are incorporated in the Health Act and are based upon U.K. standards.

(4) A problem exists in Western Australia in maintaining the solids-not-fat content of the wholemilk at or above the required standard during the period January-April inclusive.

(5) The main contributory factors are thought to be the selection of cows of high yielding breeds and strains, and a shortage of digestible energy food stuffs in the diet in the summer-autumn months.

(6) The problem is greatest on the dry land farms north of Waroona but occurs also in the irrigation areas to a lesser extent a little later in the year. It is not yet marked on farms south of the irrigation area.

(7) Butterfat content of milk is highest when the diet is high in roughage and when grain feeding is kept at a low level. Solids-not-fat content reacts differently and is highest during the late winter and spring when paddock feed is plentiful and of good quality. It declines as feed matures and becomes less digestible and in this State this is at a time when temperature is high. The high temperatures may reduce appetite under extreme conditions but a shortage of digestible energy in relation to yield at this time is seen as the main cause.

(8) (a) A great many factors operate to determine the solids-not-fat content of the milk of any herd at any time. Extension officers can, in the long term, resolve the problem for any farmer.

(b) An Australia-wide Committee is investigating the basis of determining milk quality. Until this report is complete, any additional resources required cannot be determined.

BILLS (2): THIRD READING

1. Vermin Act Amendment Bill.

Bill read a third time, on motion by The Hon. R. H. C. Stubbs (Minister for Local Government), and returned to the Assembly with an amendment.

2. Noxious Weeds Act Amendment Bill.

Bill read a third time, on motion by The Hon. R. H. C. Stubbs (Minister for Local Government), and returned to the Assembly with an amendment.

BILLS (4): REPORT

1. Offenders Probation and Parole Act Amendment Bill.
2. Administration Act Amendment Bill.
3. Property Law Act Amendment Bill.
4. Wills Act Amendment Bill.

Reports of Committees adopted.

ADOPTION OF CHILDREN ACT AMENDMENT BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [4.50 p.m.]: I move—

That the Bill be now read a second time.

In introducing this legislation, I desire to mention some features of the 1964 amendments to the principal Act which have been found to be not completely satisfactory during the brief period of their operation which commenced on the 1st May, 1970, the date on which the 1964 amending Act was proclaimed.

Until those amendments came into operation in May, 1970, the natural mother could revoke her consent to the adoption of her child right up until the time that an order was to be made by the Supreme Court. The effect of the 1964 amendment was to permit the natural mother a period of only 30 days in which to revoke her consent.

Another amendment placed the child under the guardianship of the Director of Child Welfare between the time the mother signed her consent and the making by the court of the order for adoption. This provision had not previously existed.

With a view to allowing prior assessment of the adopting parents and to avoid children being placed with unsuitable parents, one of the 1964 amendments required that no child be placed with a view to adoption without the approval of the Director of Child Welfare.

I mention these three aspects in particular, because some of the amendments now proposed arise from certain inadequacies in existing legislation which have been found to exist in the light of circumstances which have eventuated since the 1964 amendments came into operation some 16 months ago. Other amendments have as their purpose the extension of provisions introduced to the House in 1964.

The Bill contains further amendments drafted with the object of providing some desirable refinements in favour of the parties involved in the adoption situation and with particular emphasis on the interests and welfare of the child.

Whilst this piece of legislation comes within the category of a Committee Bill, Mr. President, there are several significant aspects upon which I desire to dwell briefly at this point.

The principal Act now proposed to be amended defines a child as a person under the age of 21 years. With an increasing acceptance of a lower age of responsibility

it is proposed to amend this definition to reduce the age to 18 years, while at the same time allowing for the situation where it is desirable for a person over 18 years of age to be adopted.

Sections 3 and 4 of the principal Act state by whom a child may be adopted. The existing provisions are considered to be inadequate, particularly in respect of adoptions by single persons. While the amendment now proposed will allow adoption by a single person only under particular circumstances, it will allow for eventualities to an extent greater than previously envisaged.

It is proposed to amend the Act also with a view to encompassing problems shown to have been encountered during the period of guardianship by the Director of Child Welfare between the time the natural mother consented to the adoption and the making by the Supreme Court of the adoption order. The amendments cover financial problems associated with the support of the child during this period and allow recovery of expenses where appropriate. They deal with the problem where a child is offered for adoption, but it is either impossible or undesirable to place the child with the prospective adopting parents.

A further amendment seeks to allow the adopted child more equal status in relation to the status of a natural child of a marriage by allowing the right of inheritance from his adopting parents rather than his previous natural parents. This aspect is the one remaining factor which up to this point of time differentiates between an adopted child and a natural child of the marriage.

Other amendments relate to basic principles which have already been established. It is not my intention to deal in detail with each and every clause of the Bill at this stage. Detailed aspects will be attended to, as I have already indicated, at the Committee stage. However, before concluding, I would mention the matter of reciprocity. Australian adoption orders are already recognised in New Zealand. Adoptions arranged in New Zealand are comparable with Australian standards and consequently an amendment is sought to enable New Zealand adoptions to be recognised in this State. Other States are to introduce similar legislation. I commend the Bill to members.

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

PROPERTY LAW ACT AMENDMENT BILL (No. 2)

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [4.57 p.m.]: I move—

That the Bill be now read a second time.

Members may recall that, when introducing the current amendments to the Adoption of Children Act, I mentioned, *inter alia*, that an important proposal sought to allow the adopted child more equal status with that of a natural child of a marriage, by allowing the right of inheritance from his adopting parents rather than his previous natural parents. I mentioned that this aspect was the one remaining factor which differentiates between an adopted child and a natural child of a marriage.

Those amendments could be affected by section 102 of the Property Law Act of 1969, which makes presumptions about the age at which a woman ceases to be capable of bearing a child and which is designed to prevent certain gifts—for example, gifts to her grandchildren—being declared void under the rule against perpetuities.

The Law Reform Committee has given consideration to certain aspects in this regard and, as a consequence, this Bill is being introduced as a complementary measure by extending the provisions of section 102 of the Property Law Act to cover adopted children.

In other words, if an adopted child is to be deemed for all purposes a child of the adopting parents, it will be necessary to lay down some rule as to the adoption of children in relation to the rule against perpetuities. Otherwise the courts—even though a woman is presumed under section 102 of the Property Law Act to be not able to bear a child and in the absence of any statutory presumption that she could not adopt a child—could therefore still hold that a gift could be void for perpetuity. Hence the desirability of inserting in section 102 of the Property Law Act, the presumption that a woman will not, after she has attained the age of 55 years, adopt a child.

I would mention that part XI of the Property Law Act deals with perpetuities and accumulations and its sections are quite complex in their legal requirements. The simple provisions in this Bill, however, have no great impact on those provisions, excepting as I have endeavoured to indicate the rather restricted extension of the provision in section 102 which is now being introduced to protect the status of the adopted child in such matters as inheritance and perpetuities.

Debate adjourned, on motion by The Hon. I. G. Medcalf.

CENSORSHIP OF FILMS ACT AMENDMENT BILL

Second Reading

THE HON. R. H. C. STUBBS (South-East—Chief Secretary) [5.01 p.m.]: I move—

That the Bill be now read a second time.

The main purpose of this Bill is to amend the Censorship of Films Act, 1947, to give the censor the power to add an additional, but this time, a legally-enforceable "restricted" classification that will make it an offence for an exhibitor to allow persons between the ages of six and 18 years to witness such a classified film. At the present time the Commonwealth and all the States are parties to an agreement which allows the delegated authority to act as the censor for all films screened in public theatres throughout the Commonwealth.

As the Act now stands, the censor has the power to—

(a) approve a film as being suitable for general exhibition; or

(b) approve a film as being suitable for exhibition before children; or

(c) approve a film subject to such conditions as he imposes; or

(d) refuse approval.

All these classifications are purely advisory; that is, they serve really in the nature of a guide to the theatre-going public as to the type of film being screened at a particular theatre.

At a conference held in Sydney between the Commonwealth and all the States last September, it was agreed that the censor be given power to add the additional "restricted" classification and that legislation be introduced by the States making it an offence for people in the six to 18-year-old group to be admitted. It was also agreed that it be legislated that a person having reached the age of 14 years but still under the age of 18 years would be guilty of an offence if he or she were present at the exhibition of a "restricted" film.

The provision for a "restricted" film classification contained in this Bill is an entirely new concept to the film world in Australia, but it was felt that by introducing a legally-enforceable classification it would prevent children from viewing unsuitable films and at the same time permit the censor to make a more realistic appraisal of adult films of integrity. Subsequently, New South Wales took up the question of introducing a further advisory classification "for mature audiences" with the Commonwealth. The Commonwealth agreed to the request and all States signed the agreement.

As previously stated, the Bill provides that an exhibitor of a "restricted" film shall be guilty of an offence if a person within the six to 18-year-old category is present at a showing of the film. It also provides that it will be a defence to a prosecution if the exhibitor proves—

(a) that he took all such steps as are reasonable in the circumstances to avoid being guilty of the offence; or

(b) that he or his servants or agent had reasonable grounds for believing and did in fact believe that the person in respect of whom the alleged offence was committed had attained the age of 18 years or had not attained the age of six years.

The Hon. A. F. Griffith: You will be a good judge of whether a person is 18 or not, will you?

The Hon. J. Dolan: They are hard to pick.

The Hon. R. H. C. STUBBS: In regard to the offence of attending a "restricted" film, the Bill provides that only children who have attained the age of 14 but are under the age of 18 commit an offence. However, an additional provision has been included to cover persons over the age of 18 years who aid or abet young people to be present at "restricted" exhibition films.

To facilitate the policy of prohibiting young people from attending "restricted" films, provision is made that any member of the Police Force may demand from any person admitted to a theatre in which a "restricted" film—

(a) is being exhibited;

(b) is about to be exhibited; or

(c) has been exhibited:

and whom he has reasonable cause to suspect has not attained the age of 18 years—

(d) the correct age of that person;

(e) the correct name of that person; and

(f) the correct address of that person.

If the member of the Police Force has reasonable grounds to believe that the age, name, and address so given are false, he may require that person to produce evidence to the correctness of the age, name, and address so given within a reasonable time. A person who refuses to comply with such a demand or fails without reasonable cause to comply with such a demand is guilty of an offence.

Finally, the Bill provides for a new section to be included to give exhibitors the right to reject any film classified as "restricted" from any hiring contract. This provision has been included because it was felt if an exhibitor were compelled to accept a "restricted" film, he could find a large percentage of his usual audience automatically excluded. It is considered and I am sure members will agree that it is reasonable to give the exhibitor the power to reject if he so desires.

In conclusion may I say there has been a growing demand for the introduction of a "restricted" film classification for many years and these demands have emanated from a very diverse section of the public and for a great variety of reasons.

Because children may legally view a film classified "for adults only" at the present time they are possibly able to see films which are classified overseas. On the other hand, because of the absence of a "restricted" classification in this country, many films may have been cut unnecessarily merely because children could not be stopped from seeing them. For this reason alone one cannot but agree that the introduction of a "restricted" classification is amply justified.

As previously stated, all the States are in agreement with the Commonwealth on this matter and the majority of the States has already introduced similar legislation.

The Hon. G. C. MacKinnon: Before you sit down, can you tell us, is the idea of this certificate that a new class of film can be shown in Australia?

The Hon. R. H. C. STUBBS: Yes, a restricted class of films, for the reasons I stated; that good films will not have to be cut and also films of integrity can be shown to mature audiences.

The Hon. G. C. MacKinnon: Would it be true to say they are good films or tending to be pornographic films?

The Hon. R. H. C. STUBBS: No, I understand from Mr. Chipp they are good quality films. I commend this Bill to the House.

Debate adjourned, on motion by The Hon. G. C. MacKinnon.

LOTTERIES (CONTROL) ACT AMENDMENT BILL

Second Reading

THE HON. R. H. C. STUBBS (South-East—Chief Secretary) [5.10 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this short Bill is to amend the Lotteries (Control) Act, 1954-1970, in order that the game of bingo—sometimes called housie-housie or tombola—may be played by a *bona fide* organisation—

The Hon. G. C. MacKinnon: Do you think after this they might give it another name—Stubbsie-Wubbsie?

The Hon. R. H. C. STUBBS: If my name is included, I can think of nothing finer. As I was saying, this game may be played by a *bona fide* organisation, subject to permission being granted by the Lotteries Commission under approved conditions.

I think it is safe to say, in the past bingo has been played by a number of worthy organisations which have been under the impression they have not been breaking the law. However, this is not so, as it has been ruled that bingo is a lottery and as such can only be played under permit. At the present time there is a doubt that the commission has the power to grant such a permit. As a result there have been many approaches by organisations such as senior citizens' clubs, migration groups, social clubs, parents and citizens' associations and the like, to have the playing of bingo legalised.

It is a hard task indeed to sustain the interest of members and at the same time raise money for amenities in organisations such as these. The consensus of opinion is that a game of bingo or the like is a "gimmick" which would help get members along to gatherings where they could have an evening's harmless enjoyment, maybe win or lose a small amount, and help raise a modest amount of money for the club or organisation to devote to some worth-while purpose. When I say "win or lose a small amount" I mean just that, as in my opening remark I stated that, if approved, the game could only be played with the permission of the Lotteries Commission under certain conditions which would include limiting the number of games and the hours of play for each session, the limiting of the number of permits to be made available to each club or organisation and the fixing of a maximum amount of 10c as a charge for cards. This would be the maximum charge and not all organisations would charge this amount; indeed, I visualise a number playing for a modest 1c or 2c per card.

The Hon. A. F. Griffith: Do you think the Government might tax the proceeds of bingo?

The Hon. W. F. Willesee: I know one Government which would have.

The Hon. R. H. C. STUBBS: Yes, the "taxus rangers."

The Hon. A. F. Griffith: I did not think you would do that.

The Hon. R. H. C. STUBBS: The Bill has been drafted to exclude any individual or organisation established for the purpose of trading or giving its members pecuniary profit from obtaining permits and, as a result, there is no chance of such people turning the game to their own individual ends.

I commend the Bill to the House.

Debate adjourned, on motion by The Hon. A. F. Griffith (Leader of the Opposition).

PAY-ROLL TAX ASSESSMENT BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [5.14 p.m.]: I move—

That the Bill be now read a second time.

This Bill contains a provision in clause 7 that pay-roll tax shall be charged on all taxable wages at such rate as Parliament shall from time to time declare and the tax will be paid by the employer by whom the taxable wages are paid.

As members generally would be aware, this measure emanates from the last Premier's Conference at which agreement was reached that the States would take over pay-roll tax from the Commonwealth.

In pursuance of the constant discussions and examinations by both the Commonwealth and State Governments of the Commonwealth/State financial relations since Federation, the quest of a "growth tax" for the States has been sought actively in recent times and particularly since the imposition of stamp duty on receipts had to be abandoned.

Recently the Commonwealth Government undertook to examine the existing division of taxing powers between the Commonwealth and the States in order to ascertain whether there was some field with elements of growth which could be handed over to the States.

Resulting from a wide-ranging study of the whole field of possibilities, the Commonwealth concluded that because of constitutional restraints only two taxes currently levied by the Commonwealth offered scope for transfer. These were personal income tax and pay-roll tax.

The Hon. A. F. Griffith: I'll bet they had a real hard job making up their minds about this one.

The Hon. W. F. WILLESEE: On the broad grounds of economic and social policy the Commonwealth decided that it would not be desirable to re-open the field of personal income tax to the States. It was, however, willing to transfer pay-roll tax to them.

In offering the pay-roll tax as a source of revenue to the States, the Prime Minister pointed out that it is broadly based and grows almost directly in line with the economy and is relatively simple to administer.

In the circumstances all Premiers agreed to take over pay-roll tax as a useful addition to revenue resources. The transfer of the pay-roll tax is subject to certain conditions, which are as follows:—

(1) A reduction in the Commonwealth financial assistance grants equal to the amount the Commonwealth would have collected in the State had it continued to levy pay-roll tax.

(2) The Commonwealth to meet the cost of exempting from the imposition of State pay-roll tax, the non-business activities of local authorities.

(3) The Commonwealth to meet the additional administrative costs incurred by the States in levying their own pay-roll taxes.

(4) Commonwealth authorities which are currently subject to Commonwealth pay-roll tax, to continue to pay the tax to the States after the take-over.

(5) The States to guarantee the statistician's continued confidential access to pay-roll tax returns for purposes of his statistical collections.

The States are free to adopt such rates, exemptions, and assessing provisions as they deem desirable subject to the conditions which I have just outlined.

It is not proposed at this point to detail the effects of the pay-roll tax transfer or other adjustments on the financial assistance grant to this State for 1971-72 as the Budget is the appropriate occasion for the explanation of those matters.

Also, members will be advised of the proposed rate of pay-roll tax and the estimated yield when the taxing Bill which accompanies this measure is introduced.

It was agreed that all States would take over pay-roll tax on and from the 1st September, 1971. Each State needs to enact laws to impose and collect a pay-roll tax and the Commonwealth has obligations to remove the statutory imposition operating in States in order that taxpayers will not be subject to double taxation. The Commonwealth has incidentally announced in the Federal Budget that it will continue to impose pay-roll tax in its own territories.

A number of further conferences have been held between Commonwealth and State officials for the purpose of settling administrative details between the Commonwealth and State taxation authorities and the preparation of model uniform draft legislation for submission to the Parliaments of the Commonwealth and the States.

Uniformity is necessary to effect the least disturbance to existing arrangements with taxpayers and to obviate undue inconvenience to them by changed administrative arrangements.

The Commonwealth imposed pay-roll tax takes in all employers, including State Governments and local authorities whose annual pay-roll of taxable wages exceeds $20,800; that is, the excess above $20,800 is taxable.

It is levied on defined wages, which include salaries, wages, allowances, bonuses, overtime, and the like and is generally paid shortly after the end of each month under a return system. The payable tax is self-assessed and returns from registered taxpayers are accompanied by payments.

The Bill now before members is based on the model uniform draft legislation, which conforms as closely as is practical with the existing Commonwealth law. However, because the tax will be levied separately by the Commonwealth and each State, some fundamental changes from the existing Commonwealth law are necessary.

For instance, the tax base under Commonwealth law is defined as wages paid or payable in Australia. This has had to be changed in the Bill by relating these payments to where the services for the wages are rendered. This change ensures that the State will have the right to impose and collect the levy on defined wages earned by employees working in Western Australia.

This provision is also intended to overcome disputes as to which State is entitled to the tax in cases where pay-roll preparation and payment may be centralised.

The only exception to this rule which is provided in the Bill is in the cases of itinerant employees who render service in more than one State during a return period. In cases such as interstate transport drivers, the tax is to be charged by the State in which the wages are paid. This exception is to avoid the need for imposing on employers a requirement to make complicated pay-roll dissections. The possible revenue loss by this State in favour of another is likely to be marginal.

Another change in the nature of the Bill is to allow for the division of statutory deduction between States in certain cases. In this connection it is proposed to retain the figure of $20,800 as the annual deduction from taxable wages before the tax applies. Therefore, the tax field will not be extended to employers whose annual pay-roll does not reach this sum.

However, because the tax is to be separately levied by the Commonwealth and States, special provisions need to be included to cover cases where taxpayers carry on business in more than one State.

In these cases the annual deduction is to be divided between the States concerned on the basis of the proportion of wages subject to pay-roll tax in each State.

The Bill provides for the employer to advise the commissioner of the appropriate amount and further provides for the commissioner to vary the employer's nomination should circumstances change or should there be other good reasons for doing so.

Again, this Bill provides for a total exemption of local authorities as defined in the Local Government Act. Members will recall my mentioning earlier that one of the conditions of the take-over by the State was that the Commonwealth would meet the cost of exempting from the imposition of State pay-roll tax the non-business activities of local authorities.

Exemptions proposed apart from that for local authorities conform with the existing Commonwealth law and have been updated. Generally, they cover charitable, religious, benevolent, educational, and consular organisations.

It is not proposed to extend the scope of existing exemptions for obvious financial reasons. The exemption provision in this Bill goes beyond the Commonwealth proposal, in that it provides for the total exemption from a State pay-roll tax of local authorities. This will exempt both the non-business and business activities of these bodies. This is because it is desired to give a measure of assistance to them, and in any case local authority business undertakings are—generally speaking—on a smaller scale in this State compared with others in Australia.

Another fundamental change from existing Commonwealth law avoids double taxation. This Bill proposes that the State commences levying pay-roll tax on and from the 1st September, as agreed between the Commonwealth and all States. Because the Bill provides that taxable wages paid or payable are subject to tax, situations may arise where all or part of the wages earned in August are paid in September. In this event, and were no special provisions made they would be returnable and taxable under the proposed State law. As the existing Commonwealth law contains similar provisions, the wages payable in August would be taxable also under Commonwealth law. To avoid this double taxing the Bill provides that the tax is payable to the State only where it has not already been paid or is payable to the Commonwealth.

Having dealt with some of the fundamental changes from the existing Commonwealth law, I turn now to the remainder of the Bill before members. As mentioned, it conforms with the uniform proposals and follows as closely as is practicable the existing Commonwealth law in dealing with such matters as the registration of taxpayers, the method of making returns, the collection and recovery of tax, objection, and appeal procedures, penalties, and miscellaneous provisions. However, in this Bill changes have had to be made in the titles of officials and bodies, methods of objection and appeal, and similar matters to conform with Western Australian titles, descriptions, and practices.

I shall now comment on two particular features of the Bill which may not be clearly evident or which may appear to be complex.

The first concerns the tax field covered by the proposed legislation. Members will see that this Bill binds the Crown, which means that all Crown instrumentalities and departments will be subject to the tax.

Generally, the States propose to levy a State pay-roll tax on all Crown instrumentalities and departments.

Careful consideration was given to a proposal to exempt departments financed from the Consolidated Revenue Fund, as it was realised that imposing tax on these organisations would be of no benefit to the Budget. However, it became evident that such exception was not desirable for the reason that certain revenue-earning activities are included in the Consolidated

Revenue Fund and others are not. Consequently exemption would lead to different treatment being applied.

More important, perhaps, there is in addition the need to make provision as agreed with the Commonwealth for the Commonwealth statistician to have access to the pay-roll tax information for purposes of the census and statistics and the States' Grants Act.

The figures are of importance in producing a complete series of wage and salary statistics. They are also essential for the statistician to calculate the wage factor applied in determining the financial assistance grants to States.

Therefore, even were departments or instrumentalities exempted the same range and type of figures used for pay-roll tax would have to be produced by these bodies to provide the statistician with the essentail data.

For the reasons I have mentioned the Bill provides for the continued payment of pay-roll tax by departments and instrumentalities of the Crown.

The other feature deserving of special mention is that governing the date from which the proposals will operate.

For the reason that each Government in Australia will need to arrange for legislation to be passed by its Parliament and as possibly this may be difficult to achieve, in all cases, in time for the laws to operate from the 1st September, provisions were included in the uniform model legislation which prevent any State Government from levying pay-roll tax until the Commonwealth legislation removing the tax in State territories becomes law on a date to be proclaimed. The provisions to be written into the Commonwealth Bill will allow proclamation to be made retrospectively to the 1st September, 1971.

Obviously, were the respective Governments to operate independently and at different dates a situation could arise where taxpayers could find themselves faced for a period with two imposts—one by the Commonwealth and one by the State. It is essential that this situation should not be permitted to arise. The model provisions for a common withdrawal and commencing date have been written into the Bill passed in another place.

The proposal for a common commencing date means that provided all Governments are able to have legislation passed towards the end of September the tax can be brought into full operation as from the 1st September because the first returns to States will not be due until the beginning of October.

In the event of there being some delay, provisions have been inserted in the Bill to allow commencement to be made at a later date. These are necessarily complex, because they involve changing all references in the law to August and September and making provisions to prescribe appropriate months.

In case it is considered that in view of these provisions there is no need to complete the passage of this legislation by late September, I would emphasise that delay beyond that time would result in a serious loss of revenue to this State and a corresponding delay in providing local authorities with badly needed assistance in the form of exemption. This is quite apart from the irritating confusion it would inflict on taxpayers and the difficult administrative problems which would then occur.

The Hon. A. F. Griffith: It sounds as though you are pleading.

The Hon. W. F. WILLESEE: There is one other matter which is of general interest, although it is not part of the Bill now before members. Currently, under the Commonwealth law, an export incentive is provided by granting a rebate of pay-roll tax to exporters who achieve a given level of exports. The Commonwealth has announced that it will continue to provide this incentive from its own resources and therefore the States will have no provision relating to this concession in their laws.

To summarise, therefore, the legislation now before members which arises from agreement between the Commonwealth and the States, is based on uniform proposals similarly agreed on and is an important and essential source of revenue to Western Australia. I therefore commend the Bill to the House.

Debate adjourned, on motion by The Hon. A. F. Griffith (Leader of the Opposition).

RURAL RECONSTRUCTION SCHEME BILL

Receipt and First Reading

Bill received from the Assembly and, on motion by The Hon. W. F. Willesee; (Leader of the House), read a first time.

PAY-ROLL TAX BILL

Second Reading

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [5.31 p.m.]: I move—

That the Bill be now read a second time.

This Bill is complementary to the Pay-roll Tax Assessment Bill. It sets the rate proposed to be applied to taxable wages.

The State Premiers have given consideration to the rate to be applied in the light of their current budgetary difficulties, and I understand that every State intends to impose a rate of 3½ per cent. as from the 1st September, 1971.

In the case of Western Australia this would yield additional revenue of $6,300,000 in 1971-72, after allowing for exemption of local authorities. The estimated additional collections for 1971-72 are based on three-quarters of the full year estimate of $8,400,000, as only nine months' tax will be received this financial year.

This Bill provides for the tax to be payable pursuant to the provisions contained in the Pay-roll Tax Assessment Bill. Therefore, its effective date of commencement will be the same as that proposed in that Bill.

For obvious financial and other reasons it is essential that this legislation be passed before the end of this month.

Debate adjourned, on motion by The Hon. A. F. Griffith (Leader of the Opposition).

FIRE BRIGADES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 9th September.

THE HON. R. J. L. WILLIAMS (Metropolitan) [5.32 p.m.]: This is a very simple Bill, and as the Minister pointed out it has been introduced solely to update the legislation. It seeks to delete the definition of "Minister" from the principal Act. I sometimes wish that where such a definition is not necessary it might also be deleted from other Acts.

Another amendment seeks to substitute certain dates, and with that I have no quarrel at all. I suppose it is necessary for these amendments to be made so that support may be given to one of the finest services of this State. I refer to the Western Australian Fire Brigades Board. I have not had the misfortune, and I hope my luck continues in this respect, to call on the services of this fine body. I am sure most of us are aware that members of fire brigades are engaged not only in fighting fires, but also in their prevention and in the giving of advice on fires; and also, lately, in attending the scenes of accidents—which might be an eye-opener to the Minister of Police.

Perhaps one could be forgiven for being a little sorrowful that the scale of fees has not been changed for 30 years. If we take the average duration of a fire occurring in a three or four-storied building, we find that by the time everything is cleared up the firemen will have spent six hours on the scene. This service will from now onwards cost, at a minimum $1,000, as laid down in the third schedule to the Bill.

I wonder whether members of the Labor Party feel as mournful as I do at the proposal to delete from the third schedule the charge for a "turncock." In the principal Act due regard was paid to this important person who was charged with the duty of turning on the water mains. I think that is a wonderful title, and I am sorry to see its disappearance because I am rather fond of this sort of connotation.

With the deletion of the "turncock," we might in the future be faced with demarcation disputes. Should there be disputes in this respect they will reflect to the discomfort of the people and to the owners of premises which are on fire. A call might be made when fighting fires for the services of a "turncock," but in the future nobody will be available to undertake that job. I suppose a fireman might have to do that work. I wonder whether some unions have been amalgamated, or whether some secret absorption of duties has taken place, of which we are not aware! However, I am sorry to see this reference deleted from the Act.

The Hon. R. F. Claughton: The Liberal Party is full of leaks.

The Hon. R. J. L. WILLIAMS: *Ex nihilo nihil fit.* One term which appears in the third schedule to the Bill seems to have escaped the attention of the Minister. It is the reference to an appliance termed a "snorkel". I do not know what that term means, because it is not defined in my dictionary, but it may be in others. If one of my constituents were to ask me what was a snorkel, I could not answer him, but I would have to assure him that a charge of $30 would be made if such an appliance were used at a fire.

The Hon. R. Thompson: You could show him yours.

The Hon. R. J. L. WILLIAMS: If I showed him mine, he would be amazed at the lack of its size. I understand that the term "snorkel" is derived from the word "snort." This is a device which protrudes from the top of a submarine. I would like the Minister to make inquiries into the meaning of this term as mentioned in the third schedule and to let me know what it means.

Another term that I do not understand is "C.A.B.A." It appears to be a breathing apparatus. One is charged $8 for the use of an oxygen breathing apparatus, but only $6 for the use of a "C.A.B.A." breathing apparatus. In researching this matter to the best of my ability, I came to the conclusion that "C.A.B.A." is a technical term meaning comfort and beverage appliances, which probably includes a tea urn; so that people who are fighting fires may be supplied with cups of tea. The charge is $6 per hour per set, but I wonder whether this charge includes the cups and saucers! I do not think this a fair charge to the owner of premises which might catch fire.

One other term in the third schedule that is not explained adequately is "firemen." Section 26 (c) of the Interpretation Act states—

> every word in the plural number shall be construed as including the singular number.

However, what the third schedule to the Bill does not set out clearly is whether the charge of $2.75 an hour or for every part of an hour thereafter relates to one fireman or all the firemen. Does it mean that if 100 firemen are attending a fire the charge is $2.75 per hour for all of them, or is that to be the charge for each of them? Perhaps the Minister will give us his ruling on this point, or he might be prepared to use the singular term and make an appropriate amendment in the Committee stage, so that people will know exactly what rate is charged for the services of firemen.

As I find no fault with the Bill, I give it my support.

THE HON. R. H. C. STUBBS (South-East—Chief Secretary) [5.39 p.m.]: I thank Mr. Williams for his support of the Bill and for the very interesting comments he has made. I am afraid I am not so well versed in the meaning of the term "snorkel" as to give an immediate answer to the point he has raised. However, in respect of his queries I shall be only too pleased to obtain the information, and let him have it in the very near future.

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. R. H. C. Stubbs (Chief Secretary) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Second Schedule deleted and new Schedule substituted—

The Hon. A. F. GRIFFITH: I take this opportunity to make a few remarks to the Minister in relation to the points raised by Mr. Williams, from whom we heard a very interesting address. Although this is a small Bill, Mr. Williams took the trouble to research the matter, and he introduced the subject with a touch of humour before he became serious. However, he has not been supplied with information in answer to the points he has raised. I am afraid that such a practice is being adopted by Ministers far too frequently.

The Hon. R. F. Claughton: This is not an unusual circumstance for the Opposition.

The Hon. G. C. MacKinnon: Only in the last couple of months.

The Hon. R. F. Claughton: And previously.

The Hon. A. F. GRIFFITH: Does Mr. Claughton say that seriously?

The Hon. R. F. Claughton: Yes.

The Hon. A. F. GRIFFITH: I am happy to see the honourable member has awakened from a long sleep! Let me tell him, since he has found it convenient to interject, that what he says is not correct. If he is honest with himself he will agree that on many occasions when I occupied a seat on the opposite side of the House, I asked leave of the Chamber to defer consideration of matters in order to obtain the information that was sought by members; and that included information sought by the honourable member.

The Hon. R. F. Claughton: The Minister has received the same courtesy from the Ministers of this Government.

The Hon. A. F. GRIFFITH: How much longer have I to remind some members that I am no longer a Minister? The honourable member should try to get that through his mind, or is it that he is anticipating each day that the political scene might be changed! However, the honourable member should not let this situation worry him unduly.

When members seek information I think they are entitled to be informed. If I, as a Minister of the Crown, erred in any way in this regard, it is perhaps because members themselves did not press the point.

If questions are raised by members, and the particular Minister concerned does not have the answer, I am sure the Committee will be prepared to give the Minister sufficient time to obtain the requisite information.

It might be thought I am making a great deal out of a small issue in a small Bill. I am not; I am illustrating the fact that I am compelled to take this course of action, because I think this practice has gone as far as it ought to go. If the Chief Secretary cannot supply Mr. Williams with the information now, he should ask for time to obtain it. When I was a Minister frequently information sought by members was supplied in the Committee stage or at the third reading stage.

The Hon. R. F. Claughton: Mr. Stubbs has given an undertaking to supply the information on the questions raised.

The Hon. A. F. GRIFFITH: Then he proceeded to take the Bill through the Committee stage.

The Hon. R. F. Claughton: He could supply it at the third reading stage.

The Hon. A. F. GRIFFITH: Perhaps that was the point at which the honourable member awoke from his sleep! I am sure the Minister in charge of the Bill will do better, without this crossfire between the honourable member and myself.

The Hon. R. F. Claughton: Perhaps the honourable member himself was asleep at the time.

The CHAIRMAN: Mr. Claughton will have the opportunity to speak to the clauses in the Bill, if he so desires.

The Hon. A. F. GRIFFITH: When moving the third reading of the Bill I think the Minister could take the trouble to explain these few minor alterations.

The Hon. R. H. C. STUBBS: I did undertake to obtain the information and advise Mr. Williams. When dealing with a previous Bill, I did just that; I supplied the information at the third reading stage. I agree the Committee should know all the details of any Bill. The terms referred to are minor, as far as I am concerned, and I do not know what they mean. However, since I have been in this office I have always adopted the attitude that if any member desires information it will be obtained for him. I have guaranteed to obtain the information and supply it at the third reading stage of the Bill.

The Hon. S. J. DELLAR: There seems to be some argument over a very minor point. The snorkel was the unit we saw cleaning stains from the top of the building the other day. "C.A.B.A." is under the heading "Breathing Apparatus", and it is apparatus which may be required during fire fighting.

The Hon. R. H. C. STUBBS: Members might have their own interpretations of snorkels and other equipment. If any information is required, from the fire brigade angle, I guarantee to obtain it and make it available.

The Hon. A. F. GRIFFITH: I did not want any assistance from Mr. Claughton. I was suggesting to the Minister, in as friendly a way as I could, that he should obtain the information. If the Minister does not know the answers to the queries, his department does.

I was merely using this matter as an example and I did not at all intend to be over-critical. In the process of our sittings we will discuss far more important matters than that now before us and I was merely trying to offer some friendly advice to the Minister.

The Hon. R. F. CLAUGHTON: If the Leader of the Opposition has taken offence at anything I have said I apologise. In fact, I have been reading a speech made by the Leader of the Opposition when he was a Minister and he did supply a great deal of information.

Clause put and passed.

Clause 5 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

LAND TAX ASSESSMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 9th September.

THE HON. A. F. GRIFFITH (North Metropolitan—Leader of the Opposition) [5.50 p.m.]: I am sorry for the slight delay but I did not realise the Minister intended to reply. Mr. Dans took the adjournment of the debate. The comments I wish to make in connection with this Bill are quite brief, and I do not propose to hold up the debate for very long.

Two members have spoken to the Bill, and each has pointed out the anomalies which will exist as a result of its passage. This measure will alter, very substantially, the previous order of things in relation to the levying of land tax. To my way of thinking what we had previously, as a result of a Bill introduced two years ago and the amendments made last year, provided a far more equitable situation for the taxpayer—the person who has to pay land tax—than that which this Bill will provide.

As the Minister said during his second reading speech, at the present time there is an exemption from land tax on land valued up to $10,000. There is then a sliding scale according to the amount of land held. The Bill which is now before us will continue to provide for an exemption of tax on land valued up to $10,000, but as different things occur in the ownership of land it will be found that greater anomalies will creep in.

We have heard Mr. Medcalf speak of some of the anomalies which he thinks will occur, and I will not repeat them. However, it strikes me—as an individual—that if a person owns a block of land which is under half an acre in area, whether he has a very modest cottage on that land or whether—as Mr. Medcalf said—he has a palatial residence, the land is tax-free provided it comes within the scope of the present Bill. If the same person owns a farm he will still not pay any tax because the farm is not assessable land. If the person owns all sorts of other properties which may not be taxable or assessable, he still does not pay any tax.

If a person owns a block of land in suburb A, and another block of land in suburb B, and the total value of the two blocks is above $10,000 he will pay tax on the two blocks. He could very easily overcome that problem by transferring one of the blocks of land to, perhaps, a family company in which he happens to be a shareholder. He would then not have to pay any tax. However, I do not think the Government intended that should be done. If a person owns a block of land on which he has a house and he owns another block of land on which he has established a business he could very easily pay tax on both blocks of land.

I think what the Government intended when it presented its policy, prior to the last election, was to propose a land tax concession which would be attractive to the general elector. However, we were left completely in the dark—and we are still in the dark to a considerable degree—as to the real effect of the concession. At the time the promise was made the electors

did not have an opportunity to question anybody on the anomalies which might present themselves as a result of the proposed Bill.

We are also entitled to know the financial situation which will arise as a result of this measure. We were not told this when the Bill was introduced, but I hope the information can be supplied when the Minister replies. I ask: what does the Treasury derive from the land tax at the present time? What will be the position in relation to the exemptions which are provided under this Bill? What will the Government lose by providing the additional exemptions, and what will be the financial result of the present proposals?

It is very important that we have the answers to those questions so we can judge for ourselves what benefits the taxpayers, by and large, will receive in respect of land holdings. I am constrained to say that well-meaning though the Government might be in its intention to give relief from the payment of land tax, the whole conception of this Bill is misguided. I am not going to say the Bill was prepared hurriedly, and I will not say the Government did not research the anomalies which might result from a Bill of this nature. However, I will say the formula which now applies and the method now employed under the existing legislation has far more equity attaching to it than will be provided under the Bill now before us.

Personally, I would like to see the Government scrap this Bill altogether, and rest on the existing legislation. The Government could then really go into the question of land tax and come up with a proposition which would better serve the taxpayers. I venture to suggest that within a relatively short time the proposed measure would present many anomalies and the Government would be obliged to deeply research the situation and bring down further amendments.

I am not at all satisfied. I know that we should not impede any tax relief which the Government provides. It must be very pleasant to be able to stand up, as a Minister, and give something away in the form of a taxation concession. I rarely had the experience or the privilege of being able to do this when I was a Minister. However, I feel it will be a relatively short time before the present Minister will have to again stand up and introduce other Bills to impose other forms of taxation on the people.

I am most anxious to be told by the Minister of the financial situation which will result from this legislation. I would like to know the income from the present form of tax; the measure of relief which will be provided by the Bill now before us; the amount which the Treasury will be short of—if it is to be short; and the net result of the collection of the land tax.

The Hon. W. F. Willesee: The replies which I have will answer most of the questions raised by the Leader of the Opposition. I would like, at this stage, to reply to those members who have spoken, and provide any further information during the Committee stage of the Bill.

The Hon. A. F. GRIFFITH: Thank you. That would be eminently satisfactory so far as I am concerned.

THE HON. W. F. WILLESEE (North-East Metropolitan—Leader of the House) [5.58 p.m.]: By way of interjection I have intimated that I would like to reply to the two previous speakers to the Bill. To a certain degree the replies will answer the questions raised by the Leader of the Opposition, but I give an assurance that I will not take the Bill into the Committee stage until the necessary information is available. Alternatively, I will arrange for someone to be present with the answers ready to hand. I can understand it is natural for the Leader of the Opposition not to accept the Bill in its entirety.

Mr. White raised a number of matters which were causing some concern and he has placed some amendments on the notice paper. His first concern was the amendment extending the concession provided for home owners whose land has been, or will be, the subject of rezoning to a higher use where the owners will continue to use the land principally for their own residential purposes. Mr. White fears that the commissioner will withdraw the concession from some owners who are on half-acre blocks of land because they could be subdivided.

I can set Mr. White's fears at rest because the proposed subsection (1a), as set out in clause 3 of the Bill, prevents the commissioner from applying his judgment as to whether the land can be subdivided, unless the land concerned exceeds one-half acre.

I have consulted the commissioner and he advises me that the new subsection was specifically drafted that way so it would not interfere with the existing concession. The extension of the concession, which is subject to the condition of subdivision being impractical, can only apply to qualifying land which exceeds half an acre and is one acre or less in area.

The second matter was the question of cost. It is not possible to give a precise estimate of the cost of this concession as it depends on land use, subdivisional prospects, application, and zoning changes which are continuous. Each application will be examined on its merits. As a rough guide, the department does not expect it to exceed $10,000 in the current year. From the foregoing it is clear that there is not a "sting in the tail" and there will be no gain to the Treasury from half-acre lots.

The next point concerns land zoned rural. It is quite true that a person owning land of the area quoted by Mr. White which is zoned rural will pay some land tax. However, as Mr. White observed, provisions have already been inserted into the law to reduce substantially the impact of land taxes on these owners because for various reasons they cannot subdivide their land. As a matter of interest, in the example quoted the current tax is $6.18, compared with the past assessment of $65.66 on the same value—$10,900.

Although I take Mr. White's point that people occupying areas greater than half an acre for their homes, only, will pay, and, as a result of the proposed amendment, others occupying perhaps more valuable land of half an acre or less will not pay, this is as far as the Government is prepared to go at this stage. This particular amendment is in strict accordance with the undertaking to provide this exemption. It seems to me that half an acre is a reasonably generous area for residential purposes.

The next point is concerned with the difficulty the department will have in policing the condition that the owner owns no other assessable land. I am advised this will not present the difficulty that Mr. White anticipates because it does not mean that joint and single ownerships will be amalgamated for the purposes of the exemption.

In the example quoted, if the land held by the husband in his own name is eligible for the exemption and he has no other land in his own name, he will receive the exemption. The fact that he and his wife are co-owners of other land will not affect it.

The Hon. A. F. Griffith: Do you not think there is some inequity in that?

The Hon. W. F. WILLESEE: There probably is, but it exists in the Act at the present time.

The Hon. A. F. Griffith: I agree.

The Hon. W. F. WILLESEE: And it has existed for several years. As Mr. White says, the assessments are issued separately in accordance with the Act, and the exemption will be applied in the same way. The department's records are structured on the basis of aggregation of land in the same ownership, so policing will present no administrative difficulty.

His last point was that a farmer who owns his farm and a separate town house in which he is residing could not qualify. That is not so, because the farm would be exempt and therefore not assessable, and that land would not be aggregated with the town land. Thus, if his town land is eligible for the exemption, he would receive it. I thank Mr. White for his contribution to the debate.

With regard to Mr. Medcalf's remarks, I have the following replies: Firstly, Mr. Medcalf mentioned the amendments made in another place to the Bill now before this House. The word "principally" was added, as Mr. Medcalf stated, to clarify the position of a taxpayer who conducts some commercial activity from his home —such as a small cottage-type industry, a small accounting practice, and the like —which does not conflict with other laws regarding the use of land.

Secondly, Mr. Medcalf raised the point that the addition of the word "assessable" to the clause dealing with the provisions relating to the proposed exemption had created anomalies. This gave rise to some discussion. I think I should make it clear that the addition of the word "assessable" was agreed to only as a matter of clarity. It did not change the proposal or the current practice.

In fact, under the current law the same position obtains in respect of aggregation; that is, if a person owns a town house in which he resides—whether it be what has been described as a palatial residence, or otherwise—and he owns a farm or mining leases, then, subject to the unimproved value of the land on which his residence is built not exceeding $10,000, he now pays no land taxes on the town land because farm lands and mining leases are already exempt under the law and cannot, therefore, be aggregated with land taxed under the Act. Thus, the addition of the word "assessable" has not changed the existing practice but is intended simply to clarify the existing position.

While on this point, I should make it clear that land taxes are assessed on unimproved values, not on the value of land and improvements. Therefore, for purposes of land taxes, it makes no difference whether the improvements are modest or palatial homes; the value of the improvements is disregarded for purposes of the tax base.

To get the matter into perspective we must bear in mind that the only change this Bill will make in practice is to exempt from taxes a few persons who only own taxable land of half an acre or less, the unimproved value of which exceeds $10,000, on which their homes are built.

The Hon. A. F. Griffith: The election promise did not really mean much, did it?

The Hon. W. F. WILLESEE: The Leader of the Opposition is never satisfied.

The Hon. A. F. Griffith: I simply make a statement: on your own admission it does not mean much.

The Hon. W. F. WILLESEE: Had it meant a lot, we would have been taken to task for giving too much money away.

There is not a great number of such people, and, generally, they are located in the metropolitan area. A check shows

that the highest value is $40,000; the values are mostly of the order of $20,000. Based on that average, each of those blocks attracts land taxes of $79. Therefore, it is estimated that the cost of the proposed exemption will not exceed $20,000.

It is true that if a person owns other taxable land—say, a shop, a block of flats, or a manufacturing industry—and after adding the unimproved value of the land on which those activities are conducted to the unimproved value of the land on which his home is built the total exceeds $10,000, he then pays land taxes. However, this situation also prevails under the current Act, and the same criticism could therefore be levelled against the existing law.

I take the point that this situation can be described as an anomaly, and the current proposal was not aimed at removing it. The only reason for providing an exemption for that land in this Bill was to give effect to the Government's undertaking, and this it does. The Bill simply extends the current concession by exempting those who only own taxable land on which their homes are built, provided the land concerned is half an acre or less in area.

However, the points made have been noted and I imagine they will be looked at when land taxes are next being reviewed. Any extension of the tax exemption must inevitably cost more in the form of loss of revenue, and the extent to which this can be borne would need to be very carefully examined, particularly in the present circumstances. I thank Mr. Medcalf for his contribution to the debate.

Question put and passed.

Bill read a second time.

House adjourned at 6.09 p.m.

Legislative Assembly

Tuesday, the 14th September, 1971

The SPEAKER (Mr. Toms) took the Chair at 4.30 p.m., and read prayers.

BILLS (7): ASSENT

Messages from the Lieutenant-Governor and Administrator received and read notifying assent to the following Bills:—

1. Stamp Act Amendment Bill.
2. Bulk Handling Act Amendment Bill.
3. Clean Air Act Amendment Bill.
4. Snowy Mountains Engineering Corporation Enabling Bill.
5. Anatomy Act Amendment Bill.
6. State Electricity Commission Act Amendment Bill.
7. Industrial Arbitration Act Amendment Bill.

ALUMINA REFINERY AT UPPER SWAN

Environmental Protection: Petition

MR. A. R. TONKIN (Mirrabooka) [4.33 p.m.]: I wish to present a petition, which is addressed as follows:—

> To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned, residents in the State of Western Australia do herewith pray that Her Majesty's Government of Western Australia will recognise the environmental threat to Perth of the establishment of an alumina refinery near the Upper Swan Valley and give the environment protection board the authority and time to consider the matter to the fullest extent, including air and water pollution, affects on flora and fauna, and the affect on the health of the people within its influence.
>
> Your petitioners, therefore, humbly pray that your honourable House will give this matter earnest consideration and your petitioners as in duty bound will ever pray.

There are 107 signatures to the petition, and I have certified that it conforms with the rules of the House.

The SPEAKER: I direct that the petition be brought to the Table of the House.

PUBLIC ACCOUNTS COMMITTEE

Report

MR. BICKERTON (Pilbara) [4.37 p.m.]: As Chairman of the Public Accounts Committee I present to the House on its behalf the first report of the committee. I move—

That the report be received.

Question put and passed.

MR. BICKERTON (Pilbara) [4.38 p.m.]: I move—

That the report be printed.

In so doing might I point out very briefly that the Public Accounts Committee has met regularly each week since its formation. The committee now feels that it is in a position to undertake the duties for which it was appointed by the House. Naturally most of our work will arise as a result of the Auditor-General's report, and we are looking forward to this work.

We have caused to be printed the Standing Orders governing the Public Accounts Committee, and we hope that you, Mr. Speaker, will permit them to be laid on the Table of the House. The purpose of so doing is to make the Standing Orders available to members, so that by a perusal of them members will appreciate the powers of the committee. We feel it would be an advantage to members to have these Standing Orders available,